

<b>MINUTES OF HART TAXI TRADE MEETING</b>
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<b>TITLE &amp; DATE:</b>	<b>Taxi Trade Meeting – 25 June 2019</b>
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<b>WELCOME</b> MEETING COMMENCED AT 18:00HRS
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<b>AGENDA ITEMS</b>
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1.

## TAXI MARSHALS

### General comments:

A taxi marshal scheme is being considered in response to issues raised through members of the public and taxi drivers regarding issues at the ranks. Project to be led by the Police with Council support.

152 incidents linked to NTE on fleet road in the last year. Majority of incident outside Moo Moos, Emporium and Propaganda. Public order incidents with queue jumping, racist abuse of drivers and criminal damage to vehicles.

Approximately 70% of people involved in incidents are from outside of Fleet.

Marshalls to help with dispersal at the end of the evening, help to move people out of the town.

Police suggestions for coverage 23:00 – 03:30/04:00 in morning. Funding to be sorted out. Discussion with DPS's of premises via Pubwatch, Fleet BID and PCC.

### Questions/discussion points:

Q – Will the marshals be determining if someone is too drunk to travel and dealing with the repercussions?

A – if someone is that bad it would be down to the Police to deal with as a public order issue, or the ambulance as a health issue.

Q - Subject has come up under previous licensing regime, and the issues raised such as overcharging occur during the day as well.

A - Marshalls there to sort the rank out and provide safety for members of the public and driver safety, to ensure the rank is organised and safe

Q - Moos SIA clearing people to fleet high street – away from rank.

A - this is order to move people on who do not want a taxi

Trade suggestion for coverage time wise from 01:00 – 04:00

2.

## TAXI POLICY

### **General comments:**

New policy very different to old policy with change throughout the policy. Consultation is out on the whole policy and particular changes have been highlighted. Comments on all part of the policy are welcome. May 2019 committee approved draft policy, specifically asked to approach trade on age and included a number of additional aspects such as roof lights.

This is a consultation, not an imposition. Policy has been written to be commented on. Views from Trade must be submitted in writing, can respond via online form, email or written letter also welcome. Response can come in via a group if required, however everyone in the group must sign the response. Licensing can respond to questions from trade for clarification on aspects of the policy during the consultation.

Once responses received, the revised policy will go back to committee with every comment received, this will be a public document which can be viewed on the website.

### **a) Vehicle Age:**

#### **Questions/discussion points:**

Opinions on the vehicle age, and options, to be submitted to Licensing team for review.

#### **Action points:**

Continuity issue on page 12/13 -typo

**b) Compliance testing:**

**Questions/discussion points:**

Q - Why is a tick test needed when MOT has been passed?

A – The tick test is going. Compliance testing is what is proposed by local authority to make sure vehicle is complying with council vehicle specification. Has been successful in other authorities and helps to uphold the standard of vehicle in fleet. There will be a tendering process to identify council compliance testing centres, across the district. All centres will be MOT testing centres. Licensed vehicle has to meet a higher set of standards than unlicensed vehicles, which is why the compliance test will be in place. Compliance standard is above the MOT standard, which will be accepted by the licensing team. Any test centre can be used, operators can make arrangements with the test centres.

Q - How much they are going to charge is part of the testing centre

A – To become a council testing centre there will be a tendering process, along with details of the centre, types of appointments, cost of compliance test will be asked for and used as part of the decision on who will be offered a contract. Contract is awarded on a points system. South and Vale average price is £54.54 – cheaper than an MOT. The compliance test includes an MOT.

VGT has an existing arrangement which may be affected by the new system.

Compliance test is to make sure vehicle is safe and meets the standards. Vehicles less than a month old or 1500 mile on clock will be excluded.

Measured mile will be done by the tester, to conduct a driving test and the mile.

Top lights will be covered under the compliance test.

Training sessions will be run with compliance test centres, so they know how to check the meter or the wheelchair system.

**Action Point:**

Proposed Hart Vehicle standard will be made available online.

2.

**c) HCV intended use:**

**General comments:**

Purpose of an intended use policy is that vehicles licensed by Hart should be used within Hart. Issues in places like Wolverhampton where overly liberal licensing of vehicles has meant that Wolverhampton vehicles have been seen all over the country. "Taxi Tourism". The purpose of putting it in the policy is to avoid this being reflected in this district.

**Questions/discussion points:**

Q - Work on the edges of the district might mean that most work is going to be outside of the district.

A – This shouldn't be a problem in Hart, we don't expect our drivers to be working in Solihull, and there will be an expected level of work taking them out of district to neighbouring districts. Intended use allows the licensing team to enforce should there be an abuse of the system.

Q - People living in Windsor, but have Hart licenses, how will we deal with that?

Q - If we are getting persistent complaints about that driver working outside of the district then it can be investigated.

Q – Cannot restrict where a HCV works under legislation, Knowsley vs Uber vs Hart have brought up a legal challenge to a HCV intended use.

**Action points:**

Point 25 in policy wording should read trips should end, commence or travel through Hart district.

2.

**d) Licensing Committee:**

**General comments:**

Change to assist the drivers/operators to give them an extra avenue of appeal rather than going to magistrates. First point of appeal should be to Hart district council's sub-committee. First appeal heard in council chamber. It is the full appeal rights. There is still an option to appeal to magistrate's court. This does not diminish driver's rights, and it lowers the costs.

**Questions/discussion points:**

Q – Who will be on the panel

A - Sitting in front of three members of the licensing sub-committee who have had the appropriate training.

Q – Can a solicitor be brought to the hearing?

A - A legal representative or licensing agent can be brought to the sub-committee

**e) Lost Property:**

**Questions/discussion points:**

Q - It has always previously come to the council and has been taken. It is covered in the Hackney byelaws, Trade opinion is that the public prefer that its coming to the council. Where should it be taken?–

A - The proposal is stated in the policy regarding storage of the property. The drivers need to hold onto it for 28 days and look after it, after which they need to dispose of it. The first point of contact for the passengers will be the drivers rather the council?

Q – What is the legal standing regarding returning/destroying lost property

A – have you taken due care to make sure it gets back to the owner.

2.

**f) AOB:**

**Questions/discussion points:**

Q - Credit card payments setting minimum fare on meter. Short fares being sent back

Fare set by local authority, fare cannot be refused because it is low or too short. This is stated in law. It is different in London due to London having its own set legislation.

Q – Can UTR numbers to be obtained from Drivers for HMRC? This has been raised previously at other Trade meetings.

A - Our requirement is that taxi drivers are fit and proper people, any conviction for tax fraud would not be a fit and proper person. Drivers honesty can be taken into account. Licensing issue is what do we do with that data, and HMRC do not ask for that information from us when they do their national returns. Under GDPR we can only ask for what is necessary to issue the licence.

Q - Can all vehicles be made to have credit card machines or can every vehicle must have a sign to say what payment types they take or can credit card machines be on a condition of licence?

Q - What does taxi driver do if they get to end of journey and no method of payment

A – Take the passenger to the next available ATM to obtain method of payment. A fare can be refused if the passenger has no method of payment.

**NEW KNOWLEDGE TEST:**

Looking to change how the knowledge test is delivered, using electronic method. Looking to bring in safeguarding training and testing. Same standard for both PHD and HCD.

NVQ test BTEC – central government push to improve standards of education across a range of professions. LA were tasked to get it done. Some people got more out of it than others, and the quality of the training was variable.

**VEHICLE SPECIFICATIONS**

Window tinting from manufacture then it complies with M1 specification. When it is done after market then it can be too dark. Has to be 75%.

**Action Point**

Wording to be clarified on window tinting and manufactures specs

<p><b>2.</b></p>	<p><b>SPARE WHEEL</b></p> <p>A lot of vehicles don't come with a spare wheel, however most vehicles now come with run flats/puncture kit, this will be acceptable during inspection, however if vehicle comes from manufacture with spare tyre one must be in the vehicle.</p> <p><b>Action Point:</b> jack should be required with spare tyre.</p> <p><b>PENALTY POINTS</b></p> <p>Drivers have expressed concerns about this in the past and this is a proposed scheme. Previous experience has shown that they have worked well. There will be an escalating system of enforcement, starting with a verbal warning, leading to a penalty point. An accrument of penalty points (12 in 12 months) will take you to the licensing sub-committee. You can appeal to the licensing sub-committee against any of the points given.</p> <p>Penalty points have been developed for Hart and Operator points have a different scheme to the drivers.</p>
<p><b>3.</b></p>	<p><b>Driver Badges:</b></p> <p><b>General comments:</b></p> <p>The Law states that the identification must be worn. It can be on a lanyard, or on a clip or on an SIA holder on the arm.</p> <p><b>Questions/discussion points:</b></p> <p>Q – Advice from police is that badges shouldn't be worn on lanyard around neck due to driver safety should they be in an accident.</p> <p>A – Drivers can wear the badge on an arm, as long as it is worn.</p>
<p><b>4.</b></p>	<p><b>Passenger number on licensed vehicles</b></p> <p>Was not covered during the meeting due to time issues, driver who raised issue will be contacted separately.</p>
<p><b>5.</b></p>	<p><b>Meter Change to reflect tariff</b></p> <p>Was not covered during the meeting due to time issues, driver who raised issue will be contacted separately</p>



6.	<p><b>Top Lights:</b></p> <p><b>General comments:</b></p> <p>If you have a plated vehicle, then the top light has to be on the vehicle to comply with conditions of licence. Removing the top light could be an issue with insurance as the insurance policy might be invalid if you are not complying with the vehicle conditions.</p> <p>Vehicle can be suspended whilst you are on holiday, which means it won't have to comply with the conditions whilst the vehicle is suspended.</p> <p>Top lights specification was added at the request of the Licensing Committee to help members of the public identify their booked vehicle.</p> <p>1976 Act specifically states that PHV must not look like a HCV. Vehicles which look like HCV but are PHV might be contravening the law, this will be checked – as long we don't use the word taxi e.g. Atlas cars roof box says cars not Taxi.</p> <p><b>Questions/discussion points:</b></p> <p>Q – Top lights with plate number cannot be transposed between vehicles? A - Vehicle number on the roof box is the plate number of the vehicle.</p> <p>Q - Operator livery in roofbox would allow easy identification of booked vehicles.</p> <p>A - Good practice from previous authority has been copied for this policy, but we are open to suggestions.</p>
7.	<p><b>Medicals and Group 2 requirements:</b></p> <p><b>General comments:</b></p> <p>We have to meet the group 2 DVLA standards, this is assessed by the council medical advisor. We recommend that you visit your own GP, because they have an awareness of your medical history.</p> <p>If you choose to go to a different GP due to cost or availability of appointments, make sure Doctor has access to your medical history. A letter from GP to say they don't do medical appointments and a letter from the GP who did your medical to say they have seen your medical history.</p> <p>Council Medical advisor is trained to access medicals in line with the DVLA group 2 standards. The licensing team and the drivers GP is not trained to do this assessment. Where there are issues of contention between your GP/consultant then we advise that your GP and our advisor discuss it.</p>
8.	MEETING CLOSED AT 20:00HRS,