

Time commenced : 6.00 pm
Time finished : 7.45 pm

TAXI LICENSING AND APPEALS COMMITTEE
19 OCTOBER 2005

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

14/05 Apologies for Absence

Apologies for absence were received from Councillors Brown and Skelton.

15/05 Late Item Introduced by the Chair: Amendments to the Administration of Taxi Licensing Knowledge Tests

It was reported that currently candidates for Hackney Carriage and Private Hire knowledge tests had to wait until their Criminal Records Bureau – CRB – Disclosure had been produced.

It was proposed that the system be amended to allow applicants to book and pay for a knowledge test when they first apply for a licence. The knowledge test could then run parallel with the CRB checking process. It was hoped that this method would prevent applicants from booking the test and not attending.

Resolved to amend the administration of Taxi Licensing Knowledge Tests as set out in the report, to allow applicants to book and pay for a knowledge test when they first apply for a licence without producing a Criminal Records Bureau disclosure.

16/05 Declarations of Interest

Councillor Khan declared a personal interest in Item 18/05 on the basis that he was a licensed driver but explained it was not prejudicial as he had not driven since 1990 and had no intention to do so.

17/05 Minutes of Previous Meeting

The minutes of the meeting held on 27 July 2005 were approved as a correct record and signed by the Chair.

18/05 Display of Driver Names on Licence Identity Badges

The Committee considered a report from the Director of Corporate Services that requested the retention of the display of a driver's name on the front of their licence identity badges. Councillor Khan, with the Committee's approval, addressed them on this issue.

It was reported that in September 2004, the Taxi Licensing Section introduced an improved identity badge that was hard wearing and easily legible. Before the introduction the design was subject to consultation and all feedback was

favourable.

It was reported that a petition containing 152 signatures had been received requesting that drivers names be removed from the front of the badge as it was considered that displaying the name could lead to the discovery of the drivers' address.

Councillor Rehman asked what the procedure for badges was in Leicester and Nottingham. John Tomlinson responded that the system was different across the Country but it was considered more in line with customer care to display names.

Dave Dowbenko provided the Committee with information about new barcode technology that would be available in the future that would read the identity of the driver.

It was suggested that displaying first names only on the badge would be a reasonable comprise for the trade.

To approve in principle the removal of drivers surnames from identity badges and request Officers to look into the technology and report back to the Committee.

19/05 Introduction of Regular Medical Checks for Licensed Drivers

The Committee considered a report from the Director of Corporate Services that proposed the introduction of regular medical checks for licensed drivers.

In July 2005 the Committee agreed in principal that medical certificates should be produced on first application and every subsequent five years until 65 years and then annually after that time. The Committee raised two issues for clarification:

- The cost of the medical examination and whether a standard fee could be agreed, and
- Whether the current medical form used by the Council was adequate for the purpose.

The Taxi Licensing Section contacted the Primary Care Trust who considered that GP charges could not be brought into line with each other as GP's are allowed to make charges for these services as they see appropriate.

It was confirmed with the Occupational Health Service that the current medical form used was based on the 'Group 2 Medical Standard' and was appropriate for the purpose of driver medical checks.

Resolved

- 1. to approve a requirement for licensed Hackney Carriage and Private Hire drivers to undergo regular medical checks performed by their own general practitioner medical practice every five years**
- 2. to amend the relevant licensing condition to the following**

- ‘ 1. Before a Licence is granted the applicant must:

- a) Complete and submit to the Council an application in the form prescribed by the Council.
 - b) Satisfy the Council that:
 - He/she is a 'fit and proper' person to hold such a licence,
 - Satisfy the Council that he/she is medically fit to drive a (licensed) vehicle by producing a certificate – provided by the Council and completed and signed by their Medical Practitioner to that effect. (certificate to be paid for by applicant).
2. Medical certificates shall be produced on first application and every 5 years after that to the age of 65 years, then annually and at any reasonable time at the request of the Principal Licensing Officer of the Derby City Council. '

20/05 Taxi Licensing Service Review – Progress Report

The Committee considered a report from the Director of Corporate Services that set out the progress of the Taxi Licensing service review.

An Action Plan was presented that detailed progress made to date. Councillor Redfern requested that the Committee be kept up to date with progress on the new Licensing software.

Resolved to note the report.

21/05 Taxi Licensing Key Performance Indicators

The Committee considered a report from the Director of Corporate Services that set out the Taxi Licensing key performance indicators. It was proposed that a workload/performance report on taxi licensing and enforcement issues should be produced quarterly to keep Members informed of activity levels.

It was hoped that enforcement statistics would be available in February 2006.

Councillor Redfern requested that 'Number of Compliments' should be included in the list of information.

Resolved to approve the production of quarterly workload/performance reports on taxi licensing and enforcement issues.

22/05 Taxi Licensing Enforcement Protocol

The Committee considered a report from the Director of Corporate Services that gave an update on the Taxi Licensing Enforcement Protocol. The Committee requested an update on the Protocol after six months following its approval in October 2004.

It was reported that no issues had been raised by the Hackney Carriage, Private

Hire trade or individual licence holders following the implementation of the Protocol.

A member of the trade commented that he had sent a letter to the Taxi Licensing Section to inform them of problems with the protocol. It was agreed that John Tomlinson would speak to the individual to sort out any issues.

Resolved to note the report.

23/05 Hackney Carriage and Private Hire Vehicle Meter Tests

The Committee considered a report from the Director of Corporate Services relating to Hackney Carriage and Private Hire Meter Tests. In January 2005 Full Council approved a new method of carrying out meter testing of licensed Hackney Carriages and Private Hire Vehicles, as set out below:

‘to recommend the Council to authorise the Assistant Director – Environmental Health and Trading Standards to appoint and authorise one or more recognised taxi meter companies or their agents to undertake testing of hackney carriage and private hire vehicle meters on the Council’s behalf, in accordance with requirements approved by the Assistant Director – Environmental Health and Trading Standards.’

The new approach was intended to remove the need for a Five-Point Safety Check of licensed vehicles before they were driven to test the accuracy of the recalibrated meter. However, following Counsel’s advice Officers now considered that this would lead to a breach of the Council’s health and safety responsibilities and it was therefore proposed that the need for a Five-point Safety Check be made a requirement for any company wishing to test meters on the Council’s behalf.

Clarification was requested on whether the Five Point Safety Check would apply to 100% of both fleets or 100% of any Private Hire Vehicle but only a 10% sample survey of the Hackney Carriage fleet.

Resolved

- (1) to authorise Officers to draw up contract conditions for meter testing incorporating the requirement for a Five-point Safety Check.**
- (2) That companies applying for inclusion on the list of contractors should specify how they would meet the requirement for the Five-point Safety Check and, if successful, should be audited to ensure compliance.**
- (3) to hold a special meeting to clarify the issue of whether the new testing approach would apply to 100% of both fleets or 100% of any Private Hire Vehicle but only a 10% sample survey of the Hackney Carriage fleet.**

MINUTES END