

Operator Business Meeting

City Hall – 9th August 2017 – Summary of meeting

1) Introductions/Apologies

Councillor Ferriby (Cllr F) Portfolio Holder welcomed all to the meeting.

Apologies received from Matthew Bibby and Dennis Rowe HCPH Licensing Service

2) Previous Minutes

A list of completed actions from the 15th February 2017 was read out by Carol Stos (CS) HCPH Licensing Service;

- Results of trade survey re conditions changes have been published on the web
- Invite issued to trade to trial on-line payment process – no response had been received
- Links to trade information for example vehicle safety checks, conditions of license have been sent to Operators and published on the web

Nadeem Ahmed (NA) representing Leap & Yamuv asked why the Licensing Service is promoting on-line payments. CS advised the initiative aims to reduce telephone and office waiting time for customers. CS re-issued an invitation to the trade to participate in a trial.

CS congratulated Operators who had taken great steps and are actively working towards reducing vehicle failures but putting daily and cyclical inspection measures in place and making this part of the 'normal' daily routine for drivers. Pervez Naik (PN) representing Oxford asked why Operators were expected to accept responsibility for vehicle safety checks as Operators are not vehicle mechanics and the mechanical fitness of the vehicle is the driver's responsibility. CS advised the Council does not expect Operators to carry out daily safety checks on vehicles but per conditions it is the responsibility of the Operator to ensure a thorough vehicle safety inspection regimen and preventative maintenance schedules for vehicles is in place and drivers comply with requirements. Information to this effect has been sent out on two occasions previously. Geoff Binnington (GB) Principal Officer FTS issued an open-house invitation to the trade to attend Shearbridge Workshops to observe how a vehicle inspection is carried out in order that Operators are aware of the inspection criteria used when assessing vehicle safety.

Cllr F asked for further guidance to support and assist the trade to be sent. Therefore:

Action: Operators' interested in accepting the above invitation to promote on line payments should write to Carol Stos at carol.stos@bradford.gov.uk

PN asked if the Council could provide a list of 'approved' garages which could provide a pre-test checking service. GB advised that the Council cannot endorse any individual garage but a 'good garage scheme' independent to the Council is available, details can be found at www.goodgaragescheme.com

3) Vehicle Emissions & Clean Air Zones

A presentation (attached with link to government policy) was given by James Brass (JB) Sustainability Officer, Bradford Council.

A discussion took place;

- Cost v Benefit (voluntary or mandatory)
- Infrastructure availability (existing & future for charging points)
- Battery range (improving but still not sufficient for trade)
- Grants & assistance schemes (Council, corporate and individual)
- Alternative options – conversions, dual fuel, compressed natural gas(cng)
- Non-vehicle solutions – road re-engineering, cycle and pedestrian only routes etc

Cllr F advised the meeting that whilst conflicting information had been received from central government re the benefit v cost of road re-engineering, the Council remain committed to looking at all options with a goal to achieve compliance by 2020. Cllr F advised that the Licensing Service and the Council will keep the trade up to date with developments, raise awareness of available options and inform the trade of any funding streams available.

After Note: For up-to-date information on electric vehicles and charging points there are many websites

A discussion took place about the possibility of using CNG (compressed natural gas) to fuel vehicles. GB explained that the Service had brought a CNG conversion specialist to Trade meetings previously and this was potentially an option for some proprietors.

After Note: Re CNG conversions, the potential proprietor needs to explore the benefits and pitfalls and there is plenty of information on the web, for example purposes only see:

www.dnaindia.com/money/report-cng-is-gaining-popularity-but-there-are-7-things-you-need-to-be-aware-of-before-getting-in-the-driver-s-seat-1941117

The decision as to whether to convert a vehicle to CNG is that of the proprietor and depends on a range of factors which only they can establish.

Action: Officers to circulate material from James Brass after the meeting

4) Operator Agenda Points

Tinted Windows

CS clarified the rationale behind the Council's vehicle specification re tinted windows. For public safety reasons the inside of the vehicle must be clearly visible and un-obscured from external view. For this reason the Council will only accept AS levels 1, 2 & 3 (as per vehicle specification) factory fitted tinted windows, film tints fitted retrospectively to a vehicle are not allowed.

GB clarified that the Licensing Service are not attempting to limit options for drivers looking to purchase vehicles with tints and it is accepted that some manufacturer's factory fitted tinted windows are slightly darker. The Licensing Service is committed to working with the trade to come to a mutually agreeable solution. If a member of the trade wishes to purchase a vehicle and is unsure whether the windows are to specification compliant with conditions, a driver can arrange for the vehicle to be brought to Shearbridge for advice prior to purchase.

Seating Plans

Imran Akram (IA) representing Bronte requested clarification re seating plans – if the seating configuration is per factory fit, is the vehicle compliant with Licensing conditions?

GB advised that Bradford Licensing Service conditions in respect of seating configuration ensures that fare paying customers who are impaired for example infirm or elderly have clear and unimpeded access and egress from the vehicle.

5) Conditions & Licensing Service Update

CS apologised to the meeting for the delays due to;

The purchase and integration of a new bespoke, licensing system which is now 'live'
Increased administration requirements – right to work check, DBS update service
Demand – the Licensing Service is seeing a 40% increase in demand from the trade.
Failure by the trade to attend pre-booked appointments

CS advised the following initiatives to address the above;

- Additional member of staff with expert ICT knowledge has been recruited to migrate existing licensing data and to manage the new system.
- Additional two members of Licensing Service staff are being recruited to address the increase in demand.
- A 'triage' service – a member of staff who will 'man' the waiting area providing advice and assistance to reduce waiting times.
- A 'drop and collect' and 'click and collect' service initially for plate renewals but potentially for badge renewals to reduce waiting times. Operators will be invited to participate in a trial.
- Polite Reminder – please ensure your drivers bring the correct documentation required to be able to undertake the task they are wishing to do, a considerable amount of officer and the drivers/proprietors time is wasted when applicants don't have all the correct documentation.

Action: Officers to issue the summary of conditions changes after the meeting

6) WY Police Update

Sergeant Cameron Buchan (Sgt B) advised the meeting of the onus of responsibility under law for vehicle defects - use, cause and permit (those who use the vehicle ie driver, those who cause the use of the vehicle i.e. Operator asking driver to carry out driving duties and those who permit the use i.e. driver or Operator who have not carried out safety checks or those who have knowledge of safety checks not being carried out, permitting the vehicle to be used).

Sgt B advised Operators to keep detailed records (paper or electronic) in order that they could demonstrate compliance with the law and HCPH Licensing conditions such an incident occur, for example a vehicle is involved in an accident, the Police would expect records to be made available for their investigation such as driver checks, training records, vehicle maintenance schedules, daily inspection sheets, defect rectification sheets and/or receipts for work carried out on the vehicle.

PN asked how long records should be kept. Sgt B advised that the cost of keeping records either electronic or paper is minimal; guidance should be sought from HCPH Licensing Service.

Khalid Mahmood Hussain (KH) DCH Minibus Service advised he was unable to change a bulb on his vehicle as the light is a sealed unit, was it fair that he could be suspended or prosecuted for this? Sgt B commented that this would not be a HCPH Service problem, it is a problem for the driver (i.e. it is their vehicle which is defective).

GB advised that the Licensing Service worked with drivers and operators and in such circumstances sensible measures are in place to ensure a defect was rectified without unnecessarily penalising the driver e.g. driver instructed to get bulb exchanged within a reasonable time period without vehicle suspension, confirmed by inspection on-road or at Shearbridge as stipulated.

Stuart Hastings (SH), representing Metro Keighley, asked if the operator rather than the driver would be breaking the law if a vehicle attending Shearbridge had a bald tyre. Sgt B explained that it would depend on the circumstances and evidence. GB advised the Council has delegated powers to ensure vehicles are road-worthy so, in normal circumstances, the Police would not be notified of such issues as Service Officers have the required delegated power to prosecute the driver/proprietor/operator based on evidence.

Sgt B advised the meeting of 'Operation Steer side'. The overarching aim of the initiative is to make Bradford safer for the travelling public, reducing speeding, drink or drug driving and the use of mobiles. Results so far have been extremely positive, prosecutions have taken place and casualty figures have reduced. Sgt B asked for the support and assistance of the trade; please email bd.steerside@westyorkshire.pnn.police.uk with any information, dashcam footage, witness statements etc.

Inspector Nick Haigh (NH) updated the meeting about Police enforcement activities in the Holmewood area of Bradford. Incidents of reported crime have reduced significantly, the Police thanked the trade for their assistance and support and look forward to working together in the future.

Asif Shah (AS) representing Shipley Central advised the meeting of an initiative in Bristol, a dedicated Police officer is working with the trade. AS asked if it is an offence for a customer to not pay a fare. NH clarified that if the dispute is about the amount of the fare that is a civil matter but if the customer is refusing to pay a fare that is a criminal matter.

7) Any other business

Cllr F advised the meeting that clarity had been sought in respect of vehicles using bus lanes which are monitored 24 hour. Cllr F advised that cameras are unable to differentiate between vehicles in private use and private hire vehicles.

Cllr F advised the meeting that she and the Council Leader Susan Hinchcliffe would be visiting HCPH Licensing service in the near future to talk to staff and customers.

CS advised the meeting that notification of several condition changes will be sent to Operators and drivers shortly. Operators are asked to ensure drivers are made aware and have read the communication from the Licensing Service.

CS advised the meeting an independent peer review of the Licensing Service is taking place to establish if policies, procedures and activities undertaken by the Service are appropriate and fit for purpose. The review is being undertaken by a senior member of Leeds Council Licensing Service.

GB advised the meeting that the Licensing Service are always happy to meet and listen to representatives from official trade associations (defined as an group of members getting together for a common purpose with an official constitution and memorandum of understanding). GB reminded the trade that the Licensing Service is a regulated service and trade associations should not expect any such meeting to become arenas for negotiation, rather meetings should be view as discussion forums working together towards mutually beneficial outcomes within existing condition frameworks.

GB advised the meeting that monies held in reserve by the Licensing Service (monies accrued by the Licensing Service is ring-fenced and not used by the Council for any other service other than Licensing – any surplus or deficit is held in a reserve account and this has been reducing since new fees were introduced in around 2010. The current reserve balance of £417k is provisionally allocated as follows: £25k for a replacement IT Licencing system; £50k for Service relocation to BBL (subject to confirmation as part of the depot strategy); £290k to reduce costs for the introduction of in-car CCTV (subject to approval) and £105,713 remains as a reserve balance.

8) Date of next meeting

Wednesday 8th November 2017 – City Hall