

Minutes of Private Hire Meeting – 13th August 2015

Present

(PN) Pervez Naik	Keighley Private Hire Association
(SH) Stuart Hastings	Keighley Private Hire Association
(KS) Khurram Shehzad	Bradford Private Hire Liaison Service
(NA) Nadeem Ahmed	Independent Private Hire Association of Bradford
(MC) Matthew Catlow	West Yorkshire Police
(ARC) Alan Reece-Cooper	West Yorkshire Police
(MB) Matthew Bibby	Licensing Support Officer (Minute Taker)
(PB) Phillip Brook	Enforcement Officer
(CS) Carol Stos	Licensing Manager
(GB) Geoff Binnington	Principal Officer, Fleet and Transport Services

1) Welcome, Introductions & Apologies

The meeting was opened at 11.00am. There were apologies from:

Saj Akbar	Bradford Private Hire Liaison Service
Nasar	Independent Private Hire Association of Bradford

2) Last Minutes

Summary of the last meeting in that all actions were completed. Information regarding OLEV had been sent around on email as had the CSE information. The CSE information (letters, leaflet and poster) is on the website under 'What's New'.

3) Roles and Responsibilities

GB talked the meeting through the key points of the "Roles and Responsibilities" workflow chart issued prior to the meeting. These were: everyone had responsibility for the safety of the travelling public; Members made policy, Officers had delegated powers to implement and enforce policy on behalf of Members; if an Association/person has a concern about a Policy, the Officer will explain the Policy and the processes which support that. The case may be reviewed by another Officer/ Manager. If the person remains dissatisfied then the person should approach ward Councillors rather than seek to remonstrate with Officers – Officers have no authority to change policy. It was also clarified that meetings with trade representatives were for consultation purposes, not negotiation.

4) Child Sexual Exploitation (CSE)

MC: Talked about spreading preventive education for CSE & the police being there to back up the "Know the Signs Campaign" through disruption activities. He said the police see drivers as allies and would like to develop an affective information sharing relationship and work with them to reduce CSE.

KS: Who would drivers/operators call if they want to share information (other than the 101 number). Is there a hotline number?

MC: No there isn't a hotline number – you should ring 999 to alert authorities if you suspect a child is in danger. Or, if the information you have is not urgent, you can submit it through the website www.bradford-scb.org.uk The email address for intelligence information is cyp-cicpteam@bradford.gov.uk and that would go to a central hub and then be passed to the correct people to deal with the information.

ARC: Sometimes it may be relatively obvious if CSE is happening. For example if a bunch of 14 year old girls are regularly being dropped off at a hotel or you see an adult with a child who appears to be under the influence of drugs/alcohol.

KS: What for example if it was a young girl being dropped off at elderly males in the early hours of the morning. Is there an anonymous way to report any suspicious activity - other than the ones discussed?

MC: The Police will attend discreet meetings with individuals who wish to report possible CSE in this way. This will allow the Police along with the driver/operator to assess/plan to prevent the CSE.

KS: Expressed a positive view point in relation to the CSE leaflet/literature

MC: The police want to develop a strong alliance with the trade - if you have any questions then feel free to put them forward.

KS: There should be more than just literature put out to prevent CSE. Seminars with drivers would be helpful.

MC: Rather than one hit seminars a regular meeting to organise information passing would be more beneficial.

ARC: Is there an existing forum the police could attend?

KS: The next operator meeting is on 17th August. The Police should attend.

MC & ARC agreed this was a good idea and that the Police would look to attend

NA: CSE is usually hidden within society so how are we meant to help?

ARC: Drivers can still keep an eye out for signs if they are aware what to look for.

NA: Usually it is very enclosed (e.g. within the family) it may not be easy to pick up on

ARC: This may be but sometimes it is very blatant, individuals may be used to nobody doing anything about it so start to become 'slack' in disclosing it. As a community we need to work together.

ARC: The police want to simplify contact numbers (999 for an emergency 101 for information) the police cannot create a new contact number as it wont help as more staff would be required to answer the phones, in a time of financial pressures it is important money is spent on policing rather than administration.

KS: Sometimes an operator/driver may not want to ring an emergency number- what should they do instead?

ARC: If this is the case they should ring the NPT (Neighbourhood Policing Team) hotline which is open during the week to report intelligence.

PB: Community Support Officers are also there as a contact for sharing information.

5) Relationships with Authorities (Police and Licencing Service)

GB explained: That we need to be careful not to confuse "I don't like the answer I am being given" with an alleged relationship problem.

KS: The police take a long time to arrive at incidents involving customers e.g. a drunk female refuses to get out of the car.

ARC: In cases such as that we ask that you do everything possible to get her home safely- if the female is unable to take care of herself to such an extent she is vulnerable you can ring 999 as it would be a safe guarding matter. If an individual is drunk but able to walk then it's their own welfare.

GB: What should drivers do about people who refuse to pay or abuse them?

MC: If you have any reservations ask for payment up front.

ARC: If a customer has a legitimate reason not to pay a driver (e.g. feel they're being overcharged / the driver made them feel unsafe etc.) then it's a civil matter. But if someone refuses to get out of the taxi it becomes a police matter as they are obstructing the driver from doing their job.

GB: What do the police think about the use of in-car CCTV?

ARC: The police support in-car CCTV as it cuts down on crime and makes it easier to identify offenders.

SH: We have it in all our cars and crime is now almost completely gone. CCTV has worked to defend drivers in cases/accusations. In addition it is very cost effective as money is saved due to cases not needing to be further looked at and it may lessen insurance.

NA: It may not be cost effective for everyone (drivers would probably have to cover the costs themselves)

SH, NA & ARC agree that CCTV is effective & the meeting collectively recognises the benefits of CCTV.

MC & KS discuss the idea of promoting cameras in cars.

SH: The council should insist drivers have them

NS: Operators/drivers should have a choice as there are pros/cons (such as cost)

CS: It is worth the cons as it saves time / money in the long run

6) Highways Update- Bus Lanes/Bus Gate

Colleagues from Highways were expected to attend the meeting – they passed on apologies after the meeting for mistakenly not attending and confirmed they will attend the next meeting. They have provided a letter explaining their answer to the question “can PH vehicles use bus lanes” and this is attached. PH vehicles cannot use bus lanes.

USE OF BUS LANES / GATES BY PRIVATE HIRE VEHICLES

I refer to the recent meeting between the Private Hire Associations and Cllr Val Slater where a number of issues were raised by the Associations in relation to the use of bus lanes and bus gates by private hire vehicles, namely:

- a. Why can't private hire vehicles use bus lanes?
- b. Why can't private hire vehicles use bus gates?
- c. If the above is not possible for 24 hour use can the above be used at night, say after 11pm?

As promised by Cllr Slater, this statement is to provide the Council's definitive formal response to the above questions.

Considering points (a) and (b) above the use of either bus lanes or bus gates by private hire vehicles operating under specific exemption would require a change in national legislation to amend the definition of the word 'taxi' in a number of Acts of Parliament; this is not something which Bradford Council could enact locally. Therefore, at this moment in time, the answer is no.

The reason behind this situation stems from the legal definition of 'licensed taxi' which is enshrined in legislation. The respective legislative and legal definition is contained in Section 13(3) of the Transport Act 1985 and Section 37 of the Town Police Clauses Act 1847.

These definitions make it expressly clear that only licensed hackney carriages are permitted the exemption to use bus lanes and gates, not private hire vehicles. The regulatory signs which are erected on sites with bus lanes/gates are similarly prescribed in the Traffic Signs Regulations & General Directions 2002. Within these Directions the word 'taxi' which is permitted to be included on bus lane / bus gate signs is also defined as a vehicle licensed under Section 37 of the Town Police Clauses Act 1847.

Therefore as the orders which the Council promote must comply with national legislation the Council is expressly forbidden from providing an exemption to private hire vehicles as such a provision would be considered to demonstrate that the Council is acting in an ultra vires manner.

With point (c), in relation to the request for use of these features after 11pm by private hire vehicles, this would only be possible on bus lanes and gates where specific hours of operation are defined (e.g. 4pm to 6.30pm where outside of these times the facility is available for use by all classes of vehicle). It would not be possible on features subject to 24 hour operation as again the legal exemptions would preclude the ability to offer this facility to private hire vehicles.

7) Communication Updates (Summary)

A handout was issued summarising communications since 2012. There was also a summary of the key issues and developments in the coming months. The document is online –

www.bradford.gov.uk/taxiandprivatehire

8) Update on online bookings payments

IT colleagues have been testing the system to ensure that it works and is secure. Final testing and trialling should commence within the next fortnight and we hope to be able to 'go live' in September. More information will follow as and when.

9) Procedures/processes and Requirements for Trade Associations- Feedback

i) Thanks to all for feedback on the flowcharts

ii) Future actions – further flowcharts will be sent out for information and then a meeting held to summarise feedback. Comments on the flow charts needs to be provided no later than Friday 28th August to taxi.testing@bradford.gov.uk

iii) Proposed that the feedback session for the workflows is 1.00pm until 2.00pm on Monday 7th September

10) OOA Vehicles – Clarification

There were discussions on how drivers could be restricted from coming into Bradford District when licensed elsewhere. The answer is that Operators should not employ them. If representatives have further proposals to be considered then these should be put in writing for consideration.

11) Barriers/Gates at Shearbridge

Vehicle / Pedestrian access will be only possible via stopping at the new barriers at the Shearbridge Road entrance from end of August. Visitors will have to press the intercom and explain why they are visiting the site. For visitors in vehicles, if there is space in Visitors parking they will be allowed access, if not they will be asked to park outside the depot and enter via pedestrian access point.

12) CAB

Colin Philpott will be attending the next Cllr meeting in October to review CAB and look at how to take the scheme forward.

AOB

KS: How does Councillor Slater get the perception of the trade in order to say “don’t come knocking at my door”. **CS/GB:** Cllr Slater hasn’t discussed anything of this nature with officers. **GB** said he was aware that a lot of licenced people with the same/similar questions were trying to book appointments with Cllr Slater and he understood that Cllr Slater wanted to answer the questions once rather than many times.

PN: Isn’t the coming meeting a bit soon- usually there is a longer gap. **GB:** explained that the need to produce flow charts etc. and consult on change proposals had led to the need for more frequent meetings in order to have answers for Cllr Slater’s next meeting in October. After this he expected meetings to be wider apart.

GB: explained that the Workshop was producing a hand out for vehicle seating which should be ready for the next meeting

13) Next HC meeting date – 9th September 2015

14) Next Cllr meeting date – 5th October 2015