

Taxi Consultation with SCC Licensing

Notes of Main Points

10am Tuesday 15th February 2022

Conference held via Microsoft Teams

Attendees: Cllr Graham Galton [GG] (Chair); Cllr Valerie Laurent [VL]; Cllr. Rob Stead [RS]; Cllr Sally Spicer [SS]; Cllr John Noon [JN], Cllr Cathie McEwing [CM], Cllr Beryl Harris [BH], Cllr Joshua Payne [JP], Cllr Terry Streets [TS],

Rosie Zambra, Head of Service, SCC [RZ]; Phil Bates, Licensing Manager, SCC; Russell Hawkins, Senior Licensing Officer, SCC; Kate Aspinall, Business Support Licensing, SCC.

Mohammed Sumra, HC rep, SHO [MS]; Ali Haydor, Private Hire Rep [AH]; Jamilur Rahman, Private Hire Rep [JR]; Ian Loynes, SPECTRUMCIL [IL]; Simon May, Radio Taxis [SM], Perry Mc Millan (Unite), Sam Shahid (Southampton Hackney Organisation) [SS], Anwar Sumra

Apologies:

Cllr. Steve Leggett

1. Notes of last meeting: agreed, no matters arising.

2. Future of the Consultation Group – PB

Further to previous discussions, a proposal was circulated prior to the meeting and was extensively discussed, points including:

- Fair representation of operators needs to be addressed.
- Ensuring all drivers are consulted by reps, especially those who don't have access to relevant technology.
- Representation of drivers via proposed new group reps; need to ensure both HC and PH are represented. Unions would qualify as long as at least 30 members. Concern about the proposals for new groups sending reps; many reps argued for retention of election process.
- Officers need to be satisfied that anyone nominated meet the agreed criteria before being invited to a Consultation meeting

3. Revised Table of Fares – PB

A request to revise fares has been received, although opinions mixed re. whether fare increase is needed and how the table should be structured. A less complicated chart would be more passenger-friendly.

Report proposing an increase has been drafted and will go out to consultation if approved by Exec Directors; proposals average a 17% increase (c. 20% inflation over the period since the last increase in 2014).

Hackney proprietors met and agreed to request an increase; concern about remaining competitive in current climate and supporting those with wheelchair accessible vehicles.

Boundary charge was raised but SCC has no control over charges outside its boundaries. Likewise SCC cannot set fares for PH, only for Hackneys. Proposed charges make for a higher charge after the first mile which should address long distance fares and boundary issues.

PB set out the consultation process for setting a new table of fares. Need to get ball rolling ASAP in order to get changes in place before Jubilee Bank Holiday to save having to adjust meters twice.

MS gave examples of cost of various journeys modelled on the proposed table and provided details to PB. Local journeys in daytime are not too bad but he feels longer distances are a bit expensive. Proposals may be adjusted in the light of today's discussions.

4. Compliance Check Operation

These have recently been restarted having been suspended during Covid restrictions.

Recent operation had disappointing results with a number of vehicles suspended. This suggests widespread lack of attention to vehicle maintenance with implications for safety. Operation will be repeated soon.

Possible need for driver education and closer monitoring of maintenance standards.

Reps requested to get the word out to drivers about the need to look after the vehicle and the implications for their livelihoods if serious failings are found on inspection.

RH clarified that vehicles will not be suspended if they are *close* to failing e.g. tyres and drivers will be given the opportunity to put things right; action *will* be taken re. vehicles that are found by the engineers to be non-compliant/unsafe.

5. ARG grant re. loss of trade due to Omicron in December

GG: Cabinet member for Licensing is looking at possibility of grant payments.

AH: grateful for consideration. Reiterated the feeling of the trade that they feel sidelined and not recognised as part of the hospitality trade and providing safe transport especially in the Night Time Economy

6. Revocation of licences - AH.

AH asked if cases where a licence is being considered for revocation should be first suspended and the decision on whether to revoke made by a hearing of the Licensing Committee.

PB explained that case law has set a precedent whereby a decision on a case can only be taken once, and once a licence is suspended it cannot subsequently be revoked for the same offence. Phil explained the current procedure of decisions on clear breaches being taken jointly by the Licensing Manager and Chair of Licensing after consideration of the evidence and giving the driver the opportunity to respond; other decisions will be taken to committee.

GG pointed out that suspension would affect the driver's earnings while the committee hearing was being arranged.

RH described the appeal procedure that is available after revocation via the Magistrates Courts.

7. Review of fees/admin costs in the light of the impact of Covid – SS

This request was made in the light of the worst ever two years for the trade, increasing costs and the fact that most work is now done online.

RH explained that the current system is in fact more expensive to run and there are additional responsibilities such as tax checks. The Licensing Reception cannot be reopened at the moment due to ventilation issues. More staff have been employed to deal with the workload and changes are made when possible, such as now accepting medical forms handed in at the office rather than requiring them to be emailed.

PB explained that Licensing fees have to cover the cost of the service, but are kept under constant review to keep them as low as possible and other measures such as Medicals are being changed to help drivers.

RH advised that a new online system is being planned but this will take time to design and introduce.

8. Dock Permits SS/AS

Can Licensing renegotiate terms with ABP given the drop in trade in the past two years? Can the permit be renewed with the vehicle rather than the driver?

RH/PB: negotiations are coming up but the rules are ABPs not Licensing's. ABP new management are very much focussed on protecting their own position. Transfer of permits has always been prohibited. SCC will make the case for keeping the cost to drivers as low as possible.

9. Relax vehicle age restrictions from 9 to 10 years – JC/AH

Purchase costs have increased markedly for both new and used vehicles due to supply issues; concern that drivers are leaving the trade as a result of these costs. Also request for policy review for consistency with other authorities and reasons for the 9-year limit.

RH: Reasons for the 9 year limit:

- used to be 7 years and 9 for a disabled adapted, changed following feedback from trade, as were the limits for hybrid/EVs to encourage greener vehicles.
- Longer limits can result in a much lower standard of vehicle and prone to more maintenance issues – see compliance test item above
- Euro 6 requirement precludes a 10 year limit.
- Longer limit might bring the need to test more frequently, increasing testing costs for drivers.

PB: Feedback from compliance checks show that vehicles over 7 years are much more likely to have faults and worse emissions performance. Ultimately Central Govt requires diesel vehicles to be compliant so any change in the limit is likely to benefit only a small number of vehicles. Regulations in other areas are kept under review.

AH queried age of imported vehicles which can be much older – what checks are carried out?

RH: Date of manufacture is on V5 and on VIN, so older vehicles are not licensed.

10. Unfair dismissal or suspension by operators JC

Seeking intervention by Licensing where drivers are dismissed or suspended following complaints that are found to have no basis, e.g. after download of camera footage.

RH: Not aware of any such instance, but it would not be Licensing's role to intervene – that could only happen if an operator has behaved unlawfully, is in breach of their licence conditions or is shown to be unfit to be an operator.

PB: cameras act to protect drivers as much as the public. A Subject Access Request could be submitted requesting access to view footage. Also unaware of any such cases but drivers should let Licensing know if they think this has happened, i.e. where SCC has said it can't see anything wrong in CCTV footage.

AH: sees this as another example of how vulnerable drivers can be and contributes to the GMB's campaign for better rights for drivers. Knows of cases where operators have suspended or dismissed without any evidence.

GG: SCC cannot get involved in a private company's business beyond providing the information/footage.

A further seven items were addressed in a written response circulated after the meeting.