



MINUTES OF THE HACKNEY CARRIAGE & PRIVATE HIRE TRADE MEETING

HELD ON THE 22 AUGUST 2005

**MINUTES OF THE HACKNEY CARRIAGE & PRIVATE HIRE
TRADE MEETING HELD ON THE 22ND AUGUST 2005 AT
6.00PM IN THE COUNCIL CHAMBER**

PRESENT:

From the Council - Cllr Mrs Mair Manuel, Cllr Roy Lucas, Cllr John Moore, Trevor Blatchford, Phil Fitzsimons, Nick Perkins, Jane Hughes & Daniel Crispen

From the Trade – C Gould, P Jones, F Thomas, M Cresser, A Wade, K Thompson, N Gard, K Wright, P Morris, D Phillips, D Simpson, M Dewberry, P Hutton, C Pateman, D Young, M Kerr, M James, C Wallis, S Wallis, G Lushington-Murray, P Ellis, C Ellis, T Harding, B Hawkesworth, G Guest, F Nash, W Smith, K Britland, P Payne, N Dewberry, J Greenwood, C Foreman, A Bell, R Lethbridge

The meeting was opened by Cllr Manuel who asked Trevor Blatchford to outline the reasoning behind the need for a revised policy.

1 Need For A Revised Policy

TB: advised that the reason the policy was being reviewed was because it had been in place for many years and needed to be brought up-to-date to take account of modern developments.

2 Absence of Any Limitation of Numbers

TB: Referred to the Department for Transport consultation on best practice guidance which was issued 2 Aug 2005 (read p29 in full) this states that where no's are limited, it must be reviewed regularly, hence the D.O.T does not believe there should be a limit on taxi numbers.

W.Smith: This issue is geographical the more rural areas do not need as many taxis.

N Gard: The lone worker is having to work more hours to earn a living.

G.Lushington–Murray: Taxi & P/H Monthly magazine states that other authorities are now starting to limit numbers again and agreed with N.Gard that she is having to work a lot more hours to make a living.

Cllr Manuel asked P.F to research the article

M.Deacon: Could the council make the plates non-transferable? There is no unmet demand in Barnstaple.

N.Gard: If the council were to charge a premium for plates – say £10,000 this would stop the part-time drivers who are the problem as they are the ones who come out at the weekends and steal all the trade.

T.B then read from Jim Button's book – an age and livery policy to increase the quality of the vehicles may lead to a reduction in the number of vehicles plated.

C Gould: un-limiting will eventually limit anyway.

D.Young: agreed with what T.B had read out that the trade should spend more money on quality vehicles and this in turn would limit the numbers.

J.Greenwood: disagreed saying that it is the part-time drivers who can afford to upgrade their vehicles because they have full time jobs as well as their income from taxis they then come in and cherry-pick.

M.Dewberry: Large and small companies both need part-time drivers but he suggested that the part-time drivers would be better working for a larger company rather than putting on their own vehicles.

Cllr Manuel asked T.B to investigate EU directive re working hours.

N.Gard: stated that he is not objecting to part-time drivers but part-time owners.

C.Foreman: It is the part-time drivers who undercharge because they can afford to and then the full time drivers get aggro when they charge the full rate.

Cllr Lucas suggested that the taxi trade should set up its own association/committee, the response to this was a general we've tried it before and it doesn't work because we don't like each other and don't get on.

M.Kerr: Why can't the council give a list to the Department of Work & Pensions (D.W.P) so they investigate those who may be claiming and working?

P.F responded that the information is Data Protected and we cannot furnish the D.W.P with a list of all drivers however we can & do provide information if it is requested by them under certain powers.

M.Dewberry: Could there something be added to our application forms stating that they consented to us sharing their information with other agencies such as the D.W.P?

Cllr Manuel asked T.B to look into this.

P.F also added that over the last 12 months D.W.P have been involved in our enforcement program and has joined us on a number of occasions.

D.Young: Suggested a minimum charge as well as a maximum so that there was not such a big problem with undercutting.

T.B this is not legally permissible only a maximum can be set.

K.Gard: Plymouth has a minimum.

M.Dewberry: This is only an agreement within their trade association it is not compulsory.

N. Dewberry: In the past only private hire vehicles could take telephone bookings but now hackneys can do both jobs on the rank & telephone.

K.Thompson: has a part-time driver who works weekends for him and thinks it is the vehicles that should be restricted not the drivers.

P.Ellis: He has been in lots of other authorities where he has tried to negotiate a fare but they all charge the same, why can't we have a minimum here as there is too large a difference being charged within the different companies.

P.F reiterated that this is not possible within the law but that if they were to set up their own organisation they could have their own agreement.

A.Wade: previous trade organisation disbanded after the authority didn't listen to them over de-regulation.

P.Payne: The problem has been caused by the Local Authority because there are hackney carriage and private hire vehicles but taxis also do private hire work and should be made to charge a minimum fare.

T.B it is unlawful for the L/A to impose a minimum fare – referred to Jim Button book.

G.Lushington-Murray: Has worked in another authority and it was an unspoken rule that all the taxis charged the same rate.

R Lethbridge: the answer is to regulate the numbers.

Cllr Manuel referred to previous guidance from D.o.T.

R.Lethbridge: The council is not providing sufficient facilities for the number of licensed taxis –e.g. ranks.

P.F: D.C.C deal with the provision of taxi ranks a response from D.Netherway D.C.C,detailed plans and said D.C.C would be happy to work with NDDC on taxi rank provision but the problem is finding sufficient highway space that is not already allocated to servicing bus waiting, disabled or pay and display.

M.Dewberry: Why are we paying you then? Provision of ranks needs to be addressed. The Council should furnish us with the appropriate ranks to do our business.

Cllr Manuel replied that it is not NDDC responsibility and that we cannot just go to DCC and say what we want.

C.Wallis: How can the council justify issuing more plates when they do not provide adequate ranks for the vehicles that are already plated.

G.Guest: suggested that new drivers could be made to work for 3 years before they are allowed to plate a vehicle of their own.

K.Thompson: D.C.C won't allow us to use the bus lanes and they still haven't put the extra markings on the ranks to prohibit other vehicles from using it. Also the traffic wardens don't come & move vehicles off that are blocking it constantly.

Cllr Manuel said that again this is another opportunity for a trade organisation.

M.Dewberry: I tried to start one 2 years ago but no one was interested.

P.F: clarified what had already been done by N.D.D.C in conjunction with D.C.C – new ranks in Lynton/Lynmouth, Woolacombe & Braunton.

R Lethbridge: When the enhancement of Boutport street took place D.C.C said the loading bays might be able to double as taxi ranks but this was never marked.

G.Guest: Traffic wardens and police do not enforce Boutport Street at all.

Cllr Manuel: said she had been informed there were not enough police officers or Traffic wardens available.

3. Maximum Age of Vehicles

P.F outlined the draft policy that states vehicles should be under 5yrs old for a grant and only renewed until they are 8yrs old.

R.Lethbridge: On what grounds?

P.F: each vehicle will be considered on its merits but hoped that this would lead to increased standards

Cllr Maunel: this is part of the agenda to try and increase the quality of the vehicles on the road.

R.Lethbridge: suggested 2 vehicle tests per year.

Cllr Manuel: said that this is already part of the new policy.

G.Guest: If the vehicle has passed an MOT and NDDC garage test why is that not good enough. Again the part time drivers who are able to earn more money can afford to put on the new vehicles.

K.Gard: It was better when the council did the vehicle test themselves

S.Wallis: A lot of the MOT testing stations are not up to scratch.

R.Lethbridge: Why can't the council check the vehicles when they renew the plates?

D.Young: I think it sounds like the council are trying to regulate/raise the bar by putting on better vehicles.

K Gard: Why can't the council charge say £4000.00 for a vehicle plate deposit?

Cllr Manuel: we have been told by some of the trade that you want us to up the bar as a way of self-regulation.

K.Gard: What about a black cab they are purpose built and could cost £32000.00 but would be older than 8 years old.

P.F reiterated that every vehicle will be looked at on its own merits.

K.Wright: why not just say condition rather than age?

M.Deacon: It's ok to have an age restriction for a new car but why restrict it to being on until it's 8 years old? If you have taken out a loan you may never pay it off.

Cllr Manuel called for a show of hands for who thought that vehicles should be taken off when they reach 8 years old. 8 people raised their hands.

G.Guest: said that the 5 year rule is a cover up for over-plating.

P.Ellis: Agrees that there is often an exception to the rules and that's fine as long as all the vehicles are treated the same/equally.
Cllr Lucas asked if Torridge or South Devon have been through this review process recently?

G.Guest: Torridge are regulated and also have a trade association.

4. Frequency of Vehicle testing

D.Phillips: Why can't the council do the vehicle testing?

Cllr Manuel asked for a show of hands on 3 things

- i) How many people would be happier if the council did it's own testing? - 33 hands raised
- ii) How many people would be happy with 2 tests a year for vehicles over 5 years old? - 23 hands raised (council pay through licence fees)
- iii) Same as above but at own expense? – 5 hands raised.

J Gard: garage does council test and mot together at the moment why can't an officer check the vehicle when it's licence is renewed this would be better than just saying an age.

M.Dewberry: The plate should also be fixed to the vehicle by an officer of the council rather than the owner of the vehicle.

D.Young: Why can't the council nominate a garage to do the testing & MOT

5. Livery

Cllr Manuel read out a response rec'd from D.C.C regarding livery – "the suggestion in the consultation documents of distinctive colours for the taxis will be helpful and we would expect them to be marked in some way to show that they were authorised to use bus lanes in a similar way to that in Exeter."

M.Deacon: said that he too had spoken to D.C.C and they said that their problem is identifying the vehicles as taxis – so what is the top-light?

Cllr Manuel asked the following questions

- i) does everyone want to use bus lanes? - Yes
- ii) do you want the vehicles to be all one colour? – No
- iii) What about a corporate colour for each company – That's what we do now.

K.Thompson: Why do we have to have more expense surely a top-light is sufficient.

M.Dewberry: We also have repeater plates and for hire signs in the front windscreen.

C.Wallis: Yes but if you are using the vehicle as a taxi it should stay as a taxi a lot of people take off their top lights.

M Deacon: If I am using my vehicle for a private hire booking then I can take off my top-light.

D.Young: we all do private hire so why can't we take off the top-light?

P.F said he will look into this.

T.Wade: suggested that on the rear bumper should be a sign that says D.C.C bus lane approved.

P.F reiterated that D.C.C will allow taxis to use some of the bus lanes if they are clearly marked.

M.Dewberry: suggested the use of the roof-bar.

6. Limit of Advertising

Cllr Manuel advised that the council have received complaints that advertising on taxis is confusing the vehicle use.

P.Ellis: Freedom of Choice

M.Dewberry: has no advertising himself but believes backdoor advertising is ok, again freedom of choice and thinks that taxis are easily recognisable already.

J.Greenwood: freedom of choice but should be council approved first.

7. Vehicle Specification

P.F gave an overview advising that most authorities have different specification and the Council have the most problems with plating Multi-purpose-vehicles because of access difficulties.

N.Gard: why are this authority's regulations different to those of Western Traffic Commission?

Cllr Manuel asked T.B/P.F to look into this and advised that we will see how this compares to our own policy.

J.Greenwood: there is a lot of inconsistency with the vehicles that are currently licensed by the authority at the moment and this needs to be addressed. Mr Greenwood wanted to discuss a particular case but Cllr Manuel asked that specific cases should be dealt with outside of the meeting but agreed that we need to have a consistent approach and hopefully this will be the case in the future.

N.P: Explained the reasoning behind Mr Greenwoods case but advised that T.B will look into this further.

P.Ellis: Mr Greenwood's case is not isolated there are other examples.

8. Code of Conduct & Dress Code

There was a general agreement with the principle of both a code of conduct & a dress code.

A.Wade: asked if there had been any complaints about the way drivers are dressing at the moment?

P.F: No.

9. Transitional Periods

M.Kerr, D.Young & K.Wright: 6 months is too short

M.Dewberry & A.Wade: thought that it should be immediate.

D.Young: It should be different depending on which section you are looking at.

Cllr Maunel asked for a show of hands on the following

Do you want the transitional period for the new policy brought in within 6 mths for the following?

Vehicle Specifications – unanimous no

Age of vehicles - unanimous no

Vehicle Testing - unanimous no

Livery - unanimous no, no change at all

10. Any Other Business

P.Ellis: Felt that there could be a better discipline procedure rather than the existing one that is in place and could we look at that?

Cllr Manuel: advised that this have been covered in the new policy

M.Kerr: What are the planning department doing about taxi businesses operating from their residential addresses?

Cllr Manuel will invite the planning manager to one of the next licensing committee meetings (possible at the end of October) to find out, advised that the trade are welcome to attend and should telephone 01271 388253 to find out when this has been added to the agenda.

A.Wade: a vehicle is only licensed for 12 months, if it has been licensed wrongly as in previous cases already discussed why can't the council refuse to renew it unless it is brought into line with the specifications required.

D.Young: said that P.F had previously agreed that he would help arrange a place for a meeting to be held if the trade wished to start their own association and was this still the case.

P.F confirmed that he would be happy to help in what ever way he could.

Cllr Manuel closed by thanking everyone for giving up their time and contributing to the meeting and asking anyone who hasn't sent in their replies to the consultation to do so before the closing date of 31st August 2005.