

# Brighton and Hove Hackney Carriage and Private Hire

## Forum Minutes

Committee Room 3, Brighton Town Hall, Wednesday 2<sup>nd</sup> September 2015

Meeting Commenced 13.30

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### Attendees:

(TN) Tim Nichols	(BHCC – Chair)
(MS) Martin Seymour	(BHCC)
(AT) Adam Turner	(BHCC – Minutes)
(JC) Jean Cranford	(BHCC)
(MM) Cllr Mo Marsh	(BHCC)
(AC) Andy Cheesman	(City Cabs)
(MD) Mark Durrell	(B&H PHA)
(JF) Jeff Howell	(Streamline)
(JO) John Oram	(UNITE)
(AP) Andrew Peters	(GMB)
(MA) Mohammed Albayouk	(Arab Taxi Association)
(TT) Tony Turner	(B & H Radio Cabs)
(MB) Mark Bowen	(B & H Bus Company)
(MS) MAH Salim	(UTDA)
(JD) Jeff Defalco	(B&H PHA)
(JS) John Streeter	(Streamline)
(NB) Nabil Bisada	(STF)
(SB) Sue Brown	(AITC)
(RM) Richard Morns	(AITC)
(JE) Jeff Elliott	(BHCC)
(CP) Caroline Panting	(BHCC)

Item	Minute
1.	<p><b>Apologies:</b></p> <p>Ibrahim-Sami Saidaroos (ITD)</p> <p>Isham George (Cab Express)</p>
2.	<p><b>Minutes from last meeting</b></p> <p>AC– Mentions the terminus road rank placement was incorrect in last minutes and placement was suggested in St Peters' bus lane.</p>

	<p>AP – Mentions the safeguarding item number 7 in last minutes and the statement added by Simon Court was not mentioned that it was a ‘Knee Jerk reaction’.</p> <p>AP- The Buggies issue in taxi vehicles was also not mentioned in the previous minutes as it was openly discussed with Mo Marsh. Goes on to mention the possibility of having a ‘No Buggies’ sticker in taxi vehicles.</p>
<p>3.</p>	<p><b>Albion In The Community, Cancer Champions</b></p> <p>TN- Introduces Sue Brown from Albion in the Community to the forum for a brief discussion.</p> <p>SB – explains the purpose of Albion in the Community and the support groups they offer. SB went onto outline of the signs and symptoms of lung cancer and also offered material for forum members to have a look at.</p>
<p>4.</p>	<p><b>Traffic Management, Ranks, Brighton Station, Amex (Including Longridge Avenue)</b></p> <p>JE- Introduces Caroline Panting who network manager for BHCC and JE mentions that she will be a future representation for forum meetings and will be giving updates on current / ongoing / future projects.</p> <p>JH – Asks about the traffic lights in the clock tower area.</p> <p>JE- Replied with saying that a 3 second delay has been implemented for the lights, especially for buses to give way on queen street.</p> <p>AC- Asks about Valley Gardens</p> <p>JE- Replied with him and his team looking at a whole city strategy for traffic management and that Valley Gardens is currently under review.</p> <p>AC – Asks about Richmond Terrace and the County hospital query.</p> <p>JE- Reiterates that the new city wide strategy will incorporate all these areas rather than tackling them individually.</p> <p>AC- Mentions the change on St Peter’s rank with the use of the bus lane and asks JE if there are any more changes to this?</p> <p>JE- Replied there is no other change to this scheme best to his knowledge.</p> <p>TT- Asks if there are any changes to the St Peter’s rank for BHCC to notify the trade and forum members asap and points out that the trade are still fighting towards the Lewes Road rank and blames BHCC for the lack of</p>

notifications for its closure.

AP- Asks JE about Jim Mayor's proposed plan?

JE- Replied that the scheme had been pulled.

JD- Mentions the time consumption and the amount of teams that are involved with road works in Brighton and Hove with various tasks, contractors involved which slows the overall process of the works.

CP- Illustrates the point of contractors keeping to their proposed deadlines and if not met, penalties are issued.

JE- Backs this up by mentioning that CP's team has a 100 % inspection rate and reiterates that penalties are given if the duration of works run over.

MM- Suggests the re-introduction of the weekly road works bulletin so councillors are updated with what roadwork's are ongoing, or proposed projects etc.

JE- Agrees and would like to discuss further.

AC- Mentions the petition about Lewes road bus lane and will be brought forth to the ETS in October and asks JE is this will be inclusive in this strategy that JE mention before?

JE – Responded by saying that the city is currently in a crucial scenario and why a large city wide strategy is needed.

JS – Asks about the Coombe Terrace rank and the replacement of the rear allocation.

TT- mentions that he spoke to Mark Pryor for him to request David Parker to return to the forum meetings to make needed changes to the Coombe Terrace rank. TT goes onto mention that BHCC placed the rank their without the agreement of the trade and also that this matter will be brought up in the next Transport forum.

JO- mentions the problems of local businesses situated along the Coombe Terrace rank using that rank as delivery points and parking (take out delivery drivers, delivery trucks etc) and also brings up the point that buses use that stop.

MD - Asks JE any changes to the Manor Hill area?

JE- That it will be brought up in the next meeting.

JE- Closes by saying that a temporary rank will be set up on Terminus Road on the 18<sup>th</sup> and 19<sup>th</sup> October for the Rugby World cup.

5.

**Uber**

TN- Opens discussion by mention that from the BHCC point of view that the situation with Uber is quite novel and apologies to the forum for the time is taking. TN goes onto to mention that the Uber application is settled at the moment but they need to prove that their company are fit and proper characters to hold an operator's licence especially when we have to consider the tourism and local economy of our city and why we need a democratic vote on this.

TN illustrates that a 3 Councillor panel is required for its careful consideration and that the process is a decent legal process for a conclusion to happen on the Uber decision.

TN goes onto to mention the possibility of an appeal if Uber's application is rejected then 'Wednesbury' rules will have to be used for its delegation.

Perspective date for the public hearing is penned for the 19<sup>th</sup> October 2015 to make the yes or no decision on Uber obtaining an operator licence.

JC- Says that she has some of the representation and wants to go over which is to be included.

AC- Asks if agreeing to give Uber the operator licence, do they have to adhere to the blue book rules in regards to WAV's etc. ?

TN – Replied by saying that fair treatment needs to be included and we cannot prejudge before any decision is made. We have exiting rules to keep set number of WAV's but at this stage it is very general.

JS- mentions of hearing other councils had rushed into the decision of granting Uber operator's licences and have been quick to regret this decision. JS aks if their Streamline representatives can be present at the hearing.

TN- Stresses again that the decision about this process must be fair and tells JS that representation can be present but asks to take time and consideration in the questions / points that their representation might ask / bring forward.

JS- Illustrates that the Trade welcomes business competition in the city as long as they adhere to the same rules and protocols that are currently in place for exiting operators.

TN- Tells the forum that Uber is different than your normal operator because they operate wider than your normal licensing remit and it's a weak point from BHCC point of view because it may seem that we are treating differently in the consideration of their application.

MD- Tells forum members that if Uber's application was successful, it would make no difference to the current trade and illustrates the ongoing problem of Lewes and Adur cars being constantly present in the Brighton and Hove area taking Brighton and Hove work.

	<p>TN- explains that policy experience is moulded by local policies. In regards to deregulation and in terms of safeguarding, BHCC would like operators to carry out criminal checks on their drivers.</p> <p>JS- Backs the idea of criminal checks on drivers by their operator and mentions on how Streamline only accept drivers who have held a valid UK DVLA licence for more than 5 years for the interest of public safety.</p> <p>AC- Asks if the deregulation bill does go through, what can the trade do from stopping outside cars coming into Brighton?</p> <p>TN- Explains that drivers have to meet the same licensing standards and procedures that are existing now.</p> <p>AC- 100 % supports this</p>
<p>6.</p>	<p><b>Sussex Police</b></p> <p>*No representation for this agenda item, MS to email Ben Heath to attend next forum meeting</p>
<p>7.</p>	<p><b>Enforcement</b></p> <p>MS tells the forum the enforcement figures since the last meeting (see below with inclusion of August figures)</p> <p>TT- Asks is there is a list available of drivers who have left the trade and new applicants coming in etc to give a clearer idea of the amount of drivers working.</p> <p>MS- Replied by saying that it's very difficult to obtain these numbers through the current system we use for licensing but tells TT that the numbers have been quite steady.</p>
<p>8.</p>	<p><b>Bluebook &amp; Child Safeguarding</b></p> <p>AP- Thanks MS for making the changes to the blue book. Goes on to doubt the amount of time that the forum meeting has to discuss the bluebook and asks the forum if it would be preferred that a separate meeting to be held to discuss it?</p> <p>TN- Suggests to discuss it now and to see how far we can go.</p> <p>AP – beings with disapproving with Simon Court's 'Knee Jerk' comment made in the last forum meeting (*mentioned in agenda item 2) and also disapproves with the 'cut and paste' action from Oxford's licence conditions and thinks that relevant changes and decisions to be made by the taxi trade.</p>

TN- Thought that the 'cut and paste' action were avoided when making changes to the bluebook and apologises if this may have occurred.

TT- Mentions about school runs and about the drivers that apply to do them. He explains that the driver's information who wants to carry out school runs is passed onto social services as a part of safeguarding procedure. He also mentions that Adur council put driver's on courses in regards to safeguarding with children and vulnerable adults and that the trade should do something similar.

TN – Asks what would be the best steps to take to do something similar?

TT- Replied that BHCC maybe should pass driver information to social services also.

AP- questions the relevance some of the items that are mentioned in the Bluebook, such examples he mentions are the lower seating in certain vehicles and passengers to ask the driver about their locking system in the vehicle they are travelling in. AP also goes onto to mention about the phrasing on some of the items in the book also.

TN- Does agree with what AP says but explains that time is required to discuss these issues and need more officers to rectify this.

AP- Asks the conclusion of this.

TN- Replied by saying that it will be needed to be revised to agree what's best for operators and drivers.

JC- Mentions about AP's comment on the 'cut and paste' remark. JC explains that the Oxford licensing conditions was a starting point.

MS- Backs that up by saying that it is a working progress at this stage and it is not a case of 'cut and paste' but that we took the finer points from a number of other licensing authorities.

AP- Brings up the medical factor of the blue book in regards to meeting the group 2 criteria of the DVLA and disagrees with that aspect and thinks that the medical should be judged on individual merit.

TN- Replied with that BHCC has to be implicit and we do judge on its merit and we have to adhere to those criteria.

AP- Goes onto question about the appeal process about applications being rejected on medical grounds. He explains that the process is costly and time consuming.

TN- Agrees but says that the process of appeal give the opportunity to challenge the medical decision via local magistrates.

	<p>AP- Asks the forum’s opinion about the appeal process.</p> <p>JO- Agrees that appeals should go through the magistrates to try and overturn a decision.</p> <p>JS- Disapproves of the duration of the appeal process.</p> <p>MD- Asks TN if councillors have decision on the conditions that all taxi drivers have to adhere to.</p> <p>TN – Replied yes they do.</p> <p>MD- Explains that it would be foolish to disagree with appeals and to be against the rules that councillors have agreed to put in place.</p> <p>AP- Questions the 3 day deadline of letting licences lapse and also mentions drivers in London not being licensed for 2 years have to retake the knowledge test.</p> <p>MS- Explains it was a high court ruling that 3 days duration was to be put into consideration for expired licenses / renewals.</p> <p>TN- illustrates that they are mixed views and opinions about the changes made in the blue book and asks AP to put them into writing and forward them onto the Hackney office.</p> <p>AP- Brings up the point of independent data controllers, and says that ICO registered data controllers to be disallowed due to the CSE. He disapproves of a DBS checked independent data controller and asks why it has to be a third party to be a data controller.</p> <p>AP- Asks why doesn’t BHCC become the data controller for the licensed vehicles?</p> <p>TN- Explains due to costs and also it was not offered by BHCC legal advisors.</p> <p>AP- Lastly points out the anomaly of the vehicle age segment of the blue book.</p> <p>MS- Acknowledges it and will be sorted out in due course.</p>
9.	<p><b>Hackney Carriage Unmet Demand Survey</b></p> <p>MS- The report is currently being compiled after the submissions of the survey.</p>

10.	<p><b>Deregulation Bill</b></p> <p>TN- The Deregulation bill come into force in October 2015, BHCC still waiting upon government guidance.</p>
11.	<p><b>Health Incentives for Taxi Drivers</b></p> <p>*Ross Findlay to attend next Forum meeting to discuss</p>
12.	<p><b>Items for next meeting</b></p> <ul style="list-style-type: none"> <li>• Apologies</li> <li>• Minutes from last meeting</li> <li>• Traffic Management, Ranks, Brighton Station, Amex</li> <li>• Sussex Police</li> <li>• Enforcement</li> <li>• Child Safeguarding (Streamline)</li> <li>• Uber</li> <li>• Hackney Carriage Unmet Demand Survey</li> <li>• Blue Book</li> <li>• Deregulation Bill</li> <li>• Rear Windscreen Advertising</li> <li>• Forum Terms of Reference</li> <li>• Health Incentives for Taxi Drivers</li> <li>• Items for next Meeting</li> </ul>
13.	<p><b>Date of next meeting</b></p> <p>29<sup>TH</sup> October 2015</p>