

**Appendix**

## **HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENSING**

### **1 SUMMARY**

- 1.1 Members of the Overview and Scrutiny Committee to determine the process and timetable for a review of the licensing function in Rochford.

### **2 INTRODUCTION**

- 2.1 Rochford District Council has been directly involved in the taxi and private hire vehicle licensing function for around 4 years. The function was previously undertaken by Southend-on-Sea Borough Council on an agency basis with excess income of around £1000 - £2000 accruing to the Council. Rochford dealt with the annual fare tariff review and review of charges but all licensing functions were undertaken at Southend.
- 2.2 Following transfer from Southend, this Council has worked closely with the trade to upgrade the service and to provide a more comprehensive service for the travelling public.
- 2.3 The legal framework surrounding the licensing function is contained in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provision) Act 1976, but generally this Council is free to set licensing conditions and regulations as it sees fit within these Acts. The current standards and conditions relating both to drivers and vehicles are appended. Rochford's set, in comparison to other licensing Authorities, seem over complicated, difficult to interpret and are not transparent. Members may wish to address this during the review.
- 2.4 The Head of Service has canvassed all Essex Authorities for copies of their Regulations and copies of those Authorities who responded have been placed in the Members' Lounge for examination. There are no 'model' regulations although certain Authorities do have a reputation for having 'best practice' sets.

### **3 CONSULTATION**

- 3.1 In October 2001 (Min 380/01) this Council set up new consultation arrangements and held two separate meetings in January (one with

drivers, one with operators). The concept of the meetings was that members should reacquaint themselves with the trade and the varying perspectives of operators and drivers.

- 3.2 This Council has a desire to continue to consult with the trade and the Committee will need to determine how this should progress and whether Members wish to allow drivers and operators to make representations to this Committee.

#### **4 OPERATORS' VIEWS**

- 4.1 A meeting was held on 23 January 2002 when the views of taxi operators were sought. The notes of this meeting are available, for Members confidential consideration, in the Members Lounge.

- 4.2 Generally, the following issues were raised:-

##### **Staffing Levels**

- concerns were expressed about the staffing levels of the Hackney Carriage Office as delays were experienced in getting vehicles licensed.
- concern was also expressed about the level of enforcement by a temporary member of staff. An operator suggested that the situation could be eased by licensing for a two year term.

##### **Taxi Ranks**

- Spa Road, Hockley needed a lay-by rank and not an on-street rank. Operators suggested a rank in the Supermarket Car Park or in Eldon Way.
- High Street, Rayleigh was also an area of concern. 15 spaces had been promised but had not materialised.
- The Rochford Square rank was to reduce from 6 to 5 spaces and this was giving cause for concern. Disappointment was expressed at the poor level of consultation on the Town Centre Works.
- Golden Cross Parade, Ashingdon

- rank needed remarking.
- Stripes/Flashes
- Operators asked for guidance on whether stripes/ashes/logos were permitted on vehicles.
- Knowledge Tests
- Operators asked that a restricted knowledge test might apply so that drivers only had to learn the immediate area of operation rather than the whole of the District. This enabled easy recruitment of drivers who were able to start earning a wage within a short period of time. An 'Earn as you Learn' scheme had been introduced approximately two years earlier but it only applied to the Rayleigh area. Operators in Rochford and Hockley asked for it to be extended to their areas of operation.
  - Members asked that details of the knowledge test be considered in the Review.
  - One Operator asked whether the Council would be prepared to provide free accommodation for their firm to train drivers.
- Police Checks
- The Police vetting of drivers was changing from the local force to the Criminal Records Bureau in March 2002. Delays were already being experienced and were expected to worsen. Operators asked that licences be issued on an "application despatched" basis and a temporary licence be issued.
  - Members suggested that a non-refundable "honesty bond" be deposited with the Council to ensure that information contained on the application form was accurate.

Taxi Voucher Scheme

- Concerns were expressed by Members and Operators about the length of time it was taking to embark and disembark a wheelchair passenger. This had the effect of increasing the fare. Several suggestions were made to resolve this matter.

**NOTE** – Members will be aware that this issue is now resolved.

Operators suggested close liaison with the Council during the early stages of the new scheme.

Third Plate Holding

- Operators suggested that the restriction on any third vehicle being wheelchair accessible ought to be relaxed. When this was first introduced the Disability Discrimination Act was high on the agenda. It had now taken a lower profile with the Government and still no definitive specification for a wheelchair taxi existed.
- Operators also felt that those who already held three non-wheelchair accessible vehicles ought to be allowed to replace vehicles after 1 January 2002 with similar vehicles.

## **5 DRIVERS' VIEWS**

- 5.1 A further meeting was held on 25 January 2002 when the views of taxi drivers and proprietors were canvassed. Again, the notes of this meeting have been placed in the Members Lounge for confidential consideration.

The following issues were raised:-

Staffing Levels

- Concern was expressed about non-availability of Hackney Carriage Office staff and new

- working arrangement were being introduced to provide an appointment based service.
- Drivers also asked whether the Council could purchase a digital camera for badge-making. This would cut down on driver costs and speed up the licensing procedure.
- Taxi Ranks
- Concern was expressed about the rank in Spa Road which was felt to be undersized and needed a lay-by.
  - In Rayleigh High Street it was felt that a seven car feeder rank ought to be introduced together with a further rank outside Woolworths. A night rank outside the Pink Toothbrush night club would also ease the situation.
  - Concern was expressed about the two disabled parking bays within the parking lagoon at the High Street, Rayleigh. Drivers saw much abuse of these ranks and wanted them to go.
  - A rank was also considered necessary in Websters Way Car Park.
  - Drivers felt that the 40% uplift in the number of licensed taxis in the last four years had not been addressed. They proposed that no more plates be issued until the review was completed.
- Golden Cross Parade rank needed relining.
- Knowledge Tests
- Drivers objected to the introduction of the reduced knowledge test (Earn – as – you

Learn) and felt that this did not demonstrate equality across the District, nor pride in the job. Drivers claimed that the radio airwaves were 'clogged' with drivers asking direction.

Plate Holding

- Many drivers felt that plateholding ought to be reduced to just one plate initially and if successfully operated for five years, a second (a maximum number) plate could be issued. Others felt that "one person, one plate" was correct provided always that the plate proprietor worked 35 – 40 hpw in the trade.
- Most drivers felt that companies should not be allowed to hold plates because of lack of exercise of control. Drivers also felt that this was not allowed elsewhere.

Economics of vehicle ownership

- Drivers invited members to examine the economics of taxi ownership and gave a number of examples of costs and how income was diluted by the issue of additional plates.

Vehicle Leasing

- Drivers were concerned that some taxi firms had their main source of income from leasing vehicles to drivers. It was therefore in the firms interest to see as many vehicles on the fleet as possible, to the detriment of drivers. Drivers felt that vehicle leasing ought to be stopped. One driver said that he not only leased a vehicle but also a plate.

**NOTE** on examination this was found not to be the case

- Some drivers said that they had

	been asked by circuit operators to draw plates themselves and hand over the management of those plate to the firm.
Signage	- Some drivers objected to carrying extraneous company signage on their vehicles but others felt they made the vehicle look smart and projected a professional image.
Cartel	- Drivers said that firms operated a cartel between them, preventing drivers transferring from one company to another.
Wheelchair Accessible Vehicles	- Drivers felt that some vehicles being accepted by the Council did not meet the full criteria.

## **6 CONCLUSIONS**

6.1 Clearly Operators and Drivers view the taxi trade from a completely different perspective. Members, when carrying out this review, will need to tread a fine line to demonstrate fairness and impartiality to both sides.

6.2 The review will need to cover the following critical areas:-

- i) Timetable for review
- ii) Fares increase for 1 October 2002
- iii) Future charges for services
- iv) Simplification of our pre-licensing conditions and regulations
- v) How to consult the trade about the review and in the future
- vi) Review of the knowledge test
- vii) Provision of free accommodation for driver training
- viii) Criminal Record Bureau check delays
- ix) Rules relating to third plated vehicles having to be wheelchair accessible and vehicles replaced from 1 January 2002 having to be wheelchair accessible
- x) A “freeze” or limitation on the number of plates held by any one driver or company
- xi) Review of rank sizes and locations

## **7 RECOMMENDATION**

Members to determine a programme for this review and individuals/interest groups they would wish to invite for their views as part of this review.

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**Background Papers:**

None

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