

# Operator Meeting

Saville Room, City Hall, Wednesday 26<sup>th</sup> October 2016

10.00am registration for a 10:30am start

## 1. Introductions

Councillor Ferriby thanked everyone for their attendance and asked for a brief introduction from everyone present. Councillor Ferriby then handed over to Officers to begin the official agenda items.

## 2. Previous Minutes

Officers ran through the previous minutes and updated with the following action points;

Officers issued RAG rating document and Ultra Low Emission Vehicle (ULEV) document 1<sup>st</sup> August 2016 for comment- no comments were received from operators.

A Point of interest from the previous minutes was brought forward to today's meeting; Operators to introduce measures to ensure the suitability of staff not licensed by BMDC. This will now be discussed as agenda point 6 on today's agenda.

## 3. WY Police

Officers introduced to the audience a guest speaker from the WY Police. Officers spoke briefly about a meeting that had taken place with the Leader, WY Police, Cllr Ferriby, Officers and several Licenced Operators. At this meeting, Superintendent Dan Greenwood committed to working with the trade in tackling ASB related issues against drivers that have occurred in Holme Wood and other areas of Bradford.

WY Police Officer explained about the work the police were doing in hotspot areas in regards to Anti-Social- Behaviour (ASB) when perpetrators are found the police actively seek ASB or Criminal Behaviour Orders. The police would welcome Victim Impact statements from any driver affected by ASB; this would help them build a case against some of the youths they are considering ASB/ Criminal Behaviour Orders for. Victim Impact statements are evidence that is considered by the courts of how the behaviour of these youths impacts on the driver, with regards to causing them harassment, alarm distress. E.g. they are in fear for their safety, in fear of vehicles being damaged and how this has an impact on their livelihood. Any driver that would like to contact the WY Police team with regards to arranging an appointment should include their contact number also. The statements can be made anonymously and everything will be explained by an officer. Police ASB hub contact details: [bradford.asb@westyorkshire.pnn.police.uk](mailto:bradford.asb@westyorkshire.pnn.police.uk)

Operators raised concerns that they had suffered from stone throwing for a while and that when they contacted the police nothing seems to be getting done.

WY Police Officer explained that it is really important that you keep reporting incidents to the police and also get crime reference numbers. This helps us build up a picture of what is going on and enables us to target our resources appropriately. Operators should report all incidents to the police. Give as much evidence as possible and make sure to get a crime number from the police; this is the best way to report such incidents.

An operator commented that stone throwing happens all the time, drivers windows get broken, when this is reported they get a crime number, and still nothing gets done the general feeling is that we get crime reference numbers but nothing really happens. We feel that because the police may be dealing with what they see as more important incidents we are the bottom of the pile.

Cllr Ferriby reiterated the need to obtain crime reference numbers and explained that the police work extremely hard and valued everyone in the community. The Police can visit local schools to educate about ASB and work with young people in regards to highlighting the problems drivers are facing.

Officers informed operators that the council is considering CCTV in licensed vehicles to help in deterring crime against drivers and that this would be a matter for consultation.

An Operator asked if the Police could increase CCTV surveillance in hotspot areas.

WY Police Officer explained, perpetrators of crime including stone throwing are walking about with scarves tied around their faces making identification difficult. The Police are working closely with social housing providers to identify if those committing the crime live locally. We also have a number of on-going initiatives/operations underway to identify the people responsible.

An Operator commented that he had seen a reduction in the number of reported incidents from his drivers.

Officers then went on to clarify to operators that there was a perception that BMDC employed licensed drivers, and it doesn't. Operators who knowingly send drivers into areas that are known hotspots and have not put in place control measures to address the risk may be held responsible (by the driver) if subsequently a crime related incident occurs against a driver. Operators have a duty of care for driver's actions and welfare.

#### **4. Communication/training update**

Officers demonstrated to operators how to navigate the Licensing Service webpage. The webpage must be monitored each month by operators. The website is [www.bradford.gov.uk/taxiandprivatehire](http://www.bradford.gov.uk/taxiandprivatehire)

Officers then reiterated that their drivers had to have completed all elements of their modular training by no later than 31 December 2016 and be in receipt of a 'Training Certificate' verifying this. Failure to do so will result in suspension of licence. Where drivers drive Non- Wheelchair accessible vehicles they only need one training certificate where drivers drive Wheelchair accessible vehicles they need to attend WAV modular training were on completion a further certificate would be issued.

An operator commented that drivers should have something on their badge that would indicate that they have completed training. Officers agreed that this was something that could be looked at once the new IT system was in place.

Another operator asked if there was a central data base with details of which drivers had been issued training certificates.

Officers explained that at this present time there was not a central database where driver training certificates are kept, however operators wanting to verify details of which drivers had completed training could do so by contacting [FTS.training@bradford.gov.uk](mailto:FTS.training@bradford.gov.uk) Officers asked operators when making such enquires to provide driver details that include name, licence number and date and month that the training was undertaken.

An operator asked if it would be possible to comment outside of this meeting about what had been discussed. Officers explained that anyone wishing to comment outside of this meeting is welcome to do so via the Licensing Services [taxi.testing@bradford.gov.uk](mailto:taxi.testing@bradford.gov.uk)

#### **5. Operator Agenda Points Submissions**

One operator submitted four agenda points. They were no other submissions.

**Agenda point submission 1 - Out of Area vehicles working in BMDC**

Officers explained that there were ten operators identified using out of area hackney carriage vehicles. All ten were issued 21 day suspension notices. All ten have now reported that they are either compliant with conditions or no longer using out of area vehicles. It was confirmed that two of the ten are using out of area vehicles but are compliant with conditions introduced 17 August 2016.

Two operators reported that they were no longer using out of area vehicles but on investigation by enforcement officers were subsequently found to be using out of area vehicles and enforcement action is underway.

#### **Agenda point submission 2 - Side Steps on Minibuses**

Officers clarified that where the vehicle specification requires the fitting of side steps the advice is as follows. A side step should be no more than c7cm deep. Where the fitting of a side step results in the space between the bottom of the side step and ground is less than 15 cm/150mm then advice will be provided by Fleet Workshops.

#### **Agenda point submission 3 – Driver Training Update**

Officers explained that 3 years ago elected members introduced a licencing condition requiring all licenced drivers to attend modular training by no later than September 2016, and for this to be repeated every three years thereafter. In September 2016 the Licensing Service determined that a significant number of drivers had still to attend modular training and sought permission, from Elected Members, for a one-off extension of the deadline to 31 December 2016. This was agreed subject to no further extension.

Officers also explained that an introduction to wheelchair clamping had been provided for WAV drivers during modular training but this did not constitute competence training and it was (and always had been) the responsibility of Operators/Proprietors to ensure that wheelchair accessible vehicle (WAV) drivers had attended an appropriate course which deemed them competent. Drivers who have undertaken training prior to 6th of March 2015 and have in their possession training certificates which include the wording "Safety and Security of Wheelchair Passengers" on their modular training certificate would be deemed to have undergone the Wheelchair training and would not be required to hold two separate certificates of competency. If there is no mention of "Safety and Security of Wheelchair Passengers" on the certificate drivers would need to have completed two separate courses and be in receipt of two separate certificates. The certificates are valid 3 years from the date they were received.

WAV drivers are required to hold proof of competence (Wheelchair training) certification (which is a separate certificate from the modular training certificate if completed after 06/03/2015). These certificates are valid 3 years from the date they were received.

Note: If a driver has not completed their modular training and WAV drivers their wheelchair clamping training, by 31st December 2016 further action will be taken which may lead to a suspension of licence. All drivers will be required to produce their modular, and where applicable wheelchair clamping, certificates when re-licencing from Jan 2017.

#### **Agenda point submission 4 - Link Operator IT systems to Licensing IT Systems**

Officers clarified that at this time they are no plans to link the Licensing Service IT System with Operator IT Systems but it may be something we look at in the future.

### **6. Proposed condition changes 2016/17 (Hand out attached to these minutes)**

- Suitability of employees working for operator/proprietors
- Employee Charter/ Code of Conduct
- Displaying Safeguarding information in licensed vehicles
- Fitment of In- Car Closed Circuit TV Systems (CCTV)

- Amendment to hackney carriage/private hire policy following Deregulation Act 2015
- Vehicle Safety Maintenance

### **Two operators made comments regarding the proposed CCTV condition change.**

- One operator asked a question about the mandatory fitment of CCTV within licensed vehicles saying that if it was a condition that was being implemented for driver safety then there were other less costly ways to achieve this.
- Another operator disagreed with the operator above stating he had seen a reduction in his insurance premiums as a result of installing CCTV in all his vehicles and that it had helped him resolve a number of complaints regarding driver behaviour.

### **7. DBS/Online Payments**

It is a condition of licence that drivers sign up to the DBS Update Service. Due to a lack of take-up from drivers from December 1<sup>st</sup> 2016 all applicants requiring a DBS certificate and/or renewal of DBS will be required to sign up to the “DBS Update Service” at the counter at the time of their renewal of licence. Drivers will require a debit card and valid email address.

Officers anticipate that drivers will be able to make online payments within the very near future - this will be in weeks rather than months (date to be confirmed).

### **8. National Fraud Initiative**

The National Fraud Initiative (NFI) is an exercise that matches electronic data within and between public and private sector bodies to prevent and detect fraud. As part of BMDC Statutory duty the Licensing Service has made available all driver details to the NFI.

### **9. Service Delivery**

The Licensing Service will be moving to a new IT System in January 2017. In order to migrate driver records from the current system to the new the Licensing Service will be closed for a short period at the end of January (date to be confirmed). Once the date has been confirmed then it is recommended that operators publicise this to all drivers and ask them to take this into account and to bring forwards or put back (if possible) their visit to Shearbridge.

(For information contact the Licensing Service via [taxi.testing@bradford.gov.uk](mailto:taxi.testing@bradford.gov.uk) or alternatively visit our website, ‘What’s New’ segment which can be found at [www.bradford.gov.uk/taxiandprivatehire](http://www.bradford.gov.uk/taxiandprivatehire)

### **10. Enforcement Update/Retest Process/Vehicle Inspection Results**

Officers clarified that vehicle inspection failures had resulted in 120 x £20 retest fees and 27 x £100 in the last 3 months. The continuing problem, c40% failure rate, with vehicles failing safety inspections is disappointing but will be addressed by the proposed condition changes.

Officers explained that the custom and practice of allowing flexible retests (“turn up and we will do the retest if we can”) has ceased after complaints of having to wait too long. The new procedure requires that all re-tests be booked via a formal appointment.

Officers clarified that following the success of fitting body cams to enforcement officers, vehicle inspectors are now issued body cams.

### **11. Date of next meetings- Proposed 2017 dates- quarterly**

Cllr Ferriby, the time and date of the next meeting is still to be confirmed. Once this is done the Licensing Service will make the dates and times available to the trade.

**Agreed Action** (The meeting was officially closed by Cllr Ferriby at 12.30pm)

- Officers to send a list of NPT Police Inspectors
- Proposed condition changes hand out to be attached to these minutes
- Date to be confirmed of Licensing Service closure
- Date of next meetings to be sent to Operators