

APPENDIX 1

Consultation criteria for the Southampton taxi and private hire trade

Introduction

- There is no legal requirement for the Licensing Authority to have any consultation process with the Taxi and Private Hire trade other than the discreet issues concerning fees for Vehicle and Operators licences and taxi fare revisions where formal notices must be given
- It is, however, considered to be a matter of good practice that a formal framework exists for two way exchange of views with an increasingly significant part of the public transport sector in the city.
- At its meeting on 26th August 2009, the Licensing Committee decided that new arrangements for consultation be put in place along the following lines:

New Arrangements for Consultation

For a trade association to be formally recognised as part of these arrangements they must have at least 50 licence holders.

The Committee recognises each of the following 4 associations:

- Southampton Hackney Association
- Unite (Cab section)
- Southampton Taxi Association
- Southampton Private Hire Association

together with any who meet the following criteria from time to time.

- Irrespective of the number of memberships in each association, each association
 - a) may put forward two representatives who may attend consultative meetings and represent their association's members. The names of those persons should be given in writing to the Licensing Manager in advance of our meeting.
 - b) will produce to the Licensing Manager twice a year, (1st January and 1st July) a current list of all licensed drivers represented by them including their name and license number so there can be certainty as to which drivers they represent or purport to represent

Purpose of Consultation

- It should be borne in mind that consultation does not mean making a concluded agreement and that consultation meetings cannot be decision making meetings. The decision on any particular matter must be made by the Licensing Committee or a Council officer acting under delegated powers in the light of all relevant factors of which the result of any consultation with the trade would be one.

- Any matter relating to any complaint, criminal investigation or to an individual license holder will not be subject to any consultation process whatsoever.
- The purpose of consultation is therefore
 1. A two way exchange of information, dialogue and discussion
 2. To hear the views, comments and concerns of the trade/organisations
 3. To receive information, comments and concerns of the licensing team, members and the Council as a whole
 4. To identify when matters or particular concern and where appropriate matters raised can be referred to a formal meeting of the Licensing Committee where a decision can be made.
 5. Not to be a decision making forum

Meetings

- Meetings between the Council and the trade representatives should be held no later than every six months together with any ad hoc meetings that are deemed necessary by officers. 10 days notice shall be given, where possible
- At the beginning of any consultation meeting, the trade representatives shall state which association they represent and the number of licence holders they are representing for that particular six month period.
- Where relevant to a particular issue, the elected members of the consultative meeting will consider and give appropriate weight to the number of licensees that each of the trade representatives/associations purport to represent
- The association's will be free to establish whatever rules of procedure or constitution they wish for themselves
- The meetings will be chaired by the Chair of the Licensing Committee, or his/her nominee, and may be attended by one member of each political party on the Licensing Committee, the Licensing Manager and such other Council officers as may be necessary depending on the agenda.

Amendments and Variations to Protocol

- Where it is proposed to amend, alter or vary this consultation protocol, this should be raised as an item for discussion at the consultative meeting. Where appropriate a report should be placed before the Licensing Committee who will decide what amendments, alterations or variations can be agreed
- If for any reason at any time an urgent amendment, alteration or variation is required to be made to the consultation protocol, then such decisions should be taken by the Solicitor to the Council after consultation with the Chair of the Licensing Committee.
- Any such urgent decision taken as above to amend, alter or vary the constitution protocol, shall subsequently be reported as action taken to the next available Licensing Committee for confirmation and ratification.

Levels of Consultation

What is set out above relates to the need for the Council and Associations to be able to discuss matters of particular concern. From time to time it will be necessary for the Council in addition to discuss matters with the associations to seek the views of each individual license holder. It will do this by writing individually to all concerned and by placing an appropriate notice or letter on the licensing notice board on the Council web page.

