

PH Representatives Meeting

23rd November 2017 – 10.30am start

Summary

1) Introductions / Welcome

In attendance were:

Nadeem Iqbal – Private hire operators association for drivers and operators'
Pervez Naik - Keighley Private Hire Association

Apologies were received from:

Stuart Hastings – Keighley Private Hire Association
Nadeem Ahmed – Private hire operators association for drivers and operators'

2) New Association

A new Association was officially welcomed and their details will now be added to the service website.

The association is known as the 'Private hire operators association for drivers and operators' (PHOA)

3) History and Review of expectations

At the start of the meeting officers handed the association, the 'Trade Association and Representative' Guidance and the 'Roles and Responsibility of Officers' information.

Officers made it clear that the Operator Business Meeting is separate to the Private Hire Driver Association meeting.

The new association wished to highlight that their association contains Operators and Drivers and represent the views of both parties. Officers explained that there may well be a potential conflict of interest as the purpose of this meeting is to look at driver views, not operator business views. These things are very different normally as drivers and operators might want different requirements.

Approximately two years ago the service worked hard at encouraging the Business Operators to form an Operator Association it is accepted that they are in direct competition, many regulatory and compliance issues are applicable to all operators and a common solution is required. This failed as Operators could not agree and come together. Business Operator meetings, Chaired by the Service Portfolio Holder are held every quarter where any relevant information is shared by the service and operators concerns are addressed. Operators can approach the service through taxi.testing@bradford.gov.uk outside of the quarterly meetings.

Officers explained that the service is a regulated service. The association were certain things have to be done as part of national legislation although many Councils' can carry out those tasks in slightly differing ways.

It was explained that meeting with the trade are about engagement with the trade and not consultation.

Representatives wished for clarity around if the council can justify its policies. All policies have to go through due process which includes approval by the Regularity and Appeals Committee. The overriding objective of the Committee is public safety.

The Council engages with the trade on appropriate subjects and listen to its views. It is the Councils responsibility to set a local framework which includes consideration of licence applications, refusals

and revocations, setting of vehicle standards, undertaking inspection and enforcement activities and the setting of fees. If during engagement, the trade and officers disagree this it is noted in the report which goes to Committee.

Future dialogue between the trades and officers must always aim to be clear, concise and constructive.

Questions can't continue to be asked and answered on the same subjects. Where this happens, questions asked previously will be directed to links that provide answers. There will not be discussions around them, unless there is some significant difference and evidence to a point.

The process is that the association is required to put points forward on the agenda submission forms and make it clear what the point is; how it benefits the public. When such items are received ahead of meetings, answers can be sought and provided so that meeting time is not wasted discussing points from lots of angles.

4) Police Update

As the attendees had also been in the Operator Business Meeting this was not discussed. For the benefit of the association's drivers:

Since last year there have been fewer missile attacks on Hackney Carriage or Private Hire vehicles. Police have been working in neighbourhood areas across district, especially in high risk places such as Homewood where incidents have been reported in past.

Key points:

- From 01/11/2016 until 31/10/2017 there were 145 incidents compared to 179 in the previous 12 months. A reduction of c19%
- Police take all reports seriously and will work with trades to reduce numbers further.
- Gaining convictions is difficult as offenders are often carrying out attacks in the dark, hidden from view. 10 people were arrested in past 12 months, half of who were 15 or under and the remainder 25+ in age.
- There are no specific peak times throughout the year, other than around October and November (Halloween and Bonfire times) which is "normal" and during which police vehicles, ambulances, fire engines etc. are also targeted.
- Anyone with information regarding names of offenders please approach Neighbourhood Police Teams (NPT).
- Operators are advised to think about routes that they send their drivers on as they have a duty of care to their drivers. If there is trouble in certain areas an Operator should consider avoiding them.
- If a name is provided to the Police and a police officer says they can't do anything then a member of public may ask to speak to a more senior police officer (i.e. a sergeant or someone back at the police station for more details and explanation).
- There is also an appeal system by using www.westyorkshire.police.uk/report-it/victims-right-review
- Operators asked for prosecution rates for the 145 but they could not be provided in detail at this time. They were reminded that offenders can be cautioned or convicted or have orders put on them for offences dependent on severity. Police look at all cases on merit.

5) Health and Well Being – Update from Operator Business Meeting

As the attendees had also been in the Operator Business Meeting this was not discussed. For the benefit of the association's drivers:

Officers spoke about this arising from the Peer Review report. Drivers are in sedentary jobs therefore the Service has asked Public Health if they could provide health and wellbeing advice. This is in hand and will be published via the website shortly. For drivers who are disabled then a lift to the Licensing Service office is available.

Action: Officers to circulate information via website

6) Vehicle results

As the attendees had also been in the Operator Business Meeting this was not discussed. For the benefit of the association's drivers:

Officers provided the results for October. It was agreed that information will be attached to the minutes of the meeting. Discussion took place and the key points were:

- Overall Pass rate is 71% for annual inspections.
- Overall Pass rate is 60% for random vehicle inspections.
- A high number of faults are around signage and bulbs. These can be quickly rectified by effective daily vehicle checks.
- The Officer responsible for publishing this data is new, in post c3 months. He is working with colleagues across a number of departments to develop the database and reporting in further detail. The Service envisages these reports will be available for general circulation by end Jan.
- The Service will be monitoring reports over next 2 / 3 months to ensure any minor anomalies are resolved.
- It was agreed by Operators and Officers that improved reporting will help to identify persistent offenders.
- Any drivers with a concern regarding a vehicle failure should raise it with the Vehicle Inspector at the time.
- Subject to development progress, it is anticipated that a full breakdown by Operator will be available at the next meeting.

An Operator made the point of asking if visors and decals matched at time of test failure and made the suggestion to have a generic Visor from the Council. The merits of this will be looked at.

Action: Officers to consider merits of standardised window visor and feedback at the next operator meeting in 2018.

Action: Officers to supply the breakdown of vehicle failures by retest fees with the minutes of the meeting.

Officers covered the need for all licenced personnel to have accurate email addresses. A working and monitored email address is something which is a condition for Operators and HC Proprietors. The service will be emailing out to validate these shortly. Subject to the aforementioned and gaining email addresses for all drivers, the Service will look at sending renewal reminder emails/letters to assist the trade to be more organised when renewing licences.

Actions: Officers to begin process of sending Operators renewal reminder emails before January 2018.

7) Queue Management information

As the attendees had also been in the Operator Business Meeting this was not discussed. For the benefit of the association's drivers:

New system working well over 6 week period pre the Council-wide fault which occurred and took the system off line for a week

The service apologised on behalf of the Council and explained the issue was outside of Service control. The fault has now been fixed.

Data shows an average of c120 customer visits per day to the Service. Many of these were 'drop in' visits which make it impossible to meet/manage customer expectation as demand levels are unknown in advance.

The service has written to 5000+ licensed members to advertise and look at new ways of working to increase appointments and enable the management of customer expectations (see below).

8) New ways of working

As the attendees had also been in the Operator Business Meeting this was not discussed. For the benefit of the association's drivers:

Key points discussed:

- A 'Drop and Collect' / 'Click and Collect' service was sent along with a letter to trade week commencing 30th October and is also on the service website under 'contact service page and referenced under 'latest news'. The process had previously been advertised in October.
- The trade can renew 1 month ahead of licence expiry without losing any licensing time or money.
- Making appointments reduces/removes waiting time.
- Transactions like Plate Renewals can be completed in the back office and drivers can then attend to collect items once ready rather than wait.
- The above would reduce the number of visits to Shearbridge.
- Emails are being answered in line with the reply message, 5 to 10 days. Many are answered much quicker.
- Drivers need to check their licence expiry dates and Operators can help them to become more organised (i.e. Operators are unable to use drivers if they are not licenced). All licenced personnel should start renewal applications via email at least 3 – 4 weeks ahead of expiry to ensure any glitches can be resolved before the licence expires. This would also reduce/remove the need to queue.
- Operators raised concern that online bookings has not materialised after several years of conversation around this subject. Officers explained that they had written to licenced personnel to explain this. In brief, the Service has had three different IT systems in 4 years and of which two could ultimately not meet the functionality required. These were not identifiable in advance and were outside of Service control. There is no standard IT licensing system, each is bought as a database and then developed to provide the functionality required. The current system is progressing well and should be developed to a large extent by early 2018 and the Council's ICT department are working closely with the Service to this end.
- When systems go down relating to Queue management the service uses raffle tickets to manage the queue as a contingency plan.

- Concerns over unanswered phone calls were raised. This is historic and answered in more detail in section 9.
- Officers confirmed that when they call a customer they make several calls to book them in and take payments. Voice messages are left by officers where there is a facility to do so.
- Online payments – officers encouraged the trade to trial this aspect. Some operators are currently trialling online payments with regards the training department. It is working.
- Concerns were raised by Operators over negative staff comments at Shearbridge and concerns were raised that appear to be no 8.30am appointments available due to staff not being ready.

Action: Officers to look into concerns around appointments and opening

Action: Officers to look into allegations of poor staff attitude to improve levels of service

9) Peer Review

The Associations did not want to go through the peer review recommendations. PHOA do not wish to discuss the peer review at any point until legal representation has been considered.

10) Agenda points raised

No agenda points had officially been raised ahead of the meeting but PHOA had submitted an agenda form ahead of the operator business meeting. It transpires that those points were for the PH meeting and not the Operator Business Meeting. Therefore the two points and answers are documented below:

1. Wants more appointments, better time keeping of them and opening of more counters to deal with drop in visits.

Answer: This was answered primarily under agenda point 7. More counters can't be created (the building has physical limitations). The canteen area at Shearbridge is shared with the public and other officers of other service departments. Staffing more counters is not possible and if it was then it would require further recruitment and costs which would increase fees and would not improve efficiency.

2. Remove all decals and visors for licensed vehicles for safety of the public due to attacks on licensed vehicles

Answer: The primary goal of Bradford Council's Licensing Service is the protection of the public from dangers affecting their safety. Permanent Decals play an important role in stamping out rogue drivers impersonating licensed vehicles. Permanent Decals give confidence to the travelling public that the vehicle being dispatched will be identifiable. If a car was dispatched without Decals the customer would not as reliably know if the vehicle was sent by the Operator or licensed by Bradford Council. In addition to this it is important from an enforcement side that a vehicle is easily identifiable.

At this point officers also asked if there was anything else that the trade wished to bring forward. Officers said that this is the only time will ask this question in a meeting as the points in future must be raised ahead of the meeting.

A point which has been asked and answered on multiple occasions and which has much further information on the website was again raised.

This point regarded the £100 charge for vehicles that fail with serious faults. Representatives wished to know why Operators are responsible and what criteria the tests were carried out against.

Operators are responsible in law for the vehicles they despatch. It is a condition of licence that vehicles have in place a maintenance schedule suitable for the vehicle type and mileage covered. That regular safety checks are undertaken. If there has been sub-standard work carried out by a vehicle garage and the vehicle had a very recent MOT, then the Council has reported these to VOSA for their action. Where an Operator has received a warning letter and they can evidence the vehicle has been well maintained has a good maintenance history and safety inspection regime, these will be considered, each on its own merits and may lead to the refund of the fee and removal of warning letters pertaining to that incident.

Officers were asked 'what are the standards vehicles are tested to?' Officers were able to say that vehicles must meet the vehicle conditions that came into effect in Aug 2013 and were also aware that the tests must meet the VOSA criteria but as officers in the room are not trained mechanics and not part of the workshop team they were unable to provide a factual answer without seeking guidance from workshop management. Representatives could not find that document but its location on the front page of the website was shown for clarity. Officers will not debate and discuss this point again relating to vehicle failures and letters.

Individual drivers who are unhappy with a decision about a vehicle failure do have the right to ask for a second opinion. That must occur at the time of test failure as once the vehicle leaves the depot, other things can potentially go wrong.

A case of new vehicles being failed and put against an Operator was said to be unfair by representatives. Officers and representatives could not agree on this matter. Representatives made the case that the vehicle does not get license for the first time and therefore can't be working for an operator. Officers pointed out that as soon as the vehicle is plated and leaves the depot it can pick up a pre booked job for an operator. Therefore a responsible operator should check all vehicles and their history before taking a vehicle on.

Ideas were also discussed around 'good garage schemes'. The service are happy for a small group of vehicle testers from local garages to attend workshops to work with Shearbridge mechanics to look at testing criteria. This offer is open should the trade be able to agree things with local

Representatives asked for MOT's to be done at the workshop. This idea was noted for consideration but with a caveat that there may not be space for people as they are very limited in availability

Representatives asked for phone lines to be reopened to cope with demand and ease back logs of delays of replying to emails. Officers explained this is not going to happen as there is a plan in place for the current / future ways of working for the service, focussing on emails, drop and collect, click and collect and also more administrative back office work. This will ultimately lead to longer term reduction of visits for the trade.

Action: Officers to consider the MOT tests as requested

Completed Action: Officers where to clarify with the workshop manager the technical terms and specifications for the test criteria that is used in line with the 2013 vehicle spec. After meeting response is below so this action is now complete.

'All vehicle tests are conducted and a test result established using the following criteria:

The 2015 conditions booklet (and subsequent conditions changes); the 2013 vehicle specification; the DVSA and their method of inspection as per testers manual'

Anyone presenting a vehicle should ensure that the vehicle is presented to a high standard and should aim to a clear maintenance history evident'

11) Engagement on next round of conditions proposals

As the attendees had also been in the Operator Business Meeting this was not discussed. For the benefit of the association's drivers:

The next round of engagement on new conditions will be available shortly. The Service will use snap survey (on-line) and drop in sessions. More information will follow shortly.

12) Dates for 2018 – All meetings to commence at 10.30am on the following 4 Thursday's

February 22nd

May 24th

August 16th

November 22nd