

## **Business Operator Meeting – Via Teams**

Thursday 19<sup>th</sup> May 2022

### **Officers Present:**

Cllr Sarah Ferriby (SF)	Councillor
Steven Knighton (STK)	Enforcement Manager
Sadiya Patel (SP)	Senior Licensing Officer
Emma Stirzaker-Lyons (ESL)	Licensing Officer Service Support
Tanya Smith (TS)	Licensing Officer Service Support

### **1) Introduction**

Cllr Sarah Ferriby opened the meeting and thanked everyone for attending.

### **2) Outstanding Actions**

There were no outstanding actions from the last meeting.

### **3) Licensing Service Update (SP)**

The Licensing Service is pleased to confirm that updates to make life easier for licence holders to engage with the Service via the website are still continuing.

Recently, the Licensing Service have introduced a new reporting section on the [Hackney Carriage & Private Hire Service](#) home page for reporting the following:-

[Report a Road Traffic Collision](#)

[Report New Penalty Points](#)

[Report a Conviction or Arrest](#)

The [Hackney Carriage & Private Hire Service](#) website, is continually being updated to ensure key information is accessible to licence holders. Many of the common questions asked are covered by the website and it is recommended that licensees or those looking to become a licensed driver use the website as your first point of referral.

### **Access and security at Shearbridge**

Shearbridge is an incredibly busy depot and home of the Council's Fleet Maintenance. As such it is a secure and hazardous site and there are strict requirements in place for staff and visitors that must be adhered to.

The Licensing Service started to move away from “Drop-in” appointments in 2019. This was further pushed by the COVID pandemic, which saw a need for non-face to face appointments so that the service could continue to process licensing applications.

For some time, the Service has not seen customers at Shearbridge, other than for pre-arranged appointments.

As the access to the depot must be controlled there have been several security upgrades including, upgrading the perimeter fencing and gates. Access will only be granted to those who have a pre-booked appointment, such as vehicle tests. If there are any other reasons for you to attend the depot in person, you will require confirmation of an appointment, that will be sent to you and we will update the staff that control access to the site.

Please do not attend Shearbridge Depot without an appointment. You will not be permitted access without a pre-booked appointment.

#### **4) Enforcement update (STK)**

##### **Changes to Legislation**

##### **Mobile Phone Law – Zero tolerance**

From 25 March 2022, motorists are breaking the law if they use a handheld mobile phone behind the wheel for **any use**. (Including taking photos or videos, scrolling through music playlists or playing games).

Anyone caught using their handheld device while driving could face a fine of up to £1,000 as well as 6 points on their licence or a full driving ban. Private Hire and Hackney Carriage Drivers also face losing their Badge.

The question was asked if this will include using a PDA to accept a booking. Yes, this new law covers all interactions with all mobile devices.

Please advise your drivers accordingly and for more information please click on the links below:

[https://youtu.be/lzXNP3tJn\\_U](https://youtu.be/lzXNP3tJn_U)

[Government Declares Zero Tolerance Policy for Mobile Phones](#)

##### **The Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022**

This new Act comes in on the 31<sup>st</sup> May 2022. The Act places an obligation on licensing authorities to report, record and take appropriate action with regards to “relevant information”. It also requires licensing authorities to review a licensing information database before granting a licence. The relevant information includes a range of offences, such as violence, sexual, harassment as well as driving concerns or offences.

LA’s must pass on, record and act on relevant information. To keep records of the relevant information a national database is to be established, this is likely to be similar to that of the NR3 that the Council already uses to record revocations and refusals and to check that applicants haven't been refused or revoked anywhere else. We await further details of the licensing information database.

The Licensing Service will conduct an officer review when information is submitted to us by other authorities and document relevant information against corresponding records. For more information, please click on the links below:

[Legislation for Safeguarding and Road Safety](#)

[Parliamentary Bills](#)

## **Request for the Licensing Service to limit Drivers to work for 1 Operator.**

Following this Request, the Licensing Service offered the opportunity for Operators to provide their input on this subject at a meeting on the 29<sup>th</sup> of March 2022. There were several written points submitted and 1 Operator attended the meeting that was set up. All points have been considered and the Licensing Service has taken advice on this subject.

The advice provided to the Licensing Service is that the Licensing Authority should not apply any such restriction to a driver's licence. The Licensing Service is the regulatory authority and not the employer of licensees. The Service has no contractual obligation with the Licensee. It is good practice for the licensing authority to link drivers with Operators, the Service does link drivers to Operators and prints the Operator on the badge.

When linking the Service Requests Operators provide written confirmation that they will be taking the driver on. Where a driver requests more than 1 operator link the service requests written confirmation from both operators, confirming that each operator is aware and happy with the driver acting on behalf of other Operators.

“Cherry picking” jobs from one operator to another is a concern for Operators. Bradford has a condition that decals must be permanently fixed to Private Hire Vehicles and subsequently, Drivers are not able to hop from one operator to another instantly without the need to change their decals. Operators are obliged to ensure that the vehicles they are dispatching are displaying the correct livery.

Operators have the option to have “contracts” with their drivers and should set out clear working arrangements/agreements with their drivers. This can include hours of work and if a driver is working for more than one operator, to establish what hours that driver works for the other Operator. Although there are no set driver hour requirements, Operators are obliged to ensure that the drivers they are dispatching are fit to complete the contracts the operator assigns.

After consideration of the submissions and advice provided, the Licensing Service will not be recommending a condition to limit drivers to one Operator.

## **5) Points from the Trade**

Q) There seems to be a decline in taxi driver's numbers. We're short of drivers at Metro-go. I think this is partly due the ever increasing number of hurdles you've to jump over to get a license. It seems to be more ways to collect revenue.

### **HC/PH Reply**

The total number of Licensed Drivers is 5095.

This is the highest it has been in some time and the figures for this year show a steady incline of drivers as follows –

#### **Total drivers**

Jan - 4870

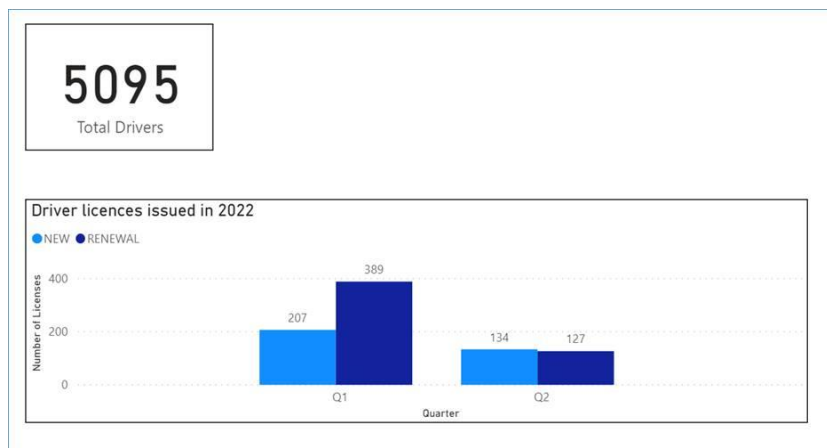
Feb - 4918

Mar - 4965

Apr - 5057

May (to date) 5095

Since the beginning of 2022, 343 new drivers have been licensed by the Council, 134 of those in the last 3 months. This is alongside the 516 driver's licenses renewed so far this year.



The required elements of the application exist to satisfy the Council's legal obligation, as contained within Sections 51 & 59 of the Local Government Miscellaneous Provisions Act 1976 to only issue licenses to Fit and Proper people and the requirements for those seeking employment in England.

The requirements are as follows for new applicants:

- A. Application form and Stat Dec
- B. Proof of right to work
- C. DBS criminal background check (Enhanced and on the update service)
- D. Driving licence check
- E. A medical from GP
- F. A driving assessment
- G. Taxi/Private Hire driver training
- H. HMRC Tax registration check (Govt. requirement as of 4/4/2022)

With the processes moving mainly online, application times have been significantly reduced and customers no longer need to travel for each element of the application. The primary cause of any delay has been the response time for information to be returned.

## 6) Close

No input or questions from the trade. Can we encourage all Operators to send in agenda points before the meeting.

If you have any feedback whether we should carry on with online meetings or if face to face meetings at City Hall would be preferred please let us know, we would love to hear from you. Again we would like to thank everyone for attending our first webinar meeting. If the feedback, we receive is positive we will look at moving the meetings to this format in future.

If any of you have any further comments or possible improvements, please email [taxi.testing@bradford.gov.uk](mailto:taxi.testing@bradford.gov.uk) and we will take these on board when arranging the next meeting.

## 7) Actions of Meeting

No actions.

## **8) Next Meeting**

The next Operator Business Meeting will be held August 2022.

The service will communicate closer to the next meeting date the format of the meeting; face to face or online.