

TAXI CONSULTATION GROUP

ABERDEEN, 27 June 2017. Minute of Meeting of the TAXI CONSULTATION GROUP. Present:- Councillor Boulton (as a substitute for Councillor Reynolds), Chairperson; and Councillors Allard, Delaney, Donnelly and Graham; and Peter Campbell (as a substitute for Tommy Campbell) (Unite the Union), Stewart Duncan and Graeme McColl (Aberdeen Taxi Group).

In attendance:- James Hashmi (Finance), Inspector McGeogh (Police Scotland to article 5 only), (David McKane, Sandy Munro and Jenni Wilson (Licensing Team, Legal Services), Sheila Barclay and William Whyte (Fleet Services), and Allison Swanson (Democratic Services).

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

APPOINTMENT OF CHAIRPERSON

1. The Clerk sought nominations for Chairperson of the Taxi Consultation Group, whereupon Councillor Donnelly moved, seconded by Councillor Boulton, that Councillor Reynolds be appointed as Chairperson.

The Taxi Consultation Group resolved:
to appoint Councillor Reynolds as Chairperson.

CHAIRPERSON

2. In the absence of the Chair, it was agreed that Councillor Boulton, take the Chair.

MINUTE OF MEETING OF 28 FEBRUARY 2017 - FOR APPROVAL

3. The Consultation Group had before it the minute of its previous meeting of 28 February 2017.

With regards to article 6 (Impact of Brexit on 2018 Yellow Plate Ruling) of the minute, the Consultation Group heard from Mr Munro, Licensing Team, who advised that the Equality Act 2010 was UK legislation and therefore the result of the EU referendum had no impact on the implementation of the Council's Accessible Vehicle Policy.

In relation to article 9 (Taxi Trade Accounts), resolution (i), to note that a tabled report would be considered as the final item on today's agenda.

The Taxi Consultation Group resolved:
to approve the minute as a correct record.

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AGENDA ORDER

4. The Chair proposed that items 4 (Trade's Views on Driver Training and Knowledge Test) and 9 (Taxi Test) be considered together following item 3 on today's agenda.

The Taxi Consultation Group resolved:

to concur with the Chair's proposal and thereby consider items 4 (Trade's Views on Driver Training and Knowledge Test) and 9 (Taxi Test) together following item 3 on today's agenda.

**OPERATION TABER - POLICE SCOTLAND OPERATION WITHIN ABERDEEN CITY
- PRESENTATION BY INSPECTOR KENNY MCGEOUGH**

5. The Consultation Group heard from Inspector Kenny McGeough, Police Scotland, who provided an overview of Operation Taber which had been established by Police Scotland to find out about compliance with drivers' vehicles, driver licences and private hires; identify drivers and vehicles operating without a valid licence; to check drivers maintained standards and complied with conditions in Aberdeen, all with aim to ensure that the service provided was safe for the public.

He advised that since launching the operation in December 2016, 21 unlicensed vehicles/drivers had been identified and reported to the procurator fiscal and Aberdeen City Council as the Licensing Authority. The main reason for the individual/vehicle not holding a valid licence was that the licence holder had forgotten to renew the licence. In this regard, Inspector McGeough reminded Members that it was the licence holder's responsibility to ensure that their licence(s) were valid.

He confirmed that during the operation, Police Scotland had not identified any cases of someone posing as a taxi driver and that was positive outcome.

He reiterated that Police Scotland wanted to work proactively with the trade and Aberdeen City Council to ensure that a safe service was provided to the public, with the appropriate systems and checks in place to minimise the possibility of someone operating with a driver or vehicle licence. He encouraged the trade to get in touch with him, or his team, to discuss any matters affecting the trade to which Police Scotland could assist.

Finally, he advised that Operation Taber was now being expanded to cover Aberdeenshire and Moray.

Members asked questions of Inspector McGeough in respect of Operation Taber, during which information on the process for renewing a licence was sought and clarification on whether licence holders received a reminder was sought as Members

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had previously been advised that reminders were no longer issued as this was not a requirement and the onus was on the licence holder to remember to renew their licence. In this regard, Inspector McGeough advised that it was important to have a robust and consistent process and he was scheduled to meet with Aberdeen City Council's Licensing Team later in the week to discuss the process. Mr McKane, Enforcement Officer, also advised that the Licensing Team issue renewal reminders to all licence holders eight weeks in advance of their renewal date.

Members emphasised the importance of the process being robust and applied consistently across all licences. They also highlighted that information on the process for renewing licences should readily available for licence holders.

The Taxi Consultation Group resolved:

to recommend that the Licensing Committee instruct a report from the Head of Legal and Democratic Services on the process for dealing with all licence renewal applications to ensure that a robust and consistent system was in place to minimise the possibility of unlicensed vehicles and /or drivers operating within the city.

TRADE'S VIEWS ON DRIVER TRAINING AND KNOWLEDGE TEST - DISCUSSION LED BY LICENSING TEAM

6. With reference to articles 12 and 13 of the minute of the meeting of the Licensing Committee of 28 April 2017, the Consultation Group heard from Mr Munro, Licensing Team, who advised that the Licensing Committee on 28 April 2017 had agreed (1) to refer the matter of training for taxi and private hire drivers to the Taxi Consultation Group for further discussion with the trade and that a report be submitted to the Licensing Committee thereafter for consideration; and (2) to instruct the Head of Legal and Democratic Services to discuss the format of the knowledge test with the Taxi Consultation Group as part of the further discussion on training for taxi and private hire drivers.

(A) Knowledge Test

With regards the knowledge test, Mr Munro referred to the outcome of the previous consultation exercise undertaken between 20 January and 1 March 2017 to determine whether the knowledge test remained fit for purpose and whether it was suitable for application to private hire drivers as well as taxi drivers.

The consultation paper attracted a total of 324 responses and the most common response was that the test should be continued in the current format as long as it was kept up to date with new streets etc and that it should require to be undertaken by both taxi and private his car drivers. Accordingly, officers recommended that in order to preserve standards of those drivers obtaining licences, the knowledge test should

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continue in its current format. Mr Munro sought the Group's view on whether it still agreed that this position was reflective of the view of the trade.

Mr McColl, Aberdeen Taxi Group, advised that the knowledge test consultation had received a good response rate in comparison to other consultations and that the outcome reflected the views of the trade.

Thereafter, Mr McColl raised concern about the potential for a driving test to be introduced as an alternative to the current written knowledge test in certain circumstances as had been discussed at the previous meeting of the Licensing Committee. He highlighted that there was a distinct difference between a driving test and a knowledge test, and in his view they were not comparable. In response, Mr Munro explained that the Licensing Committee had agreed to instruct the Head of Legal and Democratic Services to investigate reasonable adjustments for the street knowledge test for taxi and private car drivers where circumstances required and this information would be reported to the Committee on 12 September 2017, alongside the report on the format of the knowledge test to ensure a consistent approach was applied. He also confirmed that should there be any proposed change to the test, this would require to be consulted on with the trade prior to a final decision being taken and the process for considering a change to the test would be detailed in the report.

The Taxi Consultation Group resolved:

to note that a report on the format of the knowledge test would be considered by the Licensing Committee at its meeting on 12 September 2017 and to request that the views recorded above be reflected in the report.

(B) Driver Training

With regards to driver training, Mr Munro advised that the consultation on this matter had not been responded to as well as the knowledge test consultation with 44 responses being received. He advised that the responses were mixed to the suggestion of training, with those in favour of the training preferring that it be restricted to matters relating to customer experience. He thought this was a sensible approach as other factors such as routes, were covered in the knowledge. Mr Munro sought the Group's view on the suggestion of training for the trade.

Mr McColl explained that if training was to be introduced it required to be mandatory, otherwise it would not be undertaken. He also highlighted the different options for training i.e. a recognised NVQ qualification or a locally established Council operated course, and advised that in his view regardless if training was introduced this would need to be delivered by someone within the taxi trade. He also felt that should the Licensing Committee wish to consider introducing training, further consultation with the trade on specific training options, as well as the cost and how it would be paid for, should be undertaken.

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Mr Campbell, Unite the Union, suggested that any training should focus on the customer's experience and cover passenger assistance.

The Taxi Consultation Group resolved:

to note that a report on whether further consultation on the introduction on training for taxi and private hire drivers should be undertaken would be considered by the Licensing Committee at its meeting on 12 September 2017 and to request that the views recorded above be reflected in the report.

DISCUSSION ON THE £33 RETEST FEE BEING APPLIED FOR MINOR FAULTS - SUBMITTED BY UNITE THE UNION

7. The Consultation Group had before it a request from Unite the Union to discuss the consistency of the application of the £33 fee for retests for minor faults.

The Group heard from Mr McKane, Enforcement Officer, who clarified that minor faults were not a fail, however any vehicle with minor faults required to be retested and to pay a retest fee of £33. He explained that this was applied consistently and that officers did not have the authority to waive the fee. In addition, he highlighted that the updated taxi testing manual was available and he encouraged all drivers to familiarise themselves with this in advance of their vehicle being tested.

Members discussed this matter, during which Mr Campbell, Unite the Union, advised that now the taxi testing manual was more widely available to access, this should assist in a reduction of the number of retests required. In addition, Mr Duncan, Airport Taxis, explained that he had communicated with all airport drivers that they should familiarise themselves with the manual and advised that copies of the manual were available in their office, as well as on the Council's website.

The Taxi Consultation Group resolved:

to note the information.

ENFORCEMENT OFFICER UPDATE

8. With reference to article 5 of the minute of its meeting of 28 February 2017, the Consultation Group had before it a report by the Enforcement Officer which provided an overview of the activity of the Enforcement Officers regarding taxi enforcement operations since the previous meeting.

In addition to the taxi enforcement operations, the report provided an update on the following matters:

- Complaints received;
- Current number of licensed vehicles and drivers; and

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- Updated taxi testing manual and testing procedures.

Members discussed the report, in particular the current number of licenced vehicles, noting that not all licenced vehicles were operating.

The Taxi Consultation Group resolved:

- (i) to thank Mr McKane for the informative report and to otherwise note its content; and
- (ii) to request that further comparator data be provided in future Enforcement Officer reports.

FIRST AID KITS - UPDATE FROM ENFORCEMENT OFFICER

9. The Consultation Group had before it (1) a request from Mr McColl, Aberdeen Taxi Group, to discuss first aid kits in taxi and private hire car vehicles; and (2) an information note from the Enforcement Officer which advised of the requirements in respect of first aid kits as detailed in the current taxi testing manual.

Mr McColl advised that it was agreed when updating the taxi testing manual that the first aid kit to be contained in a taxi and private hire vehicle required to be compliant with BS8599.2.14. At the time of agreeing this update, Members were not aware of what was required to be contained in the first aid kit in order to be compliant with BS8599.2.14. In light of this, it had subsequently become apparent that the requirements were more onerous than the previous kit and as such on the first day of vehicles being tested on the new manual some vehicles were failed purely on not have a first aid kit which complied.

Thereafter, the Group heard from Mr McKane in furtherance to the information note which advised of the items which the first aid kit required to contain. The note also advised that despite all drivers/operators being written to in January 2017, advising that the manual was updated, outlining the sections being changed (which included the section of first aid kits) and advising drivers/operators to check the new manual, a substantial volume of vehicles were being produced for testing without the updated first aid kit.

This was also expressly discussed at the meeting of 24 November 2016, between the trade, Licensing and Fleet Services and the change to the kit agreed.

It was explained that in an effort to prevent a large number of vehicles failing the hackney test and being put off the road, an interim procedure was agreed between licensing and fleet services whereby a vehicle would not fail a hackney provided a first aid kit meeting the current or previous standard was present and in date (it was also agreed that a vehicle would not fail for having say 8 plasters instead of the required 10). It was intended to refer the specific first aid kit requirements to the Licensing Committee

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for it to decide what the minimum standard should be, when this should be updated (for instance current BS was 2014, this might change) and what would constitute a failed test in terms of contents. Once the Committee had made a decision the trade would be notified and the interim procedures would cease to have effect.

The Taxi Consultation Group resolved:

to note the information and to request the Licensing Team Leader to ensure the Taxi Testing Centre was aware of who to communicate any issues which might arise with so that these could be addressed in a timely manner.

DISCUSSION REGARDING THE CHANGE OF HOURS FOR HACKNEY TESTING - SUBMITTED BY GRAEME MCCOLL

10. The Consultation Group had before it a request from Mr McColl, Aberdeen Taxi Group, which sought clarification regarding the budget restrictions explained for new hackney times as detailed in the note issued by the Taxi Testing Centre to all drivers.

Mr McColl advised that the note issued advised of a change of hours at the Taxi Testing Centre Due to restructure and budget restrictions. Therefore, hackney tests would now be carried out between 8.15 and 17.00.

Mr McColl expressed concern at this change as in his view it was reducing the service provided and the time period for tests each day.

Thereafter, Ms Barclay, Fleet Business Support Officer, explained that the hours had changed in light of part of the Council's fleet being relocated and the staff transferring to the new site along with this part of the Council's fleet. She advised that there would be no reduction in service in light of the new operating hours.

Members of the trade raised concern that the explanation provided today was not what was detailed on the note issued to the trade which read as the decision was being made due to restructure and budget restrictions. They emphasised the importance of all communication being open and transparent and reflecting the actual position and any impact on the trade. Ms Barclay accepted that the note should have reflected the position, and reason for the change, more accurately.

The Taxi Consultation Group resolved:

to note the information provided and to recommend that all communication issued by the Taxi Testing Centre be reviewed by the Licensing Team Leader in advance of being issued to the trade.

TAXI TEST - SUBMITTED BY GRAEME MCCOLL

11. In accordance with article 4 of this minute, this item was considered at item 4 of the agenda (article 6 of this minute refers).

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PRIVATE HIRE DRIVER LICENCES - RENEWALS WITH REFERENCE TO POLICY CONTAINED IN THE CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - SUBMITTED BY GRAEME MCCOLL

12. The Consultation Group had before it a request from Mr McColl, Aberdeen Taxi Group, which sought clarification on why licences were not just refused at Licensing Committee when there were only a few weeks left prior to the application having to be determined.

In response, Mr Munro, Licensing Team, advised that any application for a licence received required to be determined within six months of receipt and the applications are submitted to the Committee in accordance with its scheduled meetings. He explained that it was for the Committee to decide whether an application should be determined that day, or whether on the basis of the circumstances, it should be deferred to a future meeting. Each application would have different circumstances and was considered on its own merits.

The Taxi Consultation Group resolved:

to note the information provided.

UPDATE ON WHEELCHAIR ACCESSIBLE VEHICLE POLICY CONSULTATION PROCESS - SUBMITTED BY UNITE THE UNION, GRAEME MCCOLL AND AIRPORT TAXIS

13. With reference to article 9 of the minute of the meeting of the Licensing Committee of 13 June 2017, the Consultation Group had requests from (1) Mr Campbell, Unite the Union; (2) Mr McColl, Aberdeen Taxi Group; and (3) Mr Duncan, Airport Taxis, that an update be provided on the Council's Accessible Vehicle Policy in light of the decision taken at the last meeting of the Licensing Committee and specifically what the consultation process would be and what impact a further report would have on the trade.

Within his request Mr Duncan, on behalf of the Airport drivers, advised that airport drivers believed that in the first instance the implementation date should be moved back to June 2019 to allow the further consultation process to take place. He also advised that airport drivers thought that any new policy should reflect the following:

- Saloon vehicles to remain;
- New licenced taxi drivers to be issued an accessible vehicle plate for the first 5 years, then given the option (airport drivers believed a percentage would stay as accessible vehicles for various reasons)
- Current accessible vehicle drivers to have the option to move to saloon at the next renewal of drivers licence (airport drivers believed a percentage would stay accessible vehicles for various reasons)

Airport drivers felt that the above proposal would benefit all, most of all the public.

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Mr Munro, Licensing Team, advised that the Licensing Committee on 13 June 2017, had agreed to instruct the Head of Legal and Democratic Services to submit a report to the Committee's meeting on 12 September 2017, outlining the process, including public and trade consultation, of revisiting the Council's current Accessible Vehicle Policy, and that this report also detail the legal and financial implications of any change. Therefore, he clarified that officers had not been instructed to undertake another consultation process, but rather to report on the process and implications of revisiting the current Policy.

He also advised of a challenge that had been lodged in respect of Dundee City Council's mixed fleet and this was scheduled to be heard in Court on 10 July 2017.

Members advised that there was a lot of misinformation regarding the Committee's decision in respect of the Policy amongst drivers.

The Taxi Consultation Group resolved:
to note the information provided.

TAXI TRADE ACCOUNTS

14. With reference to article 9 of the minute of its meeting of 28 February 2017, the Consultation Group had before it a tabled copy of the taxi licences accounts, including as an explanation as to how the figures were derived, as prepared by the Head of Finance.

Mr Hashmi, Reporting and Monitoring Manager, spoke through the accounts.

The Taxi Consultation Group resolved:
to note the taxi licences accounts.

AOCB

15. (A) Membership

Mr McColl, Aberdeen Taxi Group, advised that Mr Fettes would no longer be Licensed Taxi Offices representative on the Group.

The Taxi Consultation Group resolved:
to note the information.

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DATE OF NEXT MEETING

16. The Taxi Consultation Group noted that the next meeting would be held on 31 October 2017 at 10.00am in the Town House.

- Councillor Marie Boulton, Chairperson.

DRAFT

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Tuesday, 27 June 2017

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