



Minutes of a meeting of the Licensing Committee held at the Bourges/Viersen Room - Town Hall
on 10 March 2009

MEMBERS PRESENT:

Councillors H Newton (Chairman), P Thacker (Vice-Chairman), R Dobbs, P Hiller, N Khan, D Morley, B Saltmarsh and P Kreling

ALSO PRESENT:

Mr S A Majid

OFFICERS PRESENT:

Adrian Day, Licensing Manager
Ian Robinson, Regulatory Officer, Taxi Enforcement
Ken Gray, Principal Licensing Officer
Amy Brown, Solicitor
Alex Daynes, Senior Governance Officer

1. Apologies

Apologies were received from Councillors Lowndes and North.

2. Declarations of Interest

Councillor Khan declared a prejudicial interest in item 4 on the agenda.

3. Minutes of the previous meeting

The minutes of the meeting held on 24 June 2008 were agreed as an accurate record with the following amendment; Councillor Saltmarsh should be marked as 'present'.

4. Changes in the Licensing Conditions for Hackney Carriage and Private Hire Vehicle Licences

Councillor Khan left the meeting as he had declared a prejudicial interest in this item.

The Committee received a report from the Regulatory Officer and was asked to approve the four recommendations relating to additional conditions on taxi licences concerning CCTV provision, NVQ qualifications for new and existing drivers and door signage relating to the status of the taxi and insurance implications. The Regulatory Officer highlighted incidents of violence towards drivers and the subsequent fall in attacks and incidences of abuse experienced by other authorities who had CCTV installed.

The Regulatory Officer advised the committee that public confidence and the image of the trade would improve if the NVQ qualification was taken as well as drivers' abilities to cope with troublesome passengers.

Mr Majid, a representative of the trade, spoke against the application. Although Mr Majid admitted that there were incidents of violence and abuse directed at drivers, he did not agree that the installation of CCTV would help. Mr Majid stated that drivers had previously had to wait for several hours for Police to arrive at an incident and even then were not fully helpful in resolving the matter and taking action against the accused. Mr Majid claimed that most attacks happened outside the vehicle and would therefore, not be captured by the CCTV system. The cost of the CCTV was also a deterrent to drivers and not all drivers felt the need to have CCTV as they did not feel particularly threatened or at risk; therefore, CCTV should not be mandatory for all drivers.

Regarding the NVQ qualification, Mr Majid raised issues about the number of complaints received compared to the number of journeys provided (44 complaints and approximately 2 million journeys a year). Mr Majid questioned the relevance of the syllabus for the NVQ stating that much of it could not be taught and more consultation with the trade would be needed to deliver a meaningful, relevant and acceptable syllabus for drivers in Peterborough. Mr Majid claimed that little on the syllabus would be of use to existing, experienced drivers.

The Committee posed questions to Mr Majid about passenger - not just driver – safety and the cost implications of the CCTV system.

The objector, Mr Majid and the Regulatory Officer summed up their cases.

All parties and the public left the committee room while Members debated the application and made their decision.

RESOLVED: (unanimously) to accept all the recommendations proposed by the Regulatory Officer contained in the report.

REASONS FOR THE DECISION: Members of the Licensing Committee had received representations from the Licensing Officer of Peterborough City Council as well as Mr Majid, a representative of the trade. Both parties provided the committee with well reasoned arguments on the subject at hand. Members gave careful consideration to all representations received and reached the following conclusion:

To implement all recommendations put forward by the Regulatory Officer.

In reaching this decision, Members have had utmost regard for the safety of the trade - who they recognise do a very valuable job - as well as the passengers they carry.

Finally, Members are keen to ensure that the NVQ course is of value to drivers and passengers and therefore request that the Taxi Licensing Officers present an update report to them in 12 months time.

CHAIRMAN
9.30 - 11.30 am

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| LICENSING COMMITTEE | AGENDA ITEM No. 4 |
| 10 March 2009 | PUBLIC REPORT |

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|------------------------------------|--|--------------------|
| Cabinet Member responsible: | Cllr Fitzgerald | |
| Contact Officer(s): | Ian Robinson, Regulatory Officer | Tel. 453541 |
| | Ken Gray, Principal Licensing Enforcement Officer | Tel. 453406 |
| | Peter Gell, Section Head Business Regulation | Tel. 453429 |

Changes in the licensing conditions for Hackney Carriage and Private Hire vehicle licences.

| R E C O M M E N D A T I O N S | |
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| FROM : Taxi Enforcement Office Regulatory Officer Ian Robinson | Deadline date : |
| That the Licensing Committee approves: | |
| <ol style="list-style-type: none"> 1. The introduction of a further requirement of fitness to be attached to the grant of a licence to include the wording, “All new applicants, upon applying for a Hackney Carriage or Private Hire Driver’s Licence, undertake the NVQ level 2 Course, “Road Passenger Vehicle Driving” with a training provider who meets the specification laid down by the authority.”. New applicants would initially be issued a six month licence, and on completion of the course the licence would then be extended to the full year at no additional charge. 2. That all existing licensed hackney carriage and private hire drivers undertake and successfully complete the NVQ level 2 Course, “Road Passenger Vehicle Driving” with a training provider who meets the specification laid down by the authority in Appendix D, before a designated deadline, dated two years from the Licensing Committee’s decision. 3. The introduction of a requirement that all vehicles licensed by Peterborough City Council as a Hackney Carriage or Private Hire vehicle should be, as a condition attached to the grant of a licence, fitted with a CCTV system of a type and specification laid down by the authority in Appendix C, before a designated deadline, dated 2 years from the Licensing Committee’s decision and that all new vehicles and replacement vehicles are fitted with the CCTV system prior to being licensed. The additional vehicle licence conditions to read: “The vehicle shall be fitted with a fully functional CCTV system of a type meeting the system requirements set out in the CCTV Specification Criteria.” “The CCTV system shall be kept in proper working order, serviced as appropriate and the vehicle will be made available to allow authorised officers access to download footage.” 4. The introduction of new compulsory standardised permanently affixed (not magnetic backed) door stickers to be applied to the rear passenger doors (nearside and offside) of all private hire vehicles and the amendment of Condition 2 (c) of the Private Hire Vehicle Conditions to read: “The vehicle to display on the rear passenger doors, “Private Hire Vehicle – Insurance Invalid Unless Pre-booked With Operator”, door stickers, as issued by Peterborough City Council and be permitted to advertise the name and telephone number of the Operator employing the vehicle, and that words “Taxi” or “Cab” are not featured. | |

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Committee following a referral from the Taxi Enforcement Office.

2. PURPOSE AND REASON FOR REPORT

- 2.1 Since the winter of 2006 there have been a number of high profile attacks on Peterborough drivers, with some assaults being of a serious nature. These assaults include life threatening injuries, stabbings, robbery, hit across the head with weapons and attempts made to steal their vehicles. In the first seven months of 2008 there were 87 reported incidents involving our licensed drivers, 80% of these recorded the driver as the victim and on average there are 10 reported incidents each month. The industry also suffers from customers making off without payment and racial abuse, most of which are not reported as they appreciate that it is often one person's word against another. These incidents have been widely reported in local and national news, with some criticism directed towards the authority from members of the trade demanding that PCC address the issue of driver safety. A number of crimes also record the Taxi / Private Hire driver as the offender; these crimes include kidnapping and sexual assault. The proposed introduction of CCTV and the NVQ Course will undoubtedly combat most of these issues, therefore increasing driver and passenger safety.
- 2.2 In October 2006 the Department for Transport stated in their best practice guidance (Appendix F) that there is an advantage in encouraging drivers to obtain a nationally recognised vocational qualification for the taxi and private hire trades. They suggest the syllabus should cover customer care, conflict resolution, handling emergencies and how best to meet the needs of people with disabilities and other sections of the community. The chairman of the National Private Hire Association had given his support for the need for driver training to a recognised level. There is clearly a growing impetus for councils to introduce some type of training for hackney and private hire drivers.
- 2.3 The Government, through "GoSkills" (the Sector Skills Council for Passenger Transport) is keen to introduce training to the passenger transport sector. GoSkills is committed to the development of workers in all industries within the passenger transport sector. GoSkills was contracted by the Department of Transport to investigate ways in which the skills and learning initiatives in the hackney and private hire industry could be more widely available. A report (Appendix F) was commissioned by GoSkills and produced by Roger J. Silvers MA, LL.M. It reviewed the underpinning legislation and provided an evaluation into gaps in the skills and workforce development and how these may be addressed to achieve an improved quality of service, raise the profile and professionalism of the taxi trade, attract more people to enter and remain in the industry and ensure the sustainability of the industry.
- 2.4 In addition we have received a number of complaints concerning the way that elderly and disabled people are treated and transported by the hackney and private hire drivers. In particular, complaints indicated that people in wheelchairs have been placed in hackney carriages without access ramps being used, wheelchairs have not been secured correctly and some disabled passengers allege they have been refused access to hackney carriages. Although our Hackney drivers are given instruction on the subject of loading and unloading a wheelchair, the additional training will supplement and improve the driver's knowledge and understanding of the needs of various disability groups. The Disabled Persons Transport Advisory Committee, in their 2003 Good Practice Guide, emphasised the need for driver training for taxi drivers dealing with disabled people. The NVQ course deals with these issues.
- 2.5 In response to a number of incidents against our licensed drivers, Cambridgeshire Police set up a monthly Taxi Issues Meeting. The Taxi Issues Group was chaired by Cambridgeshire Constabulary and was also attended by Councillors Wayne Fitzgerald and Fazal Mahmood,

Peterborough Mediation, Peterborough Racial Equality Commission, representatives from the hackney and private hire trade and city council officers. After a number of meetings two options were proposed; the need to amend licensing conditions to make CCTV and to introduce the NVQ course as a mandatory requirement of a licence (minutes included within Appendix A).

- 2.6 It is a priority of the Licensing Authority that the public should be able to easily identify and feel safe whilst using licensed private hire vehicles in the city. The Authority has a duty to ensure that private hire vehicles are properly regulated, easily distinguished from hackney carriages and readily identifiable. A private hire vehicle can only be booked by contacting a private hire operator in advance. It cannot ply for hire by 'cruising' the streets or waiting on a rank. The authority's regular test purchase operations prove that some private hire drivers are willing to unlawfully ply for hire and the public are largely unaware of the insurance issues in getting into a private hire vehicle without an advanced booking.
- 2.7 Current best practice guidance on taxi and private hire vehicle licensing from the Department of Transport (Appendix F) states that, "Members of the public can often confuse Private Hire vehicles with taxis, failing to realise that Private Hire vehicles are not available for immediate hire, not insured for that purpose and that the driver cannot be hailed. It is of the utmost importance to distinguish between the two types of vehicle". The DoT Taxi and Private Hire Licensing – Best Practice Guidance, published 7th November 2006, stipulates that a licence condition which requires a sign of a specified size and shape, which identifies the operator (with telephone number for bookings) and local licensing authority, which also has some words such as "pre-booked only" seems to be the best practice.
- 2.8 Sections 47(1), 48 (2), 51 (2) of the Local Government (Miscellaneous Provisions) Act allows that a district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary (see Appendix F).
- 3. **This report is for the Committee to consider under its Terms of Reference No. 2.5.1.1a) "*hackney carriage and private hire vehicle licensing*" and 2.5.1.4 namely "*To approve (and periodically review) the standard conditions to be attached to any licence/permit/consent issued by the Council*".**

4. **TIMESCALE**

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| Is this a Major Policy Item/Statutory Plan? | NO |
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5. **MAIN REPORT**

- 5.1 The Taxi / Private Hire business is a very different one from most occupations and there is a real and definite risk to the personal safety of each and every driver. We have had two drivers seriously injured in the last six months, one severely beaten over the head with a metal object during a violent disturbance, the other stabbed three times during a robbery. Most surveys list the trade as one of the most dangerous occupations and over recent years we have experienced a rise in reported incidents in the Peterborough area. Risks are heightened because it is commonly known that drivers work alone, often at night. Drivers pick up and drop off customers in isolated areas and known trouble spots. The public perceive that they are always carrying cash and they deal with strangers, some of whom can be aggressive and/or drunk. Driving Taxis and Private Hire vehicles for a living is an important job and provides a valuable service to the public. Our licensed drivers, by virtue of their licence, are granted access to convey the public, some of whom are extremely vulnerable by virtue of their age, disability or lone drunken females returning home after a night out. The authority also relies heavily on the trade to carry out School and Social Services Contracts.

- 5.2 Passengers have a right to expect to reach their destinations safely and to be driven there by a professional driver. Drivers also have the right to expect that the person travelling in their vehicle will pay for the service and not behave in an abusive manner towards them.
- 5.3 In 2008 the Taxi Enforcement Office had received 44 complaints from members of the public. Complaints ranged from over charging, abusive behaviour, theft, disability discrimination issues, inappropriate suggestive comments, dangerous driving and using mobile phones whilst conveying passengers. It is anticipated and in fact proven in other authorities that the introduction of the training and CCTV will reduce these incidents. The introduction of the new door sign will be an aide to the Taxi Enforcement Office with regards to promoting awareness of illegal activity to the public and would create a deterrent factor for vehicles purporting to be licensed (bogus cabs) when they are not.
- 5.4 It has become apparent from regular inspections that there is no standard of door signs within the trade, some door signs have the words "Private Hire" in extremely small lettering and are therefore difficult to read. Some, despite licensing conditions, make no mention to "Private Hire". Some drivers have been stopped and their vehicles have not displayed any signage. Some drivers found not displaying signage have stated in their defence that the magnetic signage had been stolen, fallen off or blown off in high winds.

6. N.V.Q.

- 6.1 The general consensus locally and nationally is that the image and professionalism of the Hackney and Private Hire industry needs to be improved and that skills development, based on national standards, should be implemented in order to achieve consistency and to provide national recognition; as with any other work place qualification. The poor image of the trade and the trade being deemed to be low skilled, can cause difficulties when trying to attract the right applicant and retain staff. Many problems experienced by our drivers occur simply because drivers do not have the necessary skills in customer service and conflict resolution. The introduction of a NVQ Course will undoubtedly address the issues of customer service, conflict resolution, hazard awareness and personal safety. Whereas other modes of passenger transport legislation exists, requiring minimum skill levels for drivers, no such legislation exists for hackney or private hire drivers. As already stated, many organisations are advising the need for driver training.
- 6.2 The proposed NVQ Course in Road Passenger Vehicle Driving will be run by a training provider which meets the specification laid down by the Authority (currently A.B.A. Training and Worldwide Travel Training) and using the GoSkills recommended training delivery model. Both providers are utilising trainers from a road transport/taxi background and both have experience in training this industry.
- 6.3 There are many training providers in the industry offering similar courses but, there are varying degrees of quality. Some providers run the course as a distant package, allowing students to take workbooks away to complete, which could allow misconduct. Some providers have little knowledge of the trade and offer a course which is not tailored to the industry and therefore are offering a more basic syllabus and appear to be in the market purely to capitalise on available funding.
- 6.4 Bryan Rowland, General Secretary of the National Private Hire Association, echoes the above in the letter included within the consultation section (Appendix B). It is therefore advisable that we only allow training providers who fulfil the specification laid down by the authority (specification listed in Appendix D). The qualification gained is recognised nationally and has been written specifically by the Passenger Transport industry. The course is recognised by many other authorities and the skills obtained are transferable. The training is usually over a 10 – 13 week period; part on the job assessment and part classroom based. Each workshop lasts around 3 hours and the trainer will take busy working times into account. The training can be arranged at various times of the day, including the evening if there is sufficient demand. At this stage the only requirement from the driver is their time and commitment. The cost of the course is currently funded by "Train to Gain". This funding is in

place until the end of July 2015 and GoSkills anticipate the funding will continue. If funding is not in place in the future, then the future cost of undertaking the NVQ course will be at the driver's expense. At this stage the course costs between £500 - £700 depending on training provider.

6.5 The NVQ syllabus includes:

- Communication and positive working relationships,
- developing and maintaining good customer service,
- dealing with and resolving difficult situations,
- conflict resolution,
- passenger transport legislation
- discrimination in the context of passenger transport,
- duties and responsibilities in offering a non-discriminatory passenger transport service,
- recognising disabilities and impairments,
- providing sensitive assistance for users of passenger transport,
- technology and equipment to support transporting people with disabilities,
- examining health and safety in relation to operating a taxi/private hire vehicle,
- hazards and risk awareness,
- how to respond to accidents and emergencies,
- safe maintenance and operation of vehicles,
- obligations of the licensed driver with regards to luggage and parcels,
- safe lifting and carrying,
- licensing legislation for hackney and private hire,
- obligations of licensed drivers/operators to the local authority,
- dealing with lost property,
- Responsibilities of the driver in relation to the transportation of dangerous goods.

6.6 It is anticipated that many drivers may be fearful of returning to learning, having been out of the learning environment for many years. Other authorities have initially experienced similar problems and negativity from some members of the trade, who held the view "They have been driving for many years, so what can anybody teach them." These difficulties were easily overcome and the course proceeded successfully.

6.7 Voluntary programmes run by other authorities have been unsuccessful to a degree, attracting those with a positive, professional outlook and not reaching the drivers who would benefit the most from participating in a training programme.

6.8 Another barrier to engaging drivers would be cost. This is both the direct cost for drivers who were, in the main, self-employed and had to pay for any training and the indirect potential financial loss incurred when the driver would be off the road whilst undertaking training. In order to combat the cost issues, we will obtain funding for the NVQ from "Train To Gain" and the training provider is confident that courses can be run at various times during the day, including the possibility of evening courses and working around known busy periods to minimise problems for the driver.

6.9 The trainer's experience indicates that if drivers allow 3 hours per week, either being assessed, attending workshops or collecting evidence they will easily obtain the qualification within the 10 - 15 week time frame. In addition, assessors will make a convenient appointment to undertake assessments.

6.10 Some of our Operators have willingly and enthusiastically embraced the idea of recognised qualifications to enhance their business. A-2-B Eurocars and Ash School Transport have already undertaken NVQ training and Royal, Peterborough Cars, King Cars and Diamond Cars have now spoken to the training provider to arrange training for their staff before any decision has been made as to whether it should be a condition of the licence.

7. C.C.T.V.

- 7.1 The authority is currently running a small pilot programme where CCTV has been fitted to two hackney carriages and one private hire vehicle. We have received very positive feedback from the drivers who state they have noticed a marked reduction in incidents. The introduction of CCTV in taxis in other licensing areas has seen a marked reduction in offences against the driver and in complaints against the driver, therefore increasing driver and public safety.
- 7.2 We initially attempted to provide a free CCTV system to our licensed drivers, funded by the sale of advertising. Unfortunately, the agency involved was unable to sell the necessary adverts to fund the equipment and the scheme failed. In addition we have attempted to obtain funding from various government and community safety sources and unfortunately were unsuccessful. Approximately 6 years ago, funding was obtained to subsidise the drivers' purchase of a CCTV system. However, there was no uptake from the trade to adopt this.
- 7.3 The CCTV system currently fitted to the three vehicles is supplied by Xtron UK and fulfils the requirements of the authority (Appendix C). The system is fully encrypted and secure, so only authorised personnel, namely the Police or supplier, can access the stored images. The images are recorded to a hard drive, which are then overwritten after a 12 day period. The system is guaranteed for two years, but can be extended and the life of the system is estimated to be 5 years but can be upgraded.
- 7.4 The Xtron system was one of the many CCTV systems demonstrated to the trade at the Gladstone Park Driver Safety Day. It was identified that all possible CCTV suppliers who had contacted our office, or who were advertising in trade publications or on the internet, were invited to attend the Driver Safety Day and demonstrate their product.
- 7.5 All systems demonstrated were viewed by members of the trade, Councillors, Police Community Safety Officers and council managers/directors connected to the Environmental and Public Protection Department. All parties gave preference for the Xtron system, stating it was their preferred solution, identifying the overlay mirror as a must.
- 7.6 The system was then approved at the Taxi and Private Hire Forum and finally demonstrated to the trade and Forum when fitted to the pilot vehicles. As a result the Xtron system was identified, preferred and recommended by the trade, Councillors, Council Officers and Police Officers as the most suitable system.
- 7.7 Superintendent Ridgeway of Cambridgeshire Constabulary stated; "The Police feel that it is essential for evidential reasons that only they or the parent company of a CCTV system can access any recordings from CCTV systems. Pragmatically, a range of systems would in reality mean that Police Officers would have less access (through training gaps, de-skilling or unfamiliarity) leading to a less than effective response to the needs of victims and the investigative process." It is therefore suggested that we limit the types of CCTV systems fitted to prevent logistical problems for the Police (Appendix B).
- 7.8 The system would be fitted at the vehicle owner's expense and currently costs £679.00 for Hackney Carriage (two camera system) and £479.00 for Private Hire (single camera). A two camera system is necessary for hackneys to provide full coverage due to the rear facing seats. Should a system need removing and re-fitting in another vehicle the labour cost would be £115.00. There would be no charge to the driver for the downloading of images.
- 7.9 In a bid to assist the trade we have also approached Condors, the LTI Dealership and One80 (the converter of the New Mercedes Hackney) to establish if they could supply new and used vehicles already fitted with the approved system as part of their sales package. Both organisations were willing to proceed and they are currently liaising with the CCTV supplier to ascertain if it is feasible.
- 7.10 The council has also approached the CCTV suppliers to arrange a finance package to assist the trade and allow them to pay in instalments.

- 7.11 Cambridgeshire Constabulary and the Taxi Issues Group request and advocate that the authority changes licensing conditions making CCTV a mandatory requirement of a licence. Both have viewed and approved the Xtron system.

8. DOOR SIGNAGE

- 8.1 Two door signs will be supplied by the Authority to each vehicle at a cost of £0.33 each, initially costing the Authority £330.00 and will be funded from the 2009 – 2010 taxi licensing budget. If replacement signage is required this will be at the vehicle owner's expense. It is proposed that the new signage should be permanently affixed to the vehicle and that magnetic backed signage is not permitted (see alternative options).
- 8.2 The initial request for these signs originated from the trade and has received the backing from all the current elected members of the trade currently serving on the Taxi and Private Hire Driver's Forum.
- 8.3 The introduction of the new sign will be an aide to the Taxi Enforcement Office with regards to promoting awareness of illegal activity to the public and would create a deterrent factor for vehicles purporting to be licensed (bogus cabs) when they are not (example of proposed signage Appendix E).

9. CONSULTATION

- 9.1 During consultation with the trade on the 14th November 2008 regarding the proposed changes for CCTV and the NVQ qualification, letters were sent to all the registered owners of Hackney Carriages, all Private Hire Operators and all elected trade members of the Taxi & Private Hire Forum. The matter was also put before the Taxi and Private Hire Forum (minutes attached) on the 21st October 2008 and the trade representatives agreed to seek the trade's views regarding the mandatory fitting of CCTV. Elected Trade Representative, Amran Masood, submitted a letter (attached) on the 15th December 2008, expressing the trade's views.
- 9.2 During the following Forum on the 19th January 2009 (minutes attached) we provided a full update to the representatives of the trade. The Forum confirmed that the letter from Amran Masood reflected the views of the trade. On this date, the Forum was also advised that the cut off date for comments and objections would be the 18th February 2009.
- 9.3 There is opposition from members of the trade as indicated in the attached letters and signed objection received following the consultation exercise. The trade have elected Mr Sajad Ali Majid to act as a spokesman and request he is given the opportunity to speak during the Licensing Committee Meeting.
- 9.4 A detailed response from Superintendent Ridgway of Cambridgeshire Constabulary is included with the report along with a response from Sara Thompson, Team Manager of the council's Passenger Transport Operations and a detailed response from Bryan Rowland, General Secretary for the National Private Hire Association.
- 9.5 The story was reported twice in the Peterborough Evening Telegraph. In addition a consultation advert (copy attached) was placed in the Evening Telegraph on the 21st January 2009 outlining the proposed change to licensing conditions and requesting comments or objections by the 18th February 2009. The proposal was also advertised on the council website (print enclosed).
- 9.6 The Taxi Issues Group was instrumental in requesting the introduction of the proposed change in Licensing Conditions. The Group consisted of members from the trade (elected members of the forum and private hire company owners), Police, Peterborough Mediation,

Peterborough Racial Equality Commission, Community safety, Councillors and Council Officers.

- 9.7 The door signage proposal was discussed at the Private Hire Forum on the 24th July 2007, 28th April 2008 and 9th July 2008. Letters concerning the proposed compulsory door signage were displayed in the Taxi Enforcement Office reception and sent to all 43 licensed Private Hire Operators on the 10th November 2008; only three responses were received (see Appendix B).
- 9.8 Benchmarking against other Authorities has shown that many have adopted the use of similar door signage; most have opted for permanently affixed signs. The information received and attached to the report concerns 35 local authorities; 20 Authorities require permanent signage, 11 allow magnetic door signs, six Authorities are looking to amend their conditions requiring permanent signage after concerns over public safety following incidents involving magnetic signage.
- 9.9 One Authority (Basingstoke) was subject to an appeal after imposing a condition requiring permanent signs informing the public of the need to pre-book private hire vehicles. The district judge, hearing the case in his reasoning said, to protect the public, it was reasonably necessary. The judge placed public safety in front of personal issues, which included any damage to the vehicle that may be caused upon removal of the sign. This appeal decision was further appealed against and it was determined that the condition to make signs permanently attached to vehicles was reasonably necessary in the interests of public safety (court report attached in Appendix B).
- 9.10 It has been found that much of the trade is in favour of the N.V.Q. course with a number of companies having already completed the NVQ and three companies are in the process of signing up for the course before any decision has been made regarding the proposed change in licensing conditions. Other authorities have already introduced the NVQ and have experienced reluctance from the trade, who were anxious at returning to learning, concerned about language difficulties, the cost and time involved (please see paragraphs 6.4, 6.5 and 6.7).

10. ANTICIPATED OUTCOMES

It is anticipated that Members of the Licensing Committee will approve the recommendations in order to amend the conditions attached to Hackney Carriage and Private Hire vehicle licenses issued by Peterborough City Council.

11. REASONS FOR RECOMMENDATIONS

- 11.1 The Taxi Enforcement Office and Members of the Taxi Issues Group recommend the change in conditions in order to increase driver and public safety, to allow the driver to develop the skills to assist them in dealing with conflict, emergencies and anticipating the needs of various disability groups (a full list of course contents is included at paragraph 6.4).
- 11.2 The door signage will increase public education, i.e. ensuring consistent and uniform signage, therefore further reducing the risk of private hire drivers unlawfully plying for hire and the public being carried, uninsured, as a result. This will further reduce the risk of unlicensed, bogus vehicles operating as taxis in the Peterborough area.

12. ALTERNATIVE OPTIONS CONSIDERED

- 12.1 N.V.Q. Course - It was initially considered whether the training should be restricted to new applicants only, as requested by some members of the trade. However as the introduction of the course is intended to improve driver and passenger safety and most victims of violence

to date have been older, more experienced members of the trade, we feel all_drivers would benefit.

- 12.2 CCTV - Initially it was considered allowing CCTV to be fitted voluntary. However, as the introduction of the condition is intended to improve driver and passenger safety, it was felt that all vehicles should have CCTV fitted.
- 12.3 Funding was initially applied for to assist the trade but this was unsuccessful as most funding sources believed the money would be better spent elsewhere and supplying funds to what is essentially a private business would set a dangerous precedent.
- 12.4 Attempts were also made to fund CCTV through the sale of advertising displayed on screens within the licensed vehicle but the scheme failed as the agency involved could not generate the advertising sales.
- 12.5 Door Signage - There are two alternative options:
- To reject the report and continue to operate under the current conditions or;
 - Allow the signage to be magnetic backed rather than permanently affixed.

If option 2 is preferred it is likely we would encounter similar problems to those being currently encountered now i.e. signage not being displayed.

13. IMPLICATIONS

- 13.1 Financial – There would be no cost incurred by the authority or the tax payer regarding CCTV and the NVQ. Applicants for, and holders of, Hackney Carriage and Private Hire driver's licences will be required to meet the cost of the CCTV and NVQ course. At this point in time the NVQ will be fully funded by "Train to Gain" until 2015 and most training providers envisage the funding will continue after this date.
- 13.2 There would be an initial cost incurred by the Taxi Enforcement Office of approximately £330.00 to purchase sufficient door signs for the initial issue. Any subsequent replacements will be at the vehicle owner's expense.

14. BACKGROUND DOCUMENTS

- Sections 47(1), 48(2) & 51(2) Local Government (Miscellaneous Provisions) Act 1976 (attached).
- Department for Transport – Taxi and Private Hire Licensing – Best Practice Guide.
- Disabled Persons Transport Advisory Committee Good Practice Guide.
- *Skills Development in the Hackney Carriage & Private Hire Vehicle Industry – Report produced by Roger J. Silvers.*
- Peterborough City Council Private Hire Vehicle Licence Conditions (Condition 2c).
- Basingstoke and Dean Borough Council judgements.

15. IMPLICATIONS ASSESSMENT

as at September 2003

Cross-Service Implications

The proposals affect the council's Passenger Transport Operations (PTO). This department is responsible for providing home to school transport. As noted in paragraph 9.4 Sara Thompson was consulted with and she has provided a letter of support (see Appendix B). The letter also indicates that, if the mandatory requirements are obtained, the PTO department will review the Passenger Transport Services Conditions of Contract to include the provision of CCTV and NVQ trained drivers for all transport services.

Risk Assessment

No risk assessment issues.

Community Implications

Peterborough Racial Equality Commission was involved in the Taxi Issues Group who requested the change in licensing conditions. The NVQ syllabus, as detailed in paragraph 6.5 covers the needs and requirements of various disabled groups, which can only benefit disabled users. From a community safety point of view, training in customer service, dealing with emergencies, conflict resolution, coupled with CCTV and clearer door signage can only increase public safety, therefore a benefit to the whole community.

Consultees

NVQ & CCTV:

The Taxi and Private Hire trade.

The Taxi and Private Hire Forum.

Article published in the Peterborough Evening Telegraph for attention of public.

Advert placed in the Peterborough Evening Telegraph.

Notification placed on council website.

Superintendent Gary Ridgeway, Cambridgeshire Constabulary.

Sara Thompson, Passenger Transport Operations, Peterborough City Council.

Taxi Issues Group (Group includes Police, Councillors, Peterborough Mediation, Peterborough Racial Equality Commission, Taxi Enforcement and trade representatives).

Door Signage:

The Taxi and Private Hire Forum.

The Private Hire trade.

Superintendent Gary Ridgeway, Cambridgeshire Constabulary.

16. Appendices:

Appendix A – Taxi Forum and Taxi Issues Meeting Minutes

Appendix B – Consultation documents

Appendix C – Specification for C.C.T.V.

Appendix D – Specification for N.V.Q.

Appendix E – Example of proposed door signage

Appendix F – Background Documents