

Drivers and Operators Forum

Chair: Marianne Rolfe

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Royal Leamington Spa, CV32 5HZ

Minutes: Meeting - 5 June 2014 at Leamington Town Hall

		Action
1.	<p>ATTENDANCE/APOLOGIES.</p> <p>Present: Afsin Bakar Ozeker, Ahmed Rafiq, Amit Sidhu, Chand Mubarak, Maid Ali, Marianne Rolfe, PC Pervinder Mann, Pital Bains, Rachael Russell, Richard Weare, Simon Brook, PC Steve Pittam</p> <p>Apologies: Kathleen Rose, Phil Court</p>	
2.	<p>UPDATE ON REGULATORY SERVICES (LICENSING)</p> <ul style="list-style-type: none"> • Last year community protection and environmental health merged. • There has been a restructure and there are a number of new faces in licensing. • Marianne Rolfe is the Regulatory Manager, Kathleen Rose is the Team leader and Rachael Russell is Licensing Enforcement officer. • As part of the merger the policies and procedures under which we operate are under review. • First of the visible changes is the creation of the DOF 	
3.	<p>TERMS OF REFERENCE</p> <ul style="list-style-type: none"> • The terms of reference for the group were agreed subject to the amendment of including service users. • A user of the service to be invited to the DOF. Suggested a street marshal as they are around late at night and witness the current situation. • The DOF representatives are a consultation body to bring forward the concerns of the trade. • The DOF will not deal with individual applications or complaints. There is already an appropriate mechanism for that. All concerns on an individual application or complaint should be forwarded to licensing@warwickdc.gov.uk 	<p>WDC</p> <p>WDC</p>
4.	<p>HACKNEY CARRIAGE FARES CONSULTATION</p> <ul style="list-style-type: none"> • Following the petition received requesting and increase in the Hackney Carriage fares and the decision by the committee not to make a decision until further information obtained there is a consultation being sent out on the 9th June 2014 to obtain that information. 	

	<ul style="list-style-type: none"> • Being run by third party. • WDC will not receive any information directly, be able to link a return to an individual or put the information to another purpose. • The questionnaire is anonymous. • Results will be used to assess is the increase that has been requested is fair and adequate. If it is identified that it is not then alternative fares will be proposed. • It is in driver's interest to provide accurate information and return the questionnaires to allow informed decision making. • Officers agree it is a long time since the last fare increase and that in principle, an increase is due. • Officers explained that the current fares were agreed at Executive committee and that the fares increase is an Executive Committee function. • It was agreed that the results of that consultation will be brought to the next DOF. 	WDC
5.	<p>CONVICTIONS AND CAUTIONS POLCIY REVIEW</p> <ul style="list-style-type: none"> • Officers explained the meaning of 'fit and proper' under the legislation and the tests that WDC use in order to determine fit and proper. Officers explained that they were unable to take into account a person's livelihood or dependents in that determination. • DOF not happy with current policy. • Believe that policy should be set at the same level of neighbouring authorities to ensure that it is equally hard to obtain a license here as in anywhere else in Warwickshire. • DOF think that drug offences (including dealing and drug driving), drink driving, sexual offences, dishonesty offences and insurance offences should mean that an applicant is refused. • Officers explained the process of applicant and right to be heard by committee, should an applicant be refused based on the Convictions and Cautions policy. • DOF was split as to Violence offences should be considered on a grading scheme with reference to type and age of offence or a straight refusal. • DOF felt that new applicants should have only 6 points on their license when they apply and existing should be allowed 9. • The need for the inclusion of a Psychological assessment of applicants was discussed. • Some of the legislation quoted in the policy was out of date. • Officers to take forward the comments of the forum and bear them in mind when conducting the policy review. 	WDC
6.	<p>CODE OF CONDUCT POLICY REVIEW</p> <ul style="list-style-type: none"> • The real name of the policy is Guidance Notes and conditions for Hackney carriage and Private Hire owners, Operators and Drivers. 	

- Reviewing the section on Vehicle Conditions and Code of Conduct during this meeting.
- Knowledge Test to be covered at the next meeting.
- DOF felt that the policy should be at least the same as our neighbours. DOF felt Warwick should lead the way in this policy.
- Overcharging is a big problem amongst drivers. Clarification to be issued on putting the meter on and pre-agreed fares for Hackney carriages.
- DOF wanted increased enforcement activities for taxis.
- DOF wanted the street marshals to include this in their duties.
- Officers advised that not possible but that there was now regularly a Licensing Enforcement Officer out.
- Question was raised as to the need for a guard to be installed between the luggage and the passengers in estate vehicles.
- Police advised that this should be a risk assessment based on the use of the vehicle and the amount of time that there would be heavy luggage in transit.
- DOF felt that the reference to the limit age of vehicles should be reassessed as some older vehicles are in a much better condition than younger ones.
- DOF felt 7 years would be a better measure.
- DOF felt that the meter should be inspected to ensure working, present and correct during the vehicle inspection.
- Wheelchair accessibility was discussed.
- DOF believe that there should be a mixed fleet to accommodate the needs of a variety of disabilities not just wheelchairs. Currently older persons and those with restricted movements struggle getting into the wheelchair accessible vehicles.
- Discussed using the M1 certificates as a measure of the disability accessibility rather than a fixed list of vehicles. DOF thought that the M1 certificate should be asked for at the time of application.
- DOF considered side loading vehicles to be better than rear loading. DOF recognises that safety standards for vehicles and their technologies will have changed since the policy was written.
- More information from the agencies to which WDC must have regard on this subject to be brought to the next meeting. (national taxi association, government, Rospa and the council for disabled persons)
- DOF thought that refusing fares as short distances or access to a disabled person should not be tolerated.
- The wording in the code of conduct which states 'clean and respectful' should be altered to something more meaningful and in line with the code of conduct expected of employees of the WDC or the Police.
- The limit of 1900cc requirement for Private hire vehicles was

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<p>questioned as it was not in line with the advances in vehicle technologies or fit with the green agenda.</p> <ul style="list-style-type: none"> • Discussed introducing a fleet colour. DOF were concerned about which colour would be used, this driving up prices. • DOF did not feel a fleet colour was necessary. • Discussed an additional sticker or emblem for Hackney carriages. • However recognised that there needed to be more of a distinction between Hackney carriage and Private Hire as the general public did not know the difference. • Discussed Private Hire not using wording like taxi in their adverts or names. Officers advised that this was not possible. • DOF agreed that some basic advice to customers about the rules that Hackney carriages must adhere to would be useful. • Fire extinguishers and First aid kits were felt to be unnecessary. • Police and DOF advised that they would have to sell the passenger a plaster in order for it to be used. (Insurance matter) • Officers advised that WDC expect you to act as an appointed person under Health and Safety Legislation not as a first aider. • DOF were split as to the requirement to be a trained first aider. • DOF did not think training in defibrillator use was necessary. • DOF agreed that drivers found not wearing their badges should be disciplined. DOF recommended an on the spot fine. • Discussion had over the use of suspensions and revocations of licenses. • Officers advised that suspensions were not to be used as a punishment but would be used to give a period of time to have something completed. I.e. training in disability awareness. • Revocations would be used and would be for the committee to decide. Although in the cases where an investigation into the matter highlighted that there was a public safety risk a driver may face immediate revocation of their license. • DOF was concerned that this person may be found not have to have done what they are accused of at a later date. Officers agreed that in these circumstances a license would be reissued. However, it was accepted that taxi drivers are a notifiable profession and the police have an obligation to inform WDC. • Officers advised that WDC would conduct an investigation and based on the findings of that investigation, make a determination of the drivers 'fit and proper' status and whether there was a risk to public safety. • DOF agreed that this was the correct procedure. • Officers to take forward the comments of the forum and bear them in mind when conducting the policy review. 	<p>WDC</p> <p>WDC</p>
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7.	<p>AOB ITEMS FOR DISCUSSION AT THE NEXT MEETING</p> <ul style="list-style-type: none"> • Circulate the contact details of the other forum members • Results of the fare increase consultation • Dual Licenses • Mot garages • Knowledge Test and application process • Number of taxis • Ranks • Wheelchair accessibility additional detail 	
	<p>NEXT MEETING - 18th August 2014 at 2pm Location to be confirmed</p>	