

Report of Chief Officer (Elections, Licensing and Registration)

Report to Licensing Committee

Date: 12 November 2013

Subject: Petition by Hackney Carriage Proprietors and Drivers

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. A petition has been submitted on 15 October 2013 by the Alpha Hire and Hackney Welfare Society on behalf of hackney carriage proprietors and drivers. There are 134 verified signatories on the petition. The Taxi and Private Hire Licensing Section has verified the petition against their records of currently licensed hackney carriage proprietors and drivers in Leeds.
2. The petition asks Members to consider the following three issues: -
 - a. Increase of the current vehicle age criteria to 12 years;
 - b. Review of Policy for the Transfer of a Hackney Carriage Proprietor's Licence on the Death of the Proprietor; and
 - c. Request to Introduce a new Hackney Carriage Tariff for 5, 6 and 7 seated vehicles

Recommendations

3. That Members consider the contents of the petition and decide how each issue will be considered and responded to.

1 Purpose of this report

- 1.1 To inform Members of the contents of the petition to determine how each issue will be considered and responded to.

2 Background information

- 2.1 The petition was received on 15 October 2013 and is available as a background document. A copy of the covering letter from the Alpha Hire and Hackney Welfare Society is included at Appendix A.
- 2.2 There are 134 verified signatories on the petition. The Taxi and Private Hire Licensing Section has verified the petition against their records of currently licensed hackney carriage proprietors and drivers in Leeds.

3 Main issues

- 3.1 The petition asks the Licensing Committee to consider three issues: -

Increase of the current vehicle age criteria

- 3.2 The petition states, "Restriction of Age Limit of Taxi Vehicle should be lifted up to the age of 12 years from 8 years as this would save the planet from excess use of energy needed to create a new vehicle. A fraction of energy is used to create spare parts for the vehicle as long as vehicle complies with vosa's standards and the standards set by Ministry of Transport hence Parliament. Examples are given to Help the Licensing Panel to look at other cities in the U.K Sheffield, Manchester and Birmingham."
- 3.3 Members will remember that they considered this policy in January 2013 as part of phase 2 of the review of all taxi and private hire policies. At that time the Licensing Committee decided to retain the current vehicle age criteria at 7 years. The minute on this particular issue resolved:-

"That a further period of vehicle profiling be carried out with the results intended to inform a review of the vehicle age criteria in 2016, noting that a review of the entire vehicle fleet would take 3 years."

- 3.4 Officers are currently organising the requested review of the hackney carriage and private hire fleet and anticipate that a report back to committee will be made in mid-2016 as Members requested.

Transfer of a Hackney Carriage Proprietor's Licence on the Death of the Proprietor

- 3.5 The petition states, "Changes on proprietorship policy are discriminatory and malice. "Fit and Proper" if the Spouse CRB has No convictions then they should not be discriminated when the husband dies."
- 3.6 Officers believe the petitioners may have misunderstood the current policy. Looking at the background document, where individuals have signed the petition it

clearly states that they want to keep the existing transfer policy. The existing policy agreed by Members of the Licensing and Regulatory Panel in February 2006 requires the surviving spouse to pass an English literacy test in addition to carrying out a DBS disclosure. Officers suspect the petitioners believe that the English literacy test is a new proposal rather than the existing policy.

- 3.7 Members will recall that the Licensing Committee have established a working group to review this current policy and determine any changes in response to other representations made by some Ward Councillors and hackney carriage trade representatives. The working group is due to report back to committee with its findings and recommendations in the New Year after it has completed its consultation with the trade.

Introduce a new Hackney Carriage Tariff for 5, 6 and 7 seated vehicles

- 3.8 The petition states, "Fare change of 5,6 and 7 seater Hackney Taxi. Request to be made to investigate a fare change on 5,6 and 7 seater Taxis. Please find 1 example of many that is given. Borough of Chorley (see attached documents)."
- 3.9 The example tariff from Borough of Chorley is included with the background documents.
- 3.10 Requests for hackney carriage tariff changes are submitted by the Hackney Carriage trade representatives through the council's Hackney Carriage Trade Forum. There is a process prescribed by legislation for advertising such a request including a public notice where representations are invited before a final decision is taken. Any new tariff also has to comply with the programming requirements of the tariff meters used in vehicles.
- 3.11 The Hackney Carriage Representatives who attend the forum have not made a request to increase the hackney carriage tariff in this manner. The Alpha Hire and Hackney Welfare Society have not requested to represent their members on the Trade Forum and so do not attend those meetings.
- 3.12 The next meeting of the Hackney Carriage Trade Forum is currently being arranged during November 2013. A representative from the Alpha Hire and Hackney Welfare Society could be invited to attend the meeting. They could then put their proposals for an increase to the tariff to the other hackney carriage trade representatives for discussion.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Any changes to taxi and private hire policy would require to be fully consulted upon before any final decision is taken.
- 4.1.2 There is a legislative requirement to advertise any proposed changes to the hackney carriage tariff and consider any public representations before a final decision is taken.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 Any proposed changes to taxi and private hire policy will require an Equality Screening to be completed before public consultation is commenced.

4.2.2 An Equality Screening will also be required before any increase to the hackney carriage tariff can be considered.

4.3 Council policies and City Priorities

4.3.1 The licensing function contributes to the following council aims: -

Best Council Plan 2013 -17

Towards being an Enterprising Council

Our Ambition and Approach

Our Ambition is for Leeds to be the best city and Leeds City Council to be the best council in the UK – fair, open and welcoming with an economy that is both prosperous and sustainable so all our communities are successful.

Our Approach is to adopt a new leadership style of civic enterprise, where the council becomes more enterprising, business and partners become more civic, and citizens become more actively engaged in the work of the city.

Our Best Council Outcomes

Make it easier for people to do business with us.

Our Best Council Objectives

Promoting sustainable and inclusive economic growth – Improving the economic wellbeing of local people and businesses. With a focus on: -

- Helping people into jobs;
- Boosting the local economy; and
- Generating income for the council

Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city. With a focus on: -

- Getting services right first time; and
- Improving customer satisfaction

4.3.2 Licensing policies contribute to the following city priorities: -

- Reduce crime levels and their impact across Leeds; and
- Effectively tackle and reduce anti-social behaviour in communities

4.4 Resources and value for money

4.4.1 There are no resource or value for money issues associated with this petition

4.5 Legal Implications, Access to Information and Call In

4.5.1 There are no issues to consider.

4.6 Risk Management

4.6.1 Any risks would be considered before any policy change or new hackney carriage tariff is introduced.

5 Conclusions

5.1 The first two issues raised in the petition have already been considered by Members and are due to return to the Licensing Committee in due course for a decision. Comments made by the petitioners can be considered as part of the consultation process for those issues.

5.2 The final issue regarding the proposed increase for the hackney carriage tariff could be discussed with other hackney carriage trade representatives at the council's next Trade Forum meeting so that a comprehensive trade opinion can be established.

6 Recommendations

6.3 That Members consider the contents of the petition and decide how each issue will be considered and responded to.

7 Background documents¹

7.1 Petition submitted by the Alpha Hire and Hackney Welfare Society from hackney carriage proprietors and drivers on 15 October 2013.

Appendix

A. Alpha Hire and Hackney Welfare Society's covering letter dated 15 October 2013

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.



Alpha Hire & Hackney Welfare Society
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Email: alphasireandhackney@gmail.com

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To: Mr Tom Tom Riordan;
Chief Executive
Leeds City Council

Own Ref: 0.07

Your Ref:

Date: 15/10/13

Dear Sirs, (Mr Tom Riordan)

Re: Petition

I write with regards to the Petition which have been addressed and signed individually by Hackney Taxi Proprietors and Drivers who would need a reply back individually from your self.

The back ground is that the Bullet points in the petition needs investigating by the Licensing panel and needs to be in line with other Councils around in the UK. The investigation needs to be done by the Elected Councillors and Not by the Licensing officer's.

- Restriction of Age Limit of Taxi Vehicle should be lifted up to the age of 12 years from 8 years as this would save the planet from excess use of energy needed to create a new vehicle. A fraction of energy is used to create spare parts for the vehicle as long as vehicle complies with vosa's standards and the standards set by Ministry of Transport hence Parliament. Examples are given to help the Licensing Panel to look at other cities in the U.K Sheffield, Manchester and Birmingham.
- Changes on proprietorship policy are discriminatory and malice. "Fit and Proper" if the Spouse CRB has No convictions then they should not be discriminated when the husband dies.
- Fare change of 5,6 and 7 seater Hackney Taxi. Request to be made to investigate a fare change on 5,6 and 7 seater Taxis. Please find 1 example of many that is given. Borough of Chorley (see attached documents).

Yours

Kabir Hussain