

PUBLIC PROTECTION COMMITTEE

6 MARCH 2018

Present: Councillor Jackie Parry(Chairperson)
Councillors Goddard, Jacobsen, Lancaster, Mackie, Robson,
Taylor, Wood and Williams

21 : APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Hudson and Murphy.

22 : DECLARATIONS OF INTEREST

No declarations of interest were received.

23 : MINUTES

The minutes of the meetings held on 6 February 2018 were approved by the Committee as a correct record and were signed by the Chairperson.

24 : TAXI DRIVERS OF CARDIFF: APPLICATION FOR RECOGNITION

The Committee was advised that an application was received from an association of Private Hire and Hackney Carriage drivers call 'Taxi Drivers of Cardiff' requesting that they formally be recognised and acknowledged by the licensing authority as an authorised body representing licensed Private Hire and Hackney Carriage drivers in Cardiff. The association is newly formed and they have produced a copy of their constitution, which was attached to the report at Appendix A. Members were asked to consider and determine the application.

Claire Hartrey, Group Leader Licensing, presented the report. Members were advised that there were currently no formally recognised associations representing drivers operating in the City and, therefore, it is difficult to get a consensus view from the trade. In an attempt to engage with the trade, the authority has promoted the establishment of representative organisations, largely on an informal basis. Currently most communication is done through the quarterly Cardiff Taxi Driver Forums. Recognition as a properly constituted trade organisation would ensure that the body is able to make proposals to the authority on changes or amendments to policy; entitled to be consulted on proposals on changes or amendments to licensing policy; and be provided in advance with details of draft Public Protection Committee reports for comment.

A draft report on the application was made available for comments in the Licensing Offices at Sloper Road and City Hall. Draft reports were also sent to trade representatives and were published on the authority's Licensing webpages. Seven objections to the application were received. The main points of those objections were summarised in the report. Full details of the objections were included as Appendix B. The Taxi Drivers of Cardiff responses to the objections were set out in Appendix C.

The Chairperson welcomed Mr Paul O'Hara of Taxi Drivers of Cardiff (TDC) invited to address the Committee. Mr O'Hara stated that the group was initially formed by a group of drivers working for Dragon Taxis. However, the association has since evolved and now it represents both Private Hire and Hackney Carriage drivers working for every company in the City. The association is open to all drivers who wish to join. Elections have been held to appoint members of a Steering Group and the steering group has gone on to make representations at a national level during recent Welsh Government consultations on its proposals for legislative changes in the taxi trade. Mr O'Hara indicated that the association was looking to foster a close working relationship with the licensing authority as it was the view of TDC that a well organised trade organisation would benefit drivers, the licensing authority and the city.

The Chairperson invited Members to comment, seek clarification or put questions to Mr O'Hara. Those discussions are summarised as follows:

- TDC has approximately 150 official members and another 100 unofficial associates.
- Members noted that TDC amended its constitution to remove the requirement that members join the GMB union and instead its members are 'actively encouraged' to join the GMB instead. Members suggested that the constitution be amended further to remove reference to GMB and, instead, to suggest that the association's members join any trades union. Mr O'Hara (PH) stated that association encourages union membership and he welcomed the comments from the Committee.
- PH confirmed that there has been no re-election to the Steering Group since the removal of the requirement that all members join GMB. The four members of the Steering Group are all members of GMB also. The Committee considered that as the GMB is politically affiliated whilst the TDC constitution should be amended, there should also be a new set of elections to the Steering Group.
- Members noted that TDC has no membership fee and that its members pay to attend meetings, including the AGM where the Steering Group is elected. Members asked whether that means members are effectively paying to be able to vote. PH stated that the entry fee covers the costs of booking venues for meetings only. A Members suggested that TDC consider asking for donations or otherwise introduce alternative fundraising methods.
- The Committee sought clarification on how membership is taken and how meetings are conducted. PH stated that memberships are received via email and drivers provided details of their hackney carriage/private hire badge. All correspondence is via email or social media, in the main. Members suggested that TDC consider introducing more formalised arrangements for its meetings and that social media was not the best medium to allow all members to have an opportunity to put their views across.
- PH considered that ideally all taxi drivers would be members of a trade union, but trade unions operate at a national level and TDC as a body formally recognised by the authority, would give Cardiff taxi drivers a voice and a conduit by which

they will be able to comment on the issues affecting Cardiff and Cardiff's drivers.

- Members asked how the authority would consult with drivers who are not members of TDC. Officers advised that the quarterly Taxi Forum meetings would continue. The licensing authority also has an email distribution list of licensed drivers and it would also continue to consult with private hire operators. The Chairperson commented that since the TDC was formed attendance at the Taxi Forum has increased markedly.
- A Members referred to paragraph 9.C of the TDC constitution – Notice of General Meetings. It was suggested that TDC seek legal advice in order to ensure that the wording of that section of the constitution is not open to challenge.
- It was suggested that reference to the GMB union be removed from paragraph 4 of the Constitution – Subscriptions.
- Members asked what TDC intended to do in order to increase its membership. PH advised that whilst relying on word of mouth and activity on the ranks, consideration was also being given to TDC introducing collective bargaining arrangements on behalf of TDC members. For example, discussions have taken place with an insurance broker with a view to introducing some sort of 'cashback' scheme for TDC members who purchase vehicle insurance from the broker.

Members of the Committee discussed the application. The Committee formed the view that, whilst Members were supportive of the application, there were a number of issues that TDC would need to address before the association can be formally recognised as a representative trade body in Cardiff. The Committee requested that officers itemise those issues and the Chairperson should formally write to TDC, on behalf of the Committee, requesting a response addressing the issues of concern. The Committee further requested that TDC should bring forward its AGM or hold an EGM in order to hold fresh elections to the Steering Group.

RESOLVED – That:

- (1) The Chairperson formally write to the Taxi Drivers of Cardiff setting out the Committee's concerns and requesting a response addressing those concerns;
- (2) The Taxi Drivers of Cardiff hold new elections to its Steering Group;
- (3) Following the elections recommended in (2) above, a further report for determination of this matter be brought to a future meeting of the Committee.