

LICENSING PANEL

TUESDAY, 12 JANUARY 2016

PRESENT: Councillors Asghar Majeed (Chairman), Carwyn Cox (Vice-Chairman), Malcolm Alexander, Phillip Bicknell, John Bowden, John Collins, Jesse Grey, David Hilton, Samantha Rayner, Shamsul Shelim and Derek Wilson

Officers: Alan Barwise, Sarah Conquest, Craig Miller and Shilpa Manek

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bhatti, Hollingsworth, Luxton, Richards and Sharp.

DECLARATIONS OF INTEREST

None were received.

MINUTES

The minutes of the last meeting were unanimously agreed once Councillor Derek Wilson was attended to the list of attendees.

REVIEW OF RBWM'S PRIVATE HIRE AND HACKNEY CARRIAGE OPERATOR, VEHICLE & DRIVER POLICIES AND CONDITIONS

Alan Barwise, Licensing Team Leader, started the discussion on the policy by highlighting and correcting an error on page 29 of the Hackney Carriage Driver and Vehicle Draft Policy and Conditions. The error was that the original document stated wheelchair accessible Hackney vehicles had to be under five years of age when first registered. It should be under three years of age.

Alan Barwise continued to explain that this policy was having its regular review and that it had already been discussed at the October Meeting. The consultation had received two responses, one from Mr. Mohammad Yasin, Chairman of RBWM taxi association and the other one from Windsor Cars.

Alan Barwise went through the report from point 2.7 – 2.9 onwards as below:

2.7 Medical for Drivers

DVLA guidance was being followed in making the changes from a medical every five years to annually after 65 years of age.

2.8 Temporary Vehicle Licence Fees

The fee has not been raised for many years. The current £80.00 fee does not cover the work being carried out hence the suggestion to increase to £120.00 which would just cover the work that is carried out.

2.9 Annual Driver Checks

An annual check of drivers would be for the safety of our residents. The cost of the check would be £7.50 per driver and would provide more detailed information than the free DVLA service.

Mr Mohammad Yasin, Chairman of RBWM taxi association, raised his concerns to the Panel. Points raised by Mr. Yasin included:

- The increase in fees for the temporary vehicle licence was an increase of 50% which was too high.
- Council required the same paperwork so why was the increase necessary?
- The annual driver check was available on the DVLA website, free of charge, so why was the council charging and what additional checks were needed?
- How many more identification plates were required per taxi when there were already three external identification plates.

The Panel discussed the points in the draft policy as follows:

2.7 Medical for Drivers

Members raised the following points:

- How long have RBWM been following the guidance, Alan Barwise advised that RBWM had always followed the guidance, this was just an updated policy, in effect from 2016.
- Concerns over events effecting older drivers especially with the incidents recently. Councillor Wilson was supporting the annual medicals of over 65 years. It was the boroughs responsibility to ensure that drivers are competent and fit to drive and look after the safety of our residents.
- The borough have a duty of care, safety and safeguard. Councillor Grey was in favour of the annual medicals. The cost implication of £80 - £100 per year of the medical, to the driver was raised.
- Private Hire Cars were carrying passengers for long distances so checks were very necessary.

The Licensing Panel agreed unanimously that the annual medical checks for over 65 years were carried out.

2.8 Temporary Vehicle Licence Fees

Points raised by Members included:

- Councillor Grey asked about how many requests had come in. Alan Barwise advised that in the last year, 131 temporary vehicles were issued.
- There was a significant amount of work for officers and insufficient staff will be available to do the work. The increase seemed very reasonable.
- Councillor Cox requested information on what work was actually carried out by officers and what documentation was required. Officers explained that they would have to liaise with insurance companies, vehicle companies and drivers. Alan Barwise explained that since the main issue was to get the drivers back on the road working again, all work was carried out very fast and coordination was sometimes difficult. The £120.00 fee was to cover this work. Alan Barwise continued to explain that a proprietors licence was what was needed where the driver would have to show that he had the authority to drive the vehicle and the vehicle was insured to be used as a taxi. Documentation required for the work to be carried out included the insurance certificate, hire agreement, ownership of vehicle with company and a compliance certificate.
- Very labour intensive task.
- From accident to new licence issue, it would take three hours over a couple of days.
- Only cost of work covered, no profit made.
- Members discussed a point that the Chairman raised that why were the council doing all the work when it was the driver who wanted the temporary licence. Councillor Majeed raised that if drivers themselves could gather all documentation, the cost could be streamlined and could stay at £80.00. Alan Barwise advised that this was a service that RBWM provided and occasionally, drivers needed the assistance in gathering all the documentation.

- Craig Miller highlighted that drivers gathering the documentation would increase the time of getting the driver back on the road, working.

The Licensing Panel agreed unanimously that the fees were increased from £80.00 to £120.00.

2.9 Annual Driver Checks

Points discussed by Members included:

- Councillor Cox asked officers if the system informed the council of all accidents that had occurred by the driver. Alan Barwise informed Members that all accidents except insurance based accidents were recorded and reported.
- Councillor Hilton raised the cost implications and that they would remain the same of £7.50 a year and therefore to maintain a secure feeling for licensing and residents, he was happy to support.
- Councillor Bowden asked if accident prone drivers were identified, Alan Barwise advised that all accidents were reportable to the licensing team within 72 hours and drivers would have to inform the council in order to apply for a temporary licence.

The Licensing Panel agreed unanimously that the annual driver checks be carried out.

2.10 Internal Identification Plates

Members discussed the following points:

- Uber and how practical it would be for Uber to have RBWM Identification plates. Alan Barwise advised that Uber uses all local drivers who we licence. Drivers who work for Uber had obtained an operators licence from us, got licence from us and are working with our licence and Uber are very careful and operate very well. The internal identification plates would definitely be more appropriate in Hackney Carriage.
- International passengers to and from the airport, would expect to see identification plates in the taxi's. Photo's of all drivers visible in the taxi's are necessary and there was definitely a need for them.
- Mr. Yasin had highlighted that some taxis already have three plates so how many more were required. Alan Barwise, pointed out that the three plates were all on the outside of the vehicle and the identification plate being discussed was an internal plate.
- Some private hire vehicles would not want the internal identification plates, especially the chauffeur driven style ones. It was agreed that those vehicles that had exemption from carrying the plates would also have exemption from carrying the internal plates.

Members unanimously agreed that all Hackney Carriage vehicles and private hire vehicles would carry internal plates except for those private hire vehicles that had exemption from carrying an external plate.

2.11 Road Knowledge Testing Fee

After discussing that the current fee of £16.00 had been unchanged for over 25 years and it was necessary for drivers to carry out the road knowledge test.

Members agreed to increase the fee from £16.00 to £30.00.

2.12 Convictions

Members agreed that the proposed amendment go ahead.

2.13 Horse Drawn Hackney Carriages

A few errors and repetitions were noted and asked to be amended. They were as follows:

- Page 24, point 4, paragraph b – change word “are” to “fare”.
- Page 26, paragraph 17a, repetition of words – “any person conveyed”.
- Page 26, paragraph 17b, change “animals or animals” to “animal or animals”.

The policy was unanimously agreed by Members.

Alan Barwise highlighted that section 70 Local Government (Miscellaneous Provisions) Act 1976, where there had been objections to a fee increase, the increase should be implemented within two months of Members decision.

Members agreed to delegate the date of implementation to officers. The Chair and Vice-Chairman to approve any amendments to the conditions.

DATES OF FUTURE MEETINGS

Members noted the next meeting of the Licensing Panel would be Monday 11 April 2016.

The meeting, which began at 6.15 pm, finished at 7.15 pm

CHAIRMAN.....

DATE.....