

Licensing Informal Meeting

Licensing Policy, Guidance and Conditions for Private Hire and Taxis

Policy Review Consultation

Thursday 27 February 2014

10am

Attendees	
Councillors:	Garth Barnes (Chair), Andrew Chard, Penny Hall, Helena McCloskey, Anne Regan, Rob Reid, Diggory Seacome and Roger Whyborn
Also in attendance:	Louis Krog and Rachael Sanderson

Notes

Louis Krog, Business Support and Licensing Team Leader referred Members to the Licensing Policy, Guidance and Conditions for Private Hire and Taxis. This policy has been in place since 2010 and was now due for its 3 yearly review.

The Council started consultation on the draft policy for 12 weeks on 18 December 2014 and any written comments had to be received before 5 March 2014.

Members voted as follows;

1. Uniform Colour for all Hackney Carriages

- Proposal to adopt a uniform black colour for all licensed Hackney Carriages;
 - Upon a vote it was (1 for, 6 against)
- Proposal to adopt an alternative colour for all licensed Hackney Carriages;
 - Upon a vote it was (4 for, 3 against)

RESOLVED that; Members felt if an alternative palatable colour could be decided a uniform colour for Hackney Carriage vehicles should be adopted.

2. QR Codes

Upon a vote it was unanimously;

Resolved that; QR Codes are printed on vehicle window badges.

3. Driving Standards Agency (DSA) Assessment

Upon a vote it was unanimously;

RESOLVED that all new applicants for a driver's licence must successfully pass a Driving Standards Agency Assessment but Members raised concern with the additional cost to the applicant.

4. Annual Insurance Policies

Upon a vote it was unanimously;

RESOLVED that the Council will only accept annual insurance policies. There were no strong objections from Members about this.

5. Manufacturer's Recall of Motor Vehicles

Upon a vote it was (6 for 1 against)

RESOLVED that the proprietor of any licensed vehicle that has been recalled, by the vehicle manufacturer, must notify the Council of the recall. Members felt that this must be done proactively.

6. Licensed Operator Public Liability Insurance

Upon a vote it was unanimously;

RESOLVED that any licensed operator must be required to have public liability insurance if their premises are open to the public.

7. Minimum Interior Dimensions

Upon a vote it was unanimously;

RESOLVED that the proposed minimum interior dimensions as detailed in point 7 of the policy review consultation document are adopted.

8. Tinted Windows

Upon a vote it was unanimously;

RESOLVED that the policy with regard to tinted windows be amended to only permit factory-fitted standard tints.

9. Re-cut and Remoulded Tyres

Upon a vote it was unanimously;

RESOLVED that the Council adopt a policy of not accepting any type of re-cut tyres and only accept remould tyres under very limited circumstances.

10. Advertising on licensed vehicles

Upon a vote it was (5 for, 1 against and 1 abstention)

RESOLVED that the revised advertising policy be adopted and that tobacco and alcohol related products not advertised on any licences vehicles.

11. Diabetes Policy

Upon a vote it was unanimously;

RESOLVED that the new up to date diabetes policy be adopted.

12. Policy on the relevance of convictions

Upon a vote it was unanimously;

RESOLVED that the new policy for dealing with the relevance of convictions is adopted.

13. Intended Use Policy for the licensing of Hackney Carriage Vehicles

Upon a vote it was (6 for and 1 abstention)

RESOLVED that an Intended Use Policy for the licensing of Hackney Carriage Vehicles is adopted.

14. Rear Loading

Upon a vote it was unanimously

RESOLVED that rear loading vehicles can be licensed.

Local Knowledge Tests

Members recommended that a recognised English proficiency element be introduced.

Mr Jim Hoddell

"Dear Sirs,

Please see below, my input on the current proposals.

1) I agree with having a lengthy feed - in time for any proposed colour change.

I do not think that black is the best colour option, it is much harder to keep a black car looking clean and smart than a silver one. Also, on the safety issue, it is not the easiest colour for other road - users to see.

The current standardised Taxi roof lights were introduced following consultation with the Taxi Trade and the Council Licensing Committee, to properly identify Cheltenham

Taxis. They do, however, need to be properly functioning and the electrical connections with the Taxi - meters to be part of the documentation from the meter calibrators.

This can help to avoid fraudulent use.

2) I agree.

3) I agree, they should have to take the DSA test, but it should be taken further, especially with regards to " The Knowledge ". The current test seems to be a farce.

4) I agree, again, stop fraud.

5) I agree. Another point to consider is Maintenance of Vehicles. Written documentation of at least one Annual Full Service by a qualified mechanic should be checked upon by " Licensing " on renewal of the Taxi / Private Hire License.

6) I agree.

7) I agree.

8) I agree.

9) I agree. Perhaps tyres, roof lights and meters could be checked upon by a Licensing Enforcement Officer, especially if one could be found who did not only work 9 - 5

Monday to Friday. Do we have such a creature in Cheltenham ?. They might also confirm the identity of the driver in the car, especially during ' Race - week'.

10) I agree.

12) Revision of the current "soft" policy is essential. Taxi and Private Hire Drivers carry VERY VULNERABLE people at times. i.e. Young children, elderly with dementia and similar problems, disabled etc. Criminal convictions should never be regarded as " spent " in our trade.

13) I agree

14) Most other authorities allow rear - loading of wheelchairs. However, Cheltenham currently issues a new Hackney Carriage Plate to new Wheelchair Accessible Vehicles.

This has had the effect of considerably increasing the number of Taxis operating in Cheltenham.

Gloucester , a City, has 140 taxi plates. Cheltenham, a town has numbers going up to 223 at last count.

I suggest that only Existing Hackney Plates be up - graded to Wheelchair Accessible if this rear loading policy is adopted and not additional ones issued.”

Mr Dave Stokes

The Licensing Committee
Cheltenham Borough Council
Municipal Offices
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03/01/2014

Private Hire & Hackney Colour / Licensing proposals.

Dear Committee.

Further to my recent response dated 29/12/13, I highlight some of my areas of concern.

Colour Codes:

Hackney.

It seems a little contradictory to have 'black only' on Hackney vehicles to achieve uniformity, when these vehicles will be permitted to be totally covered in advertising of various colours, thus removing the uniformity, surely more uniformity would be achieved by vehicle type.

Private Hire.

These vehicles are identified as what they are, due to the way in which they operate, pre-booked via the operator for whom they work, and they do not ply for hire on ranks, do not accept flag-downs, and are identifiable by the company logo on the sides and front, plus the license plate on the rear. I would draw your attention to the web site of Addison Lee in London, under the PCO, from whom we take guidance.

In the situation of my company, it has been our policy for the last 4-5 years to develop our business with black vehicles, if these colour restrictions are introduced it would immediately affect my business.

Driver Licensing.

Hackney.

These drivers need to undergo the knowledge test, due to the rank and flag-down aspects of their license, though many use sat-nav, or are directed by the office of the p/h company for whom they work.

Private Hire.

These drivers do not require a knowledge test, due to the fact that **all their work is allocated via the company for whom they work**, and with whom they are always in contact, mostly via GPS, and where all pick-ups and destinations are given to the driver along with the passenger name, fare, and destination, there is also a sat-nav back-up that takes them to the door should they require it.

Cont:

Many local 'born and bred' unemployed people, who know the town and country well have been discouraged from joining the trade by the thought of the knowledge test and the things it asks for, thus leaving them unemployed.

I consider it would be a much better system to have an 'acceptance form' from an operator, stating that they are prepared to employ the said applicant, this would then be presented to the Licensing section, and the remainder of the application procedure could go ahead, without this form there would be no application permitted.

Overall.

I don't see any problem with the proposals except that they don't seem to take into consideration modern communication systems, and they still seem to lean towards the belief that the public needs to be protected from p/h, despite the fact that p/h firms probably cover 80% of the business, with r p/h vehicles and a small percentage of h/c who are working for them.

I have been in the business since 1984 when I was running Cheltax, and for many years I have sat on various Forums representing the trade for both Hackney and Private Hire, and always with the best interests of the public at heart.

I would appreciate the opportunity of a direct meeting, should there be any areas of my comments that the committee is not clear on, or if you think I may be able to offer any other assistance due to my years in the trade.

David Stokes.

Director.

Sue Bushell

Following the invitation to take part in this consultation we have looked at the draft policy and have the following observations to make:

1. There appears to be no mention of obligations with regard to the carrying of assistance dogs.
2. There is no mention of the requirement to obtain a medical exemption certificate due to a certified and proven medical condition, evidencing that they are unable to carry an assistance dog, or how such exemptions are managed and communicated with the customer
3. That no additional charge should be levied for the assistance dog.
4. There is no mention of a requirement to undertake disability awareness training, this is a requirement in other licensing authority areas and covers all disabilities and although there is mention of wheelchair use and dealing with vulnerable people there is nothing relating to training in this respect.

Please feel free to contact me to discuss anything that we have raised and if possible I would be more than happy to come and meet with someone to talk through our concerns.

Sue Bushell
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Mr John Donoher

Dear Sir/Madam,

The condition that Cheltenham Borough Council wants to enforce on us Hackney and Private Hire Drivers in Cheltenham.

1) Uniformed Colour for all Hackney Carriages. (Black)

The reasons why The Council say why this should be done I think is unreasonable. The Colour of a vehicle will not make it clearly distinguishable for safety to customers.

The Big Bright Top Light on top of the vehicle does. The Plates and Badges, outside and inside the vehicle does. In the dark of the night, you can't see the colour of the vehicle, only it's Big Bright Top Light coming down the road.

If there is an incident and a driver need to be identified. Most passengers will remember the colour of the vehicle. There approximate age and bit of a description of the Driver. What Rank and time they got into the Taxi. These few questions will most probably identify the Taxi Driver. If there was one colour, this would make the effort to find a Taxi Driver much harder to be identified, if not impossible.

Black is not a popular colour and have to be a special request when purchasing a brand new vehicle. So when purchasing a second hand vehicle would limit numbers and choice dramatically because of the colour we will be restricted too.

Most of the new vehicles coming into the Taxi fleet in Cheltenham today are from Leasing or Contract companies. These companies will have many choices of vehicles to chose from, fit to do the job, but will not be-able to use because they will be of the wrong colour.

Every Hackney Taxi Driver I have spoken to, do not want the one colour restriction. This will cause most of all Hackney Taxi Drivers Trade financial problems and some will not be-able to continue in the trade.

CCTV in Hackney Taxis and Private Hire Vehicles is something a lot of Councils are doing. This will give a lot more safety to Passengers and Drivers, if safety is the main reason why a one colour is being considered.

Yours sincerely,

John Donoher.