

EAST AYRSHIRE COUNCIL

**LICENSING SUB-COMMITTEE OF THE COMMUNITY SERVICES
COMMITTEE – 16 MAY 2001**

MEETINGS WITH REPRESENTATIVES OF THE TAXI TRADE

Report by the Director of Community Services

1. PURPOSE OF REPORT

- 1.1 To advise the Sub-Committee of the deliberations of the Ad-Hoc Committee of Council Officers, the Taxi Trade and other invited organisations.

2. BACKGROUND

- 2.1 The Ad-Hoc Committee has met on a regular basis since October 1997.
- 2.2 The meetings are normally chaired by Councillor J Carmichael, Chair of the Licensing Sub-Committee.
- 2.3 It has been agreed that regular meetings will take place and that the business of the meetings be reported to the subsequent Licensing Sub-Committee for information.
- 2.4 Accordingly, a copy of the minute of the meeting held on 18 April 2001 is attached as Appendix 1 to this report.

3. DISCUSSION

- 3.1 The Sub-Committee is invited to consider the report and note the contents.

4. FINANCIAL/LEGAL/POLICY IMPLICATIONS

- 4.1 Nil.

5. CONCLUSIONS

- 5.1 Meetings with representatives of the Taxi Trade and other organisations are held on a regular basis and the business of the meetings will be reported to the next scheduled Licensing Sub-Committee for information.

6. RECOMMENDATIONS

- 6.1 It is recommended that the Sub-Committee agree to note the contents of this report.

William Stafford
Director of Community Services

8 May 2001

WS/GS

LIST OF BACKGROUND PAPERS

1. Minutes of previous meetings of Ad-Hoc Committee of Council Officers and representatives of the Taxi Trade.

Any person wishing to inspect the background papers listed above should telephone 01563 576111 and ask for Mr John Crawford, Head of Protective Services or e-mail on john.crawford@east-ayrshire.gov.uk.

EAST AYRSHIRE COUNCIL

DEPARTMENT OF COMMUNITY SERVICES

MEETING WITH REPRESENTATIVES OF EAST AYRSHIRE TAXI TRADE COUNCIL HELD ON 18TH APRIL 2001 AT 11.30PM IN MEETING ROOM 1, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillor J Carmichael (Chair); J F Crawford, Head of Protective Services and A J Smith, Principal Officer, Licensing and Community Safety, both Department of Community Services; P McCluskey, Transport Manager, Department of Development Services; A McDougall, Head of Resource Support, Education and Social Services; Strathclyde Police Traffic Department; J Malcolm, A McCluskey, P Heartfield and J Bruce, all East Ayrshire Taxi Trade Council.

APOLOGIES T Allan, Department of Development Services

MATTERS ARISING FROM MINUTES OF MEETING HELD ON 7TH FEBRUARY 2001

1.1 Foregate South Car Park

J Bruce confirmed that the pricing structure requested by the Taxi Trade had been approved by the Council and asked what action would be taken by the Council to stop members of the public parking in the spaces allocated for taxis. J F Crawford undertook to write to the Head of Roads and Transportation regarding this matter.

Taxi representatives also indicated that there were problems with other vehicles parking in the vicinity of the Foregate rank. A J Smith indicated her understanding that difficulties with enforcement were caused by the lack of road markings on the cobbled area. The taxi representatives indicated that they had asked previously for a sign restricting access to that area and J F Crawford undertook to write to the Head of Roads and Transportation about such a sign.

J Bruce then raised the matter of signs prohibiting taxis from entering and using other car parks within Kilmarnock. He confirmed that taxis may now use these car parks and that the signs should be removed or amended. T McCluskey confirmed at this point that a meeting had already been arranged with Tom Allan, Department of Development Services, regarding this matter.

1.2 Advertising on Taxis and Private Hire Cars

J F Crawford explained that although this matter had been the subject of a report considered by the Licensing Sub-Committee at its meeting

on 21st March 2001 the decision taken had not been fully minuted and it had been agreed that a further report be submitted to the next meeting of the Licensing Sub-Committee for clarity of implementation. He went on to confirm that the report relates to all licensed taxi and private hire car vehicles irrespective of the number of seats.

In response to a query concerning mini buses raised by P Heartfield, J F Crawford explained the background to the report and confirmed that legal advice taken confirmed that any decision taken should relate to all licensed vehicles.

A J Smith provided background to this matter from a licensing staff perspective and confirmed that a definitive rule was the solution to the problems experienced by her staff.

There followed some discussion on whether standing orders could be suspended in order that the Taxi Trade Council could make representations to the Licensing Sub-Committee. J F Crawford referred to the report which had been drafted and the fact that their representations would be reported to the Licensing Sub-Committee and that it would be for Elected Members to place such weight on this information as they chose.

Following further discussion on licensing matters and the democratic process the Chair agreed to investigate the feasibility of representatives of the Taxi Trades Council addressing members of the Licensing Sub-Committee on an informal basis. Such representation should comprise no more than 2 members of the Taxi Trade Council who may address the members of the Sub-Committee for a period of 10 minutes.

2. FARES REVIEW

- 2.1 There was submitted a letter dated 18th April 2001 from the Chairman of the East Ayrshire Taxi Trade Council detailing the suggested new fare structure.

Following some discussion it was confirmed that the proposal submitted related to both the north and south zones of East Ayrshire. (A copy of Mr McCluskey's letter of 18th April 2001 is attached to the minute.)

3. FIRE EXTINGUISHERS

- 3.1 The Taxi Trade indicated that the requirement for drivers to carry a first aid box and fire extinguisher in licensed vehicles was introduced by the former Kilmarnock and Loudoun District Council. It has subsequently been agreed that the carrying of first aid boxes be no longer mandatory. The reason for this being that drivers risked being sued by passengers who had been inappropriately treated.

The Trade indicated that they had been advised informally by a Fire Officer that if a vehicle catches fire it is recommended that all occupants evacuate the vehicle as soon as possible rather than attempting to tackle the blaze themselves. For this reason the Trade requested that the requirement to carry a fire extinguisher be made optional.

P McCluskey indicated that it may be a legal health and safety requirement for an appropriate type of fire extinguisher to be carried in licensed vehicles.

A J Smith confirmed that she would clarify the situation and report back to the next meeting.

4. VEHICLE TEST

- 4.1 The Taxi Trade representatives indicated dissatisfaction with the length of time members were having to wait for their vehicles to be tested, currently a week or more.

P McCluskey explained the background to test availability and the Trade representatives were reminded that their members should book tests as far in advance as possible, preferably on receipt of the reminder letter issued by the Licensing office.

J F Crawford indicated that the Council recognises the need for emergency testing as a result of accidents etc and P McCluskey confirmed that the Garage will do as much as possible to help operators in these circumstances.

In response to an enquiry on completion of paperwork and payment of fee at 14 London Road, Kilmarnock, A J Smith undertook to investigate the possibility of using local offices for the purpose of booking tests by post.

Following some further discussion P McCluskey confirmed that although re-tests on the same day were not feasible operators would not have to wait 2 weeks for a re-test as they only take approximately 15-30 minutes and can get slotted in when possible.

5. TAXI PLATES

- 5.1 Following some discussion on the issue of whether plates, both private hire and taxi, should be screwed or otherwise affixed to the vehicle, it was agreed that the Council would consider various types of adhesives and fixatives with a view to changing the reference in the procedures to indicate that plates need merely be securely fixed rather than screwed to the vehicle.

A J Smith indicated that it was her intention to investigate the use of a different type of plate, ideally that would indicate the make and registration number of the licensed vehicle. The Trade indicated that they would be happy with such a plate and that the only anticipated difficulty would arise when a vehicle was changed.

6. TAXI RANKS

- 6.1 A J Smith reported that following a review of the loading/parking/turning arrangements in the Foregate area, only 1 additional space could be provided in the taxi rank. This would bring total available spaces to 7. She indicated that this concluded the review of ranks throughout East Ayrshire and that it would now be possible to commence the advertising procedure, as laid down in the Civic Government (Scotland) Act 1982.

7. APPROVED VEHICLES

- 7.1 There was some discussion about inappropriate vehicles allegedly operating within Kilmarnock and A J Smith undertook to discuss this matter with G Scott, Licensing Officer.

8. SCHOOL CONTRACTS

- 8.1 A McDougall of the Department of Educational and Social Services addressed the meeting regarding the differing requirements between taxi/private hire car private licensing and school contracts. The Taxi Trade representatives accepted that the Department concerned implemented higher standards than in the past as such drivers would have contact with children.

9. POLICE

- 9.1 Taxi representatives expressed concern that there seems to be a disparity between the police divisions regarding whether particular incidents are treated as civil or criminal matters.

J F Crawford undertook to raise this matter with Hugh Mitchell, the Council's Police Liaison Officer.

10. DATE OF NEXT MEETING.

- 10.1 The next meeting will be held on Wednesday 13th June 2001, at 11.30am in Meeting Room 1, Council Headquarters, London Road, Kilmarnock.

A J Smith

Principal Officer, Licensing and Community Safety

AJS/DW

23rd April 2001

AGENDA