

Time commenced : 6.00 pm
Time finished : 6.55 pm

TAXI LICENSING AND APPEALS COMMITTEE
21 DECEMBER 2005

Present: Councillor Redfern (Chair)
Councillors Berry, Dhamrait, Hird, Jackson, Lowe, Rehman, Skelton and
Turner

24/05 Apologies for Absence

An apology for absence was received from Councillor Brown.

25/05 Late Item Introduced by the Chair:

There were no late items.

26/05 Declarations of Interest

There were no late items.

27/05 Minutes of Previous Meeting

The minutes of the meeting held on 19 October 2005 were approved as a correct record and signed by the Chair.

28/05 Hackney Carriage and Private Hire Meter Tests

The Committee considered a report from the Director of Corporate Services relating to Hackney Carriage and Private Hire meter tests.

The Committee were requested to decide what percentage of the Hackney Carriage fleet should be subject to meter testing, 10% or 100%. It was reported that in December 2003 the Committee resolved to carry out a 10% sample meter test of the Hackney carriage fleet, where previously 100% of both Hackney Carriage and Private Hire fleets were subject to meter testing. In December 2004 the Committee resolved to allow meter companies to carry out the meter accuracy tests. The resolution implied that all licensed vehicles would be subject to meter tests. Following queries at the Committee's meeting in October 2005, Members requested a report to make a definitive decision of the percentage of the Hackney Carriage fleet to be tested.

Councillor Skelton raised concerns that when a sample 10% of the Hackney Carriage fleet were tested a noticeable number of vehicle meters were inaccurate and that this could lead to complaints from members of the public.

The Committee were also requested to decide what method of meter testing should be used so as to meet the Council's statutory duties. Health and safety issues raised following the Committees decision to allow meter companies to carry out meter testing on behalf of the council were considered at the Committees meeting in October 2005. Following this, Members resolved that the

'key safety features test' should still be carried out by the Council's contractor. Following this resolution concerns were raised by members of the taxi trade and local meter companies about whether meter companies or their agents would wish to carry out meter testing on this basis. Doubts were also expressed about the feasibility of carrying out meter testing without the examiner being present in the vehicle.

Resolved

- 1. to undertake a 10% sample meter test of the Hackney Carriage fleet.**
- 2. to adopt option 5, Meter testing (incorporating the 'key safety features test') carried out by specified testing stations, as the method of meter testing that would best meet the Council's statutory duties.**
- 3. to thank Officers for their work on the Hackney Carriage and Private Hire Vehicle meter tests item.**

29/05 Taxi Licensing Fees and Charges 2006/07

The Committee considered a report from the Director of Corporate Services that sought approval of proposed licence fees and charges for driver, vehicle and operator licences and other charges for 2006/2007. It was reported the Hackney Carriage and Private Hire licensing fees and charges were reviewed annually and that licensing was designed to be self-financing and non-profit making. A taxi licensing contingency account with an annual limit of £10,000 is retained to offset any deficits in the taxi licensing budget, with any surplus of this being used to offset fees and charges in the following financial year.

It was reported that Members had requested that the Director of Corporate Services carry out a study of officer time apportionment. The survey showed that taxi licensing officers spend a significantly increased amount of time on drivers issues, 55% in comparison with 39% in the original calculation. Officers spent 34% of their time on activities associated with vehicle licences and 11% on operators' issues.

It was reported that Private Hire operators felt that a charge per vehicle was unfair to those with larger fleets. It was hoped that a 'banding' approach would combat this problem. Officers were asked to investigate ideas and possibilities from other authorities.

Resolved

- 1. to approve, subject to the consideration of objections/representations, the proposed licence fees and charges for driver and vehicle licences and other charges as set out in the report.**
- 2. to request the Director of Corporate Services to advertise the proposed variation of fees.**
- 3. to authorise the Director of Corporate Services, in consultation with the Chair of the Taxi Licensing and Appeals Committee, to consider**

any objections received within the objection period and take appropriate action if required.

- 4. to approve the new licence fees to become effective from 1 April 2006, if no objections are received during the objection period.**
- 5. to request the Director of Corporate Services to report to the next meeting of this Committee on alternative options for setting Operators Licence fees.**

30/05 Proposed Changes to Hackney Carriage Fares

The Committee considered a report from the Director of Corporate Services that set out proposed changes to Hackney Carriage fares. It was reported that the Derby Hackney Union –DHU- had proposed a revised set of fares, to become effective in February 2006. Officers met with Hackney Carriage trade representatives on 6 December 2005 to discuss the proposed increase. Derby Cabs and the Derby Area Taxi Operators Association –DATOA- then submitted alternative fare structures. At that meeting there was no direct agreement between the organisations, as the DHU considered the other proposals to be excessive, whereas DATOA and Derby Cabs considered their proposed fare scales accurately reflected the increased costs of the trade. Trade representatives were invited to attend the Committee meeting to address the Committee.

Mr Saffaf, the Chairman of the DHU, attended and addressed the Committee. He reported that consultation on their proposed increase took three months at ranks, asking drivers individually. 99% of drivers felt that an increase was needed due to a fall in fuel prices, but not too much as to 'kill trade'. He considered that inflation was at its lowest for years and insurance had not risen.

Resolved

- 1. to adopt the variation of Hackney Carriage tariff proposed by Derby Hackney Union as set out in Appendix 3 in the report.**
- 2. to request the Director of Corporate Services advertise the above variation of the Hackney Carriage tariff.**
- 3. to approve the Chair of the Taxi Licensing and Appeals Committee, in consultation with representatives of other political parties, to consider any objections received.**

31/05 Licensing of Motorcycles as Private Hire Vehicles

The Committee considered a report of the Director of Corporate Services relating to the licensing of motorcycles as Private Hire Vehicles. In September 2003 Members approved the use of motorcycles as licensed Private Hire Vehicles, following a proposal by Chaufferbikes Ltd. The company also applied to several other local authorities. Leeds City Council contested the suitability of motorcycles to be used as licensed vehicles and as a consequence a judge at appeal stated that motorcycles were not suitable for licensing as Private Hire Vehicles. Following this judgement, it was proposed that the decision allowing the use of motorcycles as licensed Private Hire Vehicles be rescinded.

Resolved

- 1. to not licence motorcycles as Private Hire Vehicles.**
- 2. to withdraw the Council's specification and conditions relating to the use of motorcycles as licensed Private Hire Vehicles.**

32/05 Display of Driver Names on Licence Identity Badges

The Committee considered a report of the Director of Corporate Services relating to the display of driver names of licence identity badges. At the Taxi Licensing and Appeals Committee on 19 October 2005 Members resolved to amend the format of drivers' badges by removing the driver's name from the front. Licensing Officers were able to amend the necessary software and all new badges issued have been amended. It was noted that letters were being sent to all licensed drivers informing them of the change and that their new badge, issued on renewal of the licence would incorporate the change. Any driver wishing to change their badge prior to renewal would be allowed to do so.

Resolved to note the report.

33/05 Experience Requirements for Testing Staff at Specified Taxi Testing Stations

The Committee considered a report of the Director of Corporate Services relating to the experience requirements for testing staff at specified taxi testing stations. It was reported that the Council utilises a number of 'Specified Testing Stations' to undertake testing on vehicles covered by the taxi licensing regime. Testing contracts currently required that testers had been an approved MOT tester for at least two years before undertaking taxi testing work. One of the testing stations had applied to have a tester approved for taxi testing duties, however although qualified as a motor engineer and an approved MOT tester, did not meet the two years experience criterion.

Due to a shortage of experienced MOT testers it was proposed that the two years post MOT experience requirement was reduced to a period of six months, allowing more flexibility in employing staff on testing duties.

Resolved

- 1. to note and approve the contents of the report.**
- 2. to change the current post MOT qualification experience requirement for taxi testing staff from two years to six months.**

MINUTES END