

LICENSING AND REGULATORY PANEL

TUESDAY, 18TH NOVEMBER, 2008

PRESENT: Councillor R D Feldman in the Chair

Councillors S Armitage, J Dunn,
T Grayshon, V Morgan, B Selby, D Wilson
and C Townsley

IN ATTENDANCE

Mr K Darch – Principal Engineer, LCC Highways Services
Mr D Broster – Section Head, LCC Taxi & Private Hire Licensing
Ms S Robinson – LCC Taxi & Private Hire Licensing
Mrs D Mather-Walsh – Taxi & Private Hire Licensing
Mr M DePlacido – LCC Taxi & Private Hire Licensing
Mr M Johnson – LCC Taxi & Private Hire Licensing
Mr B Heptinstall – Hackney Carriage Trade Representative
Mr K Gill – Hackney Carriage Trade Representative
Mr A Pennock – Private Hire Trade Representative
Mr A Ali – Hackney Carriage Trade Representative
Mr Rauf – Hackney Carriage Trade Representative

17 **Late Items**

The Chair accepted one formal late item of business onto the agenda for consideration at the meeting. The report “NVQ & BTEC Testing – further information report” had been despatched to all Members prior to the meeting and provided the most up to date information on the issue for the Panel (minute 24 refers)

Members also noted that informal item of business would be discussed at the end of the meeting (minute 25 refers)

18 **Declarations of Interest**

There were no declarations of interest

19 **Apologies for Absence**

Apologies for absence were received from Mr T McSharry, Access Committee for Leeds; and Councillors Dowson and Wilkinson

20 **Minutes**

RESOLVED – That the minutes of the meeting held on 2nd September 2008 be agreed as a correct record

21 **Taxi Rank Review Phase II - Update Report**

Further to minute 6 of the meeting held 1st July 2008 the Chief Highways Officer submitted a progress report on the ongoing review of existing taxi ranks and implementation of new/amended ranks within the city centre and throughout the city of Leeds

Attached to the report was a schedule of rank locations proposed by the Hackney Carriage (HC) Trade which included a précis of subsequent discussions between the Trade and Highways Services and actions taken. The Panel was also in receipt of an A1 size plan indicating the location of existing; new and proposed ranks and a further copy was displayed at the meeting

Mr Darch and the Panel discussed progress made on the following issues raised at previous meetings:

Boar Lane/Mill Hill/New Station Street – highways works to alter the junction now completed and had reduced congestion as it provided a right turn lane for taxis attempting to turn into New Station Street. Officers were awaiting a response from the Railway Station management regarding plans to review station access. Members expressed continuing concern about stacking of taxis awaiting the right turn into New Station Street as the station was still regarded by drivers as the most lucrative spot. The Panel noted that with the review of existing and implementation of new ranks, the ground had been laid for more usable and accessible ranks throughout the city centre and urged the Trade to fully utilise these

New ranks – no adverse comments had been received during the consultation period and the proposals would now be put to Highways Board in December 2008 for approval. Advertisement of the proposals was intended for January/February 2009

Elland Road – informally, METRO had responded positively to the suggestion to use Lowfield Road bus stops however no formal response been received. Members noted an outline planning application had been submitted which proposed the redevelopment of the Lowfield Road area which may have some bearing on a response from METRO

Other ranks – proposed amendments to Whitehouse Lane and Roundhay Road were being investigated by the Department but further liaison with the trade was necessary

Government Office – Mr Darch reported that no response had been received regarding approval could for bus stops to be used as taxi ranks after bus services had finished for the night. Mr Darch had first lodged this enquiry in November 2007

Signage – Mr Darch displayed an A3 size representation of the new more visible taxi rank signage to be introduced

RESOLVED – That the contents of the report and the comments made by Panel be noted and the progress made so far be welcomed

22 Matter Arising - Leeds Bradford International Airport

Following on from the discussions on the taxi rank review, the Panel and representatives of the HC Trade discussed issues arising from the change of management at Leeds Bradford International Airport contract (LBIA) and the impact of the loss of the LBIA contract on the Leeds HC Trade. In particular:

Access – Trade representatives and Members expressed concern over unsatisfactory car park and access arrangements. Taxis were not permitted close to the terminal building therefore HC passengers were required to negotiate car parks with their luggage in order to enter the terminal. The Panel felt this appeared to prevent safe access to the terminal for all passengers and presented a particular problem to wheelchair users and people with disabilities.

Ranks – the Trade expressed their ongoing anger that the airport management had clearly marked out “taxi rank” to the front of the terminal – which was in fact only for use by the contracted Private Hire firm. Attempts had been made to discuss the incorrect use of the term “taxi”, along with other issues relating to HC vehicle access and safe transportation of passengers to the terminal, but no response had been received. Mr Broster and Mr Littlewood also reported on their unsuccessful attempts to engage the Airport’s representatives.

Direct action – Representatives of the Trade reported that due to the lack of response from LBIA and the strength of feeling within the trade, it was likely that direct action would be taken

The Panel, noting the comments of the Trade, was keen to arbitrate between the Trade and LBIA and offered to arrange to meet with LBIA management in order to highlight the concerns of the HC Trade and those of the Panel regarding access to the airport in general and in particular for less able passengers. Members also suggested a site visit to the Airport to enable Members to better understand the issues reported by the Trade. The Chair sought volunteers to accompany him on a visit to meet with LBIA managers and requested the Trade allow him time to undertake this prior to any possible action they may take. The Chair confirmed he would report directly to Trade representatives on the outcome. Representatives of the Trade welcomed the offer made and agreed to convey this proposal to drivers and to delay any action for a week

RESOLVED – That Councillor Feldman and Councillor Dunn, along with appropriate officers, make arrangements to meet with representatives of LBIA to discuss the matters raised by the Trade.

23 Group 2 Medical Report

The Panel considered the report of the Assistant Chief Executive (Corporate Governance) setting out proposals for the adoption of the Group 2 Medical standard for Private Hire (PH) and Hackney Carriage (HC) drivers. It was noted this standard was already implemented by the Driver Vehicle Licensing Authority (DVLA) for some categories of drivers within the transport and passenger service industry bus and lorry drivers, and other local authorities had adopted the standard for licensed PH and HC drivers

The report included a copy of the existing medical examination form for reference and a copy of the Group 2 Medical form for comparison. Appendix C contained the C1 criteria for insulin treated diabetes which was also

proposed to be adopted to enable licensed drivers and new applicants with insulin treated diabetes to continue driving

The Panel noted that adoption of the Group 2 Medical would ensure the fitness of drivers and provide a safeguard for passengers and the industry. Members further noted the comments of the Trade regarding the testing regime

RESOLVED –

- a) That the Group 2 Medical standard for fitness to drive Hackney Carriage and Private Hire vehicles be adopted in accordance with the DVLA and Department for Transport best practice guidance
- b) That the Group 2 Medical standard policy be applied to
 - All new PH and HC driver applications
 - All existing HC or PH drivers at the point of renewal of their existing licence
 - Renewals of existing licences
 - Those drivers who attain 65 years of age during the lifetime of a HC or PH drivers licence
- c) That Group 2 Medical reports only be accepted from the applicants own doctor, or another doctor in the same practice
- d) That where a Group 2 Medical has already been carried out for any other purpose, the Council will accept that – but it must cover the entire period of the licence being granted
- e) That the C1 criteria for insulin treated diabetes be adopted in relation to HC and PH Drivers (as outlined at Appendix C)
- f) To note that officers undertake to inform existing licence holders of these changes by way of a Newsletter to be sent to every licensed driver
- g) That the commencement date of this decision be approved as 1st February 2009 to enable reasonable arrangements to be made by licensed drivers
- h) That Panel authorise officers to deal with any subsequent amendments or changes to the policy or Conditions under Delegated Powers

24 LATE ITEM - NVQ & BTEC Testing - Further Information Report

The Panel considered a late report submitted by the Assistant Chief Executive (Corporate Governance) providing the most up to date information on events since the introduction of NVQ and BTEC testing for all licensed HC and PH drivers. This report was submitted at the request of the Chair to inform Members of the uptake of the training and setting out the strategy for promoting the benefits of the training

Officers reported that implementation of the testing had been broadly welcomed by the Trades, and over 600 drivers had undertaken the test voluntarily. The Chair had attended a recent event organised to present certificates to successful participants.

It was reported that 4 training providers had been identified and Agreements were due to be signed in order to secure the necessary funding for the accreditation from central Government. The Panel noted the comment that

some drivers may have commenced a course not organised by one of the recognised providers and suggested that this could be dealt with in due course.

RESOLVED - To note the contents of the report and the success of the NVQ and BTEC regime so far

25 Late Item - Presentation Mr B Heptinstall

Following completion of the formal business on the agenda, Councillor Feldman reported this would be the final meeting attended by Mr B Heptinstall as a representative of the HC trade due to his retirement after 43 years service. Councillor Feldman, Councillor Dunn as previous Chair of the Panel and Mr D Broster made impromptu speeches and invited the Panel and members of the Trade, public and press present to join them to express their thanks to Mr Heptinstall for his invaluable contributions to the work of the Panel and officers. Members noted and congratulated Mr Heptinstall on his unblemished driver and proprietor history. The Chair presented Mr Heptinstall with a certificate celebrating his career and a framed copy of his original licence application

26 Date and Time of the Next Meeting

RESOLVED – To note the date and time of the next meeting as Tuesday 6th January 2009 at 10.00 am