

## LICENSING AND REGULATORY PANEL

TUESDAY, 8TH JANUARY, 2008

**PRESENT:** Councillor R D Feldman in the Chair

Councillors S Armitage, A Blackburn,  
J Dunn, D Hollingsworth, V Morgan,  
B Selby, G Wilkinson and D Wilson

### IN ATTENDANCE

Mr D Broster – LCC Taxi & Private Hire Licensing  
Mr M Johnson – LCC Taxi & Private Hire Licensing  
Mr R Whittaker – LCC Taxi & Private Hire Licensing  
Mr H Claxton – LCC Highways Services (Traffic Management)  
Mr B Heptinstall – Leeds Taxi Owners Association  
Mr K Gill – Leeds Taxi Owners Association  
Mr A Ali - LAPTA  
Mr G Khan -  
Mr Z Din - LITDA

### 25 **Declarations of Interest**

There were no declarations of interest

### 26 **Apologies for Absence**

Apologies for absence were received from Councillors Dowson and Grayshon

### 27 **Minutes**

**RESOLVED** – That the minutes of the previous meeting held 6<sup>th</sup> November 2007 be agreed as a correct record

### 28 **Matters Arising**

Minute 24 – Executive Hire Operators – Officers reported the Department of Transport had advised that the Panels' earlier concession to Executive Hire Operators (to allow EH Operators to contract drivers licensed by other neighbouring authorities to work for them in order to fulfil large contracts) was not legal as it would contravene primary legislation. Subsequently all relevant operators had been contacted to provide them with this guidance.

The Panel suggested this issue be raised at a forthcoming meeting of neighbouring licensing authorities and if possible a joint view on the matter should be presented to the Local Government Association and local Members of Parliament.

### 29 **Information report - Issues around the Hackney Carriage Associations Loss of Contract as the Preferred Transport provider to Leeds/Bradford Airport**

The Assistant Chief Executive (Corporate Governance) submitted a report which informed the Panel of a recent change to the public transport provider at Leeds/Bradford International Airport from the Hackney Carriage (HC)

Association to a local Private Hire (PH) Operator. The report also set out the subsequent impact of this change on the trade and provision within Leeds City Centre

Appended to the report was a copy of the report previously considered by LCC Executive Board in response to a deputation to Council brought by the HC trade in July 2007 and a copy of Guidance issued by the Department for Transport on taxi sharing.

The Section Head, Taxi & Private Hire Licensing, set out the background to the current position and reminded the Panel that as Leeds/Bradford Airport was longer under the control of the 5 local authorities having been privatised in 2007, the power and influence of the Council would be limited.

Members noted the following information:

Railway Station & Enforcement – a new Code of Conduct had been introduced by the Railway Board which included penalties for drivers found to be over-ranking or parked on double yellow lines within the station boundary following numerous complaints about conduct of HC drivers on Boar Lane and New Station Street.

Daytime ranks – it was noted that vast tracks of kerbside could not be designated as taxi ranks by LCC for daytime use.

Public awareness – A proposed priority for 2008 was being considered by the T & PH Section to raise the public's awareness of taxi availability and the location of existing taxi ranks within the city centre in order to maximise their use. The T & PH Section would principally be concerned with public safety matters and officers felt that public awareness of ranks was a shared responsibility across various Council departments but were willing to contribute as much as possible to discussions to progress the matter

The Panel supported the officers' view that the input of the HC trade was absolutely imperative. The trade must review its own operating systems and act accordingly and support LCC in the search for measures to alleviate problems, such as utilising the ranks not at the station, utilising ranks in the suburbs and highlight their own availability to the public themselves

Mr B Heptinstall outlined draft proposals drawn up by the HC trade to utilise outlying taxi ranks where taxis could wait to be contacted by their Head Office to provide service to a waiting customer.

The Panel discussed the following matters particular to Leeds/Bradford airport

- New private hire procedure – a PH booking office was now located within the main airport building and all potential customers were required to book and pay for PH transport there. A ticket issued to the customer stipulated which PH car would provide their transport and an electronic system then advised them the car was waiting in the Express car park.
- Rank – the Taxi rank directly to the front of the building had been removed on 31 December 2007. The airport was cautious of retaining the rank and

utilising it for PH vehicles and had stated the raised security level was the reason for this. Members however commented there had been no security issue with the use of the rank on 31 December 2007 and queried what factors had significantly increased the security level on 1 January 2008 to warrant the removal of the rank.

- Hackney Carriage vehicles booked by customers for airport journeys were not allowed to make use of the Express car park nearer to the airport building. HC drivers had to pay for and park in the short stay car park and drivers had to walk to the main building with/to meet customers
- Impact on provision for elderly infirm disabled passengers – Members commented that the new arrangements may have a detrimental impact on the service provided for those customers who had difficulty with luggage/walking to or finding transport. The Panel was concerned the PH drivers may not offer assistance to passengers and additionally that the fleet may not have an adequate supply of wheelchair accessible vehicles.
- Tender documentation – Members noted information relating to the tender documents required for the contract. The Panel was surprised by the prescriptive nature of the requirements, such as colour of the vehicle fleet; uniforms to be worn; age of vehicles and commented these requirements precluded the Hackney Carriage trade from fulfilling the contract due to the HC Conditions laid down by LCC. The Panel suggested the HC trade raise the contents of the tender documentation with the Office of Fair Trading
- Contract – The Panel sought clarification on the terms of the contract for the sale of the Airport with specific reference to the provision of public transport to and from the terminal and whether any specific exemptions/exceptions were included which would prevent the Council from making representations. Members also sought to determine whether the impact of the sale on Leeds hackney carriage trade had formed any part of the discussions between the 5 former local authority owners.

The Panel heard representation made by Mr B Heptinstall on behalf of the HC trade and noted his concern that the PH Contractor and Airport referred to the PH provision as “taxis” in their press releases and internet advertisement. Whilst all parties acknowledged that “taxi” tended to be used as a general term recognisable to the public for both HC and PH provision, concern was expressed that this was a misrepresentation. The Panel noted the advice of the legal officer that the Council only had jurisdiction over “landside” matters and could not influence matters regarded as “airside” at the airport and offered to seek further clarity on this particular issue

**RESOLVED** – That the contents of the report be noted and the comments of the Panel be relayed to officers within the relevant Departments

### **30 City Centre Taxi Rank Provision**

The Director of City Development (Highways Services) submitted a report setting out the current position in Leeds City Centre with regards to taxi rank

provision. The report had regard to the Taxi Associations recent unsuccessful tender to retain the contract to provide public transport provision at Leeds/Bradford International Airport and the Panel considered this report in conjunction with the previous agenda item.

The Panel noted the comments of the highways officer regarding the high demand on kerb space in the city and the scope for the taxi trade to make better use of the ranks available in the suburbs and deliver a service there

Members welcomed the news that proposals to create new 24 hour ranks on Greek Street and the conversion of the New Briggate rank to 24 hours were being advertised and hoped this would have positive impact on the trade. Members however expressed their disappointment over the length of time this process had taken; bearing in mind the Panel established a Working Group in 2004 to consider the issue of HC rank provision in the city centre.

It was reported that Highways Services, having regard to the increased number of HC vehicles in the city since the loss of the airport contract, was considering improvements to Boar Lane to improve access to New Station Street in order to assist ranking

The Panel noted that highways officers had written to the Department for Transport seeking approval for the use of bus stops/lay bys as night time taxi ranks once the ordinary bus service ceased. If approval was granted, the use of bus stops could then be enforced by LCC own officers and it was envisaged the measures necessary to put this in place could take 12 months. Officers welcomed further suggestions from the trade on provision or relocation of ranks. To this end, Mr Heptinstall tabled a copy of the minutes of HC trade meeting held 2 January 2008 which contained a list of roads/streets which the HC trade felt would be more appropriate for the location of ranks

It was reported that currently the City Centre provided 126 "24 hour" rank spaces and 264 evening/night time rank spaces. Once the new and amended ranks currently being progressed were put into place, these figures would rise to 187 "24 hour" ranks spaces and 325 evening/night time rank spaces

Members made the following comments:

- rank visibility – discussed measures employed in other cities to identify ranks to the public – such as yellow/black chevron markings, use of bus stop style shelters/waiting areas
- Insufficient number of sites proposed by Highways Services to address concerns raised by the Working group in 2004.
- Suggestion to establish another Working Group to discuss HC trade issues to involve representatives of the trade, METRO and relevant LCC departments in the first instance was supported. Members requested the outcome of the discussions be reported to the next full Panel meeting and any proposals to be progressed to be discussed with the PH trade in the future

The Panel considered the information presented by representatives of the HC trade

**RESOLVED** – That the contents of the report and information provided to the meeting be noted and

- a) That a Working Group be established to discuss HC related issues to consist of Panel members, representatives of the HC trade, officers from relevant LCC Departments and METRO.
- b) That officers be authorised to draft a terms of reference to govern the remit the Working group to be reported to the first meeting of the Group
- c) That the following Members of Panel be confirmed as members of the WG: Councillors RD Feldman, J Dunn, G Wilkinson, S Armitage, B Selby and D Wilson
- d) That the first meeting of the WG be held on Wednesday 13<sup>th</sup> February 2008 at 10.00 am, Leeds Civic Hall

**31 Date and Time of Next Meeting**

**RESOLVED** – To note the following arrangements

- a) Wednesday 13<sup>th</sup> February 2008 at 10.00 am – additional Licensing and Regulatory Panel meeting to consider Hackney Carriage issues
- b) Ordinary meeting scheduled for Tuesday 4<sup>th</sup> March 2008 at 10.00 am