

Kate Roberts

From: [REDACTED]
Sent: 11 July 2018 16:55
To: Taxis
Subject: Removal of the existing five hackney carriage zones

Dear Sir/Madam,

I support the proposed removal of the five existing hackney carriage zones for the following reasons:

1. This helps taxi drivers to move and work freely anywhere within Shropshire. So, drivers could pick up a new customer on their way back home from their last drop off rather than coming back empty.
2. Drivers feel serving the whole county rather than a small zone within the county.
3. It might reduce the paperwork, cost and time spent on this issue for the council.

Thank you for providing the opportunity to share my opinion.

Kind Regards,

[REDACTED]

[REDACTED]

Kate Roberts

From: [REDACTED]
Sent: 13 July 2018 12:34
To: Taxis
Subject: [CAUTION] RE: Taxi Forum

**
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** It has not been possible to verify the sender of this e-mail as the sender's
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**

Hello,

I just wanted to agree and give my support to the removal of the 5 hackney zones to make a unified Shropshire Hackney area.

My name is [REDACTED] Currently drive a Zone 3 Hackney Plated vehicle (Oswestry) [REDACTED]
[REDACTED]

Thank you,
[REDACTED]

Sent from Mail for Windows 10

From: Taxis
Sent: 13 July 2018 12:31
To: Taxis
Subject: Taxi Forum

Good afternoon to all Drivers, Operators and Proprietors,

The Licensing Team are holding a Taxi Forum on Tuesday 31st July 2018 at 10am in the Council Chamber, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND.

The forum is open to all Hackney Carriage and Private Hire Drivers, Operators and Proprietors.

The purpose of the forum is to provide trade representatives with an opportunity to discuss the contents of the proposed Hackney Carriage and Private Hire Licensing Policy 2019 to 2023 and also the proposed removal of the existing five hackney carriage zones. The consultation period will close on Sunday 2nd September 2018 for both consultations.

The proposed policy documents can be found using the link below;

<https://www.shropshire.gov.uk/get-involved/>

If you are unable to attend the meeting but would still like to put forward your comments please email them to Taxis@shropshire.gov.uk. Please ensure that if your commenting on both consultations that we have two separate emails please.

Kate Roberts

From: [REDACTED]
Sent: 15 July 2018 21:52
To: Taxis
Subject: Taxi consultation

Hi there dezoneing all zones in Shropshire is welcome if all vehicles come up to scratch with zone 4 compulsory wheelchair, euro 5 admissions etc, Wolverhampton cars 03/04/05 coming in our town and pouluteing it with terrible smoke Sent from my iPhone

Kate Roberts

From: [REDACTED]
Sent: 16 July 2018 17:55
To: Taxis
Subject: Dezoneing

Hi there I have Been a hackney carriage driver for 15 years in that time in have took 2 wheelchair jobs , may be its time to dezone Shropshire, a mixed fleet wheelchair an cars , some people would stick with wheelchair because there school jobs , let the operator choose , we are all euro 5/6 so im in favour of mixed fleet

Sent from my iPhone

Kate Roberts

From: Mandy Beever
Sent: 18 July 2018 12:54
To: Taxis
Subject: FW: Deezoning

From: [REDACTED]
Sent: 18 July 2018 12:34
To: Mandy Beever
Subject: Deezoning

Hi Mandy

I am in favour of deezoning and having all Hackney carriage vehicles wheelchair access. It is a great expense to be wheelchair access to us, but yet others out of zone4 Hackney plated vehicles can get a plate for a fraction of our cost. Also if they mostly drive private hire they should be made to take TAXI sign of the roof and made to be private hire.

Just my opinion
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
3th August 2018

Ref ;D Zoning

Licence no [REDACTED]

TO THE LICENSING

Dear Sir /Madame

I would like to stress my feelings towards your decision of de-zoning Shropshire Zones .

I strongly don't think it's a very good Idea you contributing risk to passengers and drivers make it harder for us to work, Driving small business out, already it's getting harder you probably think it's busy over the weekends however it's not enough to pay my mortgage and bills , this is why I work two jobs. And now you trying to throw it away.and make it even harder.

I can give you quite a few true facts of how this would turn out by you making this decision;

- 1; giving us the opportunity to pick up jobs from other side of the boundary, it's increasing greater risk for customer safety and the driver,
- 2; Go cars employing drivers from outside the area and working for minimum rate which they know very little knowledge about the area and what they can and can't do when they working you only aloud to pick up booked jobs only ,you should never be available or inter act with public or display outside unless they have a booking waiting time specified waiting time they are giving us a bad impression as they can cheap why can't you

How I mean by that they giving us a bad name for example if I charge from

Wetherspoons to Llansantffraid £22.50 12.30am duration to and return fouty five minutes

Wetherspoons to Llansantffraid £13.00 12.30am duration to and return forty five minutes

Public will have mix feeling about taxis, public taxis they will think we have been charge and eventually will affect us later on. It looks good now time passes by when we won't be able to keep our to your standard all because under cutting work which means we won't make enough to keep our vehicle up to its standard .

What will happen just like Shrewsbury drivers they won't make enough to pay their way, they come over the weekends, they will be a lot of Touting and fishing with random driver's I've seen it myself and will be seeing as time goes on.

There is not enough of enforcers out over the weekend spot checks late at early hours, you lacking, this is why it's happening outside boundary drivers are coming in simply to tout at early hours

Small percentage of complaints there is not enough of wheel chair access able cars available however there is, they like to get on saloon cars rather than a wheel chair access able cars.

I strongly feel you should re-think about your decision as it's not like Shrewsbury town clubs and pubs everywhere you go , pick up and drop off, we only have one club and three pubs and a hotel it's just not enough work to go round and to purchase hackney built car it's not viable on the long run.

I purchased a hackney built car on 2015 I had a lot of problem making it work in terms of work not enough work to cover its expense.I had sell my hackney vehicle on 2017 at a lower price all because you mentioned on 2015 that you were planning that all cars from 2016 will have to be hackney vehicle I then purchased one on October 2015.

When 2016 arrived you bandand the legislation I left with two vehicle one was on the road and one was off the road with a outstanding balance £29,000.00 which I have to pay £617.00 each month until December 2017 I eventually I found a buyer he bought it off me and I payed off the outstanding balance . I can't keep making mistakes for decisions Its easy to sit behind a desk. And make decisions as you go along , now I'm sure there are other drivers are in my wave length I don't know.

With all due respect I'm only speaking how I'm feeling about the organisation.

1;Couple like to jump in a smaller car to go home quickly

2;Single person wouldn't like jump in a car than a seven seater hackney for two mile journey

To be honest it is a lot easier to manoeuvre in a car than a seven seater hackney on those country lane .

Regards [REDACTED]

Kate Roberts

From: [REDACTED]
Sent: 22 July 2018 10:31
To: Taxis
Subject: Remove the zones

Sent from my Sony Xperia™ smartphone

Kate Roberts

From: [REDACTED]
Sent: 15 August 2018 17:07
To: Taxis
Subject: About new policy

- ① Hi there I would like to say about emissions if we can go for 12 year age limit for hackney carriage and if we can also put something for back to base policy for private hire for public safety and pls if can make rules about cross borders hire as old cars allowed and local drivers have buy low emissions cars which is discrimination as I feel now
- ② About dezone we should all have wheelchair accessible to all zones at that stage
- ③ We should have some review of fare policy part as well this fare card is five years old

Many thanks [REDACTED] Sent from my iPhone

Kate Roberts

From: [REDACTED]
Sent: 15 August 2018 23:53
To: Taxis
Subject: Attn: Kate & Mandy- 12 Year Age Limit For Hackney Carriages

Dear Kate & Mandy,

- ① I have been informed by a colleague that I should email you at this address if I am in favour of the 12 years age limit for Hackney Carriage. I am pleased to let you know that I would be in favour of such arrangement. Many thanks for your kind consideration and I do hope my feedback help you in your decision making.
- ② In addition, with regards to the possible de-zoning where all Hackney Carriage Vehicles may be required to be wheelchair accessible; if this goes ahead, I am kindly suggesting that an exemption remain for individuals like myself. Individuals who live outside of Shropshire Council's Jurisdiction should have the option to licence a normal size Saloon car as a Hackney Carriage vehicle in all Zones except Zone 4 as it currently is. Having this option would certainly cater for individuals like myself who would like to apply for an Operator's Licence but is placed at a major disadvantage by not residing in Shropshire Council's Jurisdiction and if do decide to persist would have large overheads by paying high operational cost for renting offices etc because of being unable to use my home address for any Private Hire Operator application. Many thanks in advance and I do hope that the concerns I have raised here are strongly taken into consideration in the possibility of any change.

Kind regards
[REDACTED]

Kate Roberts

From: [REDACTED]
Sent: 14 August 2018 17:56
To: Taxis
Subject: Removal of Taxi Zones

① Hi, I have read the report on the removal of the taxi zones, I disagree with this decision.

We are based in Ludlow, and we are lucky to receive 1 call a year asking for wheelchair accessible vehicle. The people living in the area would be put off by the larger vehicle which are used for wheelchairs, as they find them difficult to get into, and we have found over the years they much prefer a normal car size. Also the cost of buying a wheelchair accessible vehicle is not cost effective for us, and we would end up having to close our business down, which would be a shame as we have a lot of elderly local people who rely heavily on us.

Also as we are a rural area, which does involve a lot of work up country lanes, the wheelchair accessible vehicle again would not be practical.

Also as we are a distance form the other Zones again it is not cost effective us travelling to theses areas, where there are more taxis available in that area already.

We are a small community here, where everybody knows everyone, and the elderly people rely heavily on Ludlow taxi firms, as they know the drivers, who they like having a chat with while we help them take there shopping in, we might be the only people they see from week to week. They don't like change. What is the point in changing things where everything is running smoothly as it is.

Thanks
[REDACTED]
[REDACTED]

Kate Roberts

From: [REDACTED]
Sent: 27 August 2018 12:12
To: Taxis
Subject: Removal of Hackney carriage zones

Seems prudent, provided there is a contingency plan if commercial decision of proprietors results in much reduction of availability.

Kate Roberts

From: Gina Wilding <townclerk@ludlow.gov.uk>
Sent: 28 August 2018 15:39
To: Taxis
Subject: Removal of the existing five hackney carriage zones

Hello,

Ludlow Town Council supports Shropshire Council's proposal for the removal of the existing five hackney carriage zones.

Kind regards,
Gina

Gina Wilding BA (Hons)
Town Clerk

Ludlow Town Council
01584 871 970

www.ludlow.gov.uk



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Kate Roberts

From: [Redacted]
Sent: 02 September 2018 18:37
To: Taxis
Subject: Removal of the existing 5 zones

Hi,

In response to your consultation which proposes the removal of the existing 5 hackney carriage zones, we would like to submit the following: -

We agree with the principal of removing the existing 5 hackney carriage zones which would result in all hackney carriages being required to provide wheelchair accessibility in their vehicles. However, if the zones are removed BEFORE each zone is converted to a 100% wheelchair accessible hackney carriage (which is proposed by 2021), it will give a significant advantage to the hackney vehicles of zones 1,2,3 and 5 who are currently able to use saloon cars as hackney carriages and will be able to ply for hire in zone 4 which is already operating a strict wheelchair accessible policy with regards to hackney carriages.

The cost and expense of purchasing and operating a Wheelchair accessible vehicle is far greater than that of a standard car which means the drivers of zone 4 Hackney's will be at a distinct disadvantage.

Alternatively, the current zone 4 drivers will simply dispose of their WAV's and replace them with saloon cars until 2021 to negate the disadvantage they will have until this date.

This means wheelchair accessible vehicles will reduce in numbers for the next three years which is essentially a backward step when considering the rights and freedoms of disabled passengers.

It would be our suggestion that each individual zone is converted to a 100% Wheelchair accessible hackney carriage fleet before the zones are removed. This would mean at the point of dezoning every proprietor is working from a level playing field.

It will also ensure there is not a sudden reduction in the numbers of wheelchair accessible vehicles in the zone 4 area as the existing drivers exchange their vehicles so less expensive and more cost effective saloon cars whilst continuing to operate in the zone 4 area whilst playing their vehicles in zones 1,2,3 or 5.

So, in summary, it is our recommendation that all hackney carriages across all 5 zones are made to be Wheelchair accessible by 2021 at which point the viability of removing the 5 zones can be reviewed again.

Kind regards,

On behalf of

[Redacted signature block]

Tel: - [Redacted]
Direct: - [Redacted]
Email: - [Redacted]

Kate Roberts

From: [REDACTED]
Sent: 02 September 2018 22:44
To: Taxis
Subject: Re=consultation

Removal of Zones

- ① Standard of all Hackney Vehicles should be all the same across all Zones before any Dezoning Takes place, all Zone 4 drivers will be in favour If that happens.

Kind regards

[REDACTED]
Zone 4 Hackney drivers

Sent from my Samsung Galaxy smartphone.

Kate Roberts

From: [REDACTED]
Sent: 22 August 2018 17:38
To: Taxis
Subject: Taxi consultation

① I don't we should dezone the Shropshire area's and the age limit shouldn't be less then 4 years
Get Outlook for Android

Licensing Manager
Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Our Ref: [REDACTED]
Your Ref: [REDACTED]
Date: 2 September 2018
Please ask for: [REDACTED]

Sent by email only to:
taxis@shropshire.gov.uk

Dear Sir / Madam,

Consultation Response of [REDACTED] and [REDACTED]

In relation to the review of the Hackney Carriage and Private Hire Licensing Policy

- ① I represent [REDACTED] which trades as [REDACTED] (hereafter referred to as [REDACTED]) and hereby respond to the consultation on Hackney Carriage and Private Hire Licensing Policy 2019-2023 on my client's behalf.
- ② Before I do so, I would like to point out that there are two separate individuals operating as [REDACTED] - one being me representing [REDACTED] and the other being [REDACTED] representing [REDACTED] and [REDACTED]. As a result you may receive conflicting responses to this consultation from two separate identities within the [REDACTED] each representing a different operator(s) with different views.
- ③ For your ease of reference, I will attempt to set out my comments in the order that they appear in the Council's draft policy document and adopting the headings therein. It should be borne in mind that the majority of the business of [REDACTED] is private hire in nature; where comments are made in relation to a topic in the policy document that relates to hackney carriages then that comment will apply equally to any corresponding passage in the policy document to private hire and vice-versa unless specifically expressed otherwise. This will allow me to adopt headings in the order they appear in the document and to avoid repeating the comments verbatim for the other licence type.

Website: [REDACTED]
Email: [REDACTED]

Proprietor: [REDACTED]
[REDACTED]
[REDACTED]

Review of the Policy

- ④ The Council states at page 6 of the draft policy that trade will be encouraged to license hackney carriages that are uniform black in colour and private hire vehicles to be any colour other than black. [REDACTED] believes that this will place an unnecessary cost burden on proprietors. For example, [REDACTED] currently owns private hire vehicles that are black. These vehicles would need to be replaced or professionally resprayed: both solutions coming at significant financial cost for no good reason, as the Council already ensures that private hire vehicles do not resemble hackney carriage vehicles.

Working in partnership

- ⑤ The description given at paragraph 2.19 is somewhat vague and [REDACTED] would like more detail as to how this will work in practice. [REDACTED] would like to see specific target times for processing applications and Key Performance Indicators used to monitor progress and more specific details of exactly how the Council will work with other agencies and authorities.

Criminal record disclosure

- ⑥ [REDACTED] supports in principle the requirement that an applicant must subscribe to the DBS Update Service within 30 days of the date of the DBS certificate (it is not a report) being issued, however it is essential that the Council provide guidance and assistance for individuals who are not IT literate to enable them to subscribe to this service.

Fit and proper person

- ⑦ Paragraph 3a.9 requires a licensed driver to "maintain a reasonable standard of appearance." [REDACTED] support the general ethos of this provision, but thinks that in its current format this is subjective and what is reasonable to one person may not be to another. More specific guidance is required as to what the Council deems to be reasonable and ensuring that such provisions do not unnecessarily interfere with a person's religious or cultural dress.

New applications

- ⑧ Paragraph 3a.23 would frustrate the express parliamentary intention of section 51(1)(b) Local Government (Miscellaneous Provisions) Act 1976 which provides that a driver's licence must not be granted to someone unless they have held a driving licence for at least 12 months. Unlike many authorities, Shropshire Council can be commended for already ensuring the driving competence of those entering the trade is at an appropriate level by requiring all applicants to undertake a driving assessment with its own road safety team.

Renewal applications

- 9 [REDACTED] disagrees with comments at paragraph 3a.30 and believes that it is unlawful to refuse to determine a renewal application that is made before the expiry of the existing licence.

Knowledge Test

- 10 The knowledge test is, in principle, supported by [REDACTED], but should be delivered as part of a training day with the test at the end. Applicants would then have the opportunity of genuinely learning relevant material, rather than simply re-sitting failed tests where a certain amount of duplication in questions is bound to arise.
- 11 A failure to attend should be recorded as such and not classed as a failure to pass the test as suggested at paragraph 3a.36.

English speaking

- 12 The standard of English described in paragraph 3a.67 is too subjective. While the ability to communicate with a passenger orally is necessary in order to do the job of a licensed driver properly, the standard required needs to be accurately defined.

Plying for hire

- 13 Paragraph 3a.77 states that drivers of private hire vehicles must not 'ply for hire.' This term (and its legal implications) should be explained to applicants by the Council as part of the one day training that [REDACTED] suggests should form part of the knowledge test (see above).

Unattended vehicles

- 14 Paragraph 3a.84 is poorly drafted and would mean that a driver could never park their vehicle in a street when not using the vehicle.

Hackney carriages - Relevant licensable area and transitional arrangements

- 15 [REDACTED] agrees with the general principle of ensuring that all hackney carriages are wheelchair accessible by April 2021. However, the relevant licensable area identified at paragraph 3b.6 should not be changed until all hackney carriages are wheelchair accessible. To do otherwise would mean that the saloon hackney carriages that currently cannot ply for hire in the Shrewsbury hackney carriage zone would immediately be allowed to do so and would be allowed to continue to do so until April 2021. This will undermine the financial viability of the existing Shrewsbury zone wheelchair hackney carriages and could result in the numbers being reduced, rather than increasing the numbers across the whole of the

county. It is suggested that zones should not be removed until April 2021 and the validity of removing them revisited at that time.

Vehicle specifications

- 16) The proposed vehicle specifications for hackney carriage (paragraphs 3b.33 to 3b.35) and private hire vehicles (paragraphs 3c.26 to 3c.29) cause the greatest concern to [REDACTED]. The following paragraphs, if implemented, will result in owner-drivers and vehicle proprietors licensing themselves and their vehicles with other authorities whose vehicle specifications are not set inappropriately aspirationally high. All the large operators in Shropshire, including [REDACTED], are licensed with other authorities so the drivers who migrate from Shropshire Council will be able to continue to work in Shropshire, undertaking work booked with a Shropshire licensed operator, but subcontracted by them to a satellite office they operate in another authority's area. [REDACTED] would prefer to operate a fleet of vehicle and drivers licensed exclusively through Shropshire Council but that is not commercially viable when it is often quicker, cheaper and easier for drivers and / or vehicles to be licensed by another authority. Licensing with other authorities is already a feature of the local private hire trade and if the Council proceeds to implement its current proposals, the situation will be exacerbated and could result in Shropshire Council licensed private hire operators subcontracting all bookings to satellite offices licensed by other councils, because there will be no Shropshire Council licensed private hire vehicles.
- 17) • The vehicle specifications are in a series of complex tables that are two and a half pages long in respect of each vehicle type. This information needs to be given in a much more clear and easily understandable format so that any proprietor can look at the table and ascertain the long term position for a particular vehicle over a period of years.
- 18) • The vehicle specifications suggested are far too restrictive in terms of vehicle emissions and age limits. For example, cities such as Birmingham that are required by government to introduce a Clean Air Zone have less onerous restrictions on emission and age limits. The suggested restrictions are disproportionate and unreasonable.
- 19) • [REDACTED] suggests that vehicles up to 10 years old should be licensed, whether new applications or renewals. Any vehicle manufactured in the last 10 years is capable of being used as a private hire vehicle at any point in that timeframe. The vehicle test is, quite rightly, the mechanism by which roadworthiness and safety is assessed. A vehicle will either pass it or it will not. Age does not determine roadworthiness or safety.
- 20) • In terms of emissions, the current MOT has just been updated to ensure more stringent emission values are met. The current MOT will ensure that the Council's current emission standards are maintained and there is no need to set the highest / most restrictive emission standards for the hackney carriage and private hire trade in the country – if it is not necessary for Birmingham, it can never be said that it is reasonably necessary for Shropshire.

- ②1 • New diesel vehicles will need to be registered on or after 1 September 2016, meaning they will have to be three years old or newer and, by virtue of the age, Euro 6 compliant. This will place a great and unjustifiable financial burden on proprietors.
- ②2 • Diesel vehicles facing renewal between 1 April 2019 and 31 March 2020 must be registered on or after 1 September 2010, meaning vehicles presented for renewal in April 2019 must be less than 9 years old. Again this is too restrictive and places an unnecessary financial burden on proprietors. [REDACTED] suggests a practical compromise: that if any vehicle presented for renewal in April 2019 must be less than 9 years old then from 2020 onwards vehicles at renewal are allowed up to 10 years old.
- ②3 The specification table goes on to show the renewal position in 12 month periods going forward from 1 April 2020 to 31 March 2021, from 1 April 2021 to 31 March 2022, and 1 April 2022 to 31 March 2023 respectively. The vehicle age limit for vehicles presented for renewal jumps by 2 years in each 12 month period: date of first registration must be on or after 1 September 2012, then on or after 1 September 2014 and then finally on or after 1 September 2016 respectively. This is unnecessary: diesel vehicles presented for renewal between 1 April 2022 and 31 March 2023 can only be up to five and a half to six years old. Vehicles up to 10 years old should be licensed as described above. The proposed specification puts great pressure on proprietors to go into debt in order to purchase a vehicle that meets an unnecessarily restrictive age standard.

Taximeters

- ②4 The calibration of taximeters stipulated at paragraph 3b.48 should be carried out on the initial vehicle licence application and not at every renewal, although taximeters should be visually checked for signs of tampering and a calibration check undertaken only if there appears to have been any tampering with the taximeter.

MOT requirements

- ②5 [REDACTED] agrees with the requirements set out at 3b.49, but is of the opinion that the MOT is suitable, when applied in the manner described, for ascertaining vehicle fitness and so paragraph 3b.49 should be implemented without the suggested vehicle age restrictions in the tables headed 'vehicle specifications.'

Transfer of a licence

- ②6 Paragraph 3b.66 should be headed 'change of vehicle' to distinguish between a change of vehicle and a genuine transfer of licence which is a transfer of owner.
- ②7 [REDACTED] agrees with the Council that, if a licensed vehicle is written off by an insurer following an accident, the proprietor will be entitled to replace the written

off vehicle with, in effect, a like-for-like vehicle, as long as it is no older than the written off vehicle and meets the emission standards and NCAP safety requirements that applied to the written off vehicle. In other words, 'grandfather rights' shall apply to the replacement vehicle.

- (28) The Council is asked to also extend these 'grandfather rights' to a vehicle that replaces one that has suffered a serious or catastrophic mechanical failure that is, like an insurance write off, beyond economical repair.

Executive private hire vehicles

- (29) [REDACTED] agrees with paragraph 3d.5

Drivers of executive private hire vehicles

- (30) Paragraph 3f.21 is unnecessary. Why should drivers of executive vehicles need a higher standard of driving than that applied to the driver who carries the public daily in a non-executive vehicle? As far as [REDACTED] is concerned, all drivers should be safe, competent drivers, if they have passed the Council's driving assessment.

Operator Premises

- (31) [REDACTED] agrees with paragraph 3f.48, 3f.49 and 3f.50.

List of designated wheelchair accessible vehicles.

- (32) [REDACTED] agrees with paragraph 3f.70 but is of the view that a similar duty must be imposed on the Council in respect of hackney carriage drivers (many of whom do not work for an operator and would therefore need to receive the advice from the Council).

Employment of private hire drivers and other staff

- (33) [REDACTED] believe that the heading of this section beginning at 3f.29 is misleading: private hire drivers are largely self-employed and therefore not in the employment of a private hire operator.
- (34) In relation to paragraph 3f.29, an operator should only be responsible for the actions of an employee while they are at work for that operator. An operator cannot reasonably be held responsible for anything an employee might do outside of work, although it is acknowledged that any such behaviour, as is known by an operator, may give rise to disciplinary proceedings being brought against the employee.
- (35) In relation to paragraphs 3f.32 and 3f.33 [REDACTED] are not against the suggestion of ensuring office based employees have undertaken a basic criminal

record check but believe that the Council needs to set out clearly in this paragraph exactly what it seeks to achieve by this requirement. Furthermore, an operator cannot be responsible for ensuring independent contractors have undertaken this check: if for example there was a problem with the telephone system and a telephone contractor was requested to attend urgently to fix the problem, it would be unreasonable to insist they complied with this requirement.

- (36) In relation to paragraph 3f.35 the training referred to should be provided by the Council as part of the suggested knowledge test training.
- (37) The CSE training detailed in paragraph 3f.36 is also something which should be provided by the Council or a Council approved training provider. [REDACTED] would be happy to ensure all employees attend and would be happy to pay the reasonable cost of attending the training. This would ensure a consistent standard of training.
- (38) Paragraph 3f.37 serves no purpose. All operators will naturally want to ensure high levels of customer service. Unless a standard is specified, how can this paragraph be complied with?
- (39) [REDACTED] strongly supports the operator ensuring drivers do not work excessively long periods of time as detailed in paragraph 3f.39. It is hoped that guidance could be given to driver applicants as part of the knowledge test and guidance issued to all existing licensed drivers and operators.

Designated person

- (40) In relation to paragraph 3f.45 the Council should issue reminders to an operator bi-annually in order to remind them and give them opportunity to comply.

Standards of service

- (41) Paragraphs 3f.56 and 3f.57 are strongly opposed: they seek to frustrate the intention of Parliament by removing or restricting the ability to subcontract expressly given to an operator by virtue of the recently (2015) introduced section 55A of the Local Government (Miscellaneous Provisions) Act 1976.
- (42) Paragraph 3f.58 is opposed as it would require an operator to publicise commercially sensitive information. An operator should be required to give the fare for a particular journey to a prospective customer or to anyone who has placed a booking.

Plying for hire

- (43) The first bullet point of paragraph 1.17 of Appendix B is unnecessary as it simply states the law. The second bullet point is problematic as there needs to be a means by which a driver can pass a booking from a passenger they are already carrying to their operator in order to arrange for the customer's return booking for a

later journey. To prohibit this, as the Council seeks to do, is to force drivers and operators to provide the poorest levels of customer service when the Council also seeks to encourage, if not require, drivers and operators to provide high levels of customer service. This situation is different to, and can be distinguished from, the situation in which a driver may be asked by a potential customer to place a booking for an immediate hire from the driver's location, which is the conduct it is assumed the Council wishes to clearly and unequivocally categorise as plying for hire and to prohibit.

Parking between bookings

- (44) Paragraph 1.32 of Appendix B is unworkable. While it is appreciated that private hire vehicles should not be parking immediately outside of pubs and nightclubs at busy times, it is difficult at certain times of the day not to park "in the vicinity of restaurants, cafes and similar establishments." Indeed, as currently written, it would appear to prohibit, if read literally, a driver of a private hire vehicle going to a drive through takeaway restaurant to buy themselves a meal between jobs. It is respectfully suggested that the Council should simply state that vehicles should be lawfully parked and not cause a nuisance.

Advertising

- (45) [REDACTED] strongly disagrees with paragraph 1.22 of Appendix C. Advertising for "executive services" or any similar wording should be allowed. The public perception of the word executive is very different from the licensing definition. Many hackney carriage proprietors (and private hire operators) have very high quality vehicles that are not used exclusively for executive work and are therefore not licensed as executive vehicles but these vehicles are often requested and supplied to, for example, commercial customers wanting a taxi or private hire vehicle that is of a higher standard than the average taxi for a business journey.
- (46) It is agreed that the word "executive" should not appear in the trading name of the operator or proprietor involved (unless they only utilise executive licensed vehicles) where it would imply that the sole or substantial part of the business was executive hire.

MOT

- (47) Paragraph 1.39 of Appendix C is unreasonable. Advisory items are advisory for a reason: these items have passed the MOT and comply with legal requirements. The advisory notice quite properly draws these items to the proprietor's attention. It is suggested that, if the Council implements such a requirement, the period of time given to rectify such advisory items is a minimum of 30 days.

Insurance

- (48) Paragraph 1.39 of Appendix F does not accommodate 'any driver' insurance policies. While rarer than they were some years ago in the taxi industry, they do exist and it is therefore impossible to comply with this paragraph. To purport to interfere in the commercial arrangements between an insurer and their insured is an unlawful and unnecessary interference, which serves no purpose.
- (49) Paragraph 1.19 of Appendix G should not be included in the private hire operator conditions of licence, because whilst the operator may also be the owner of a fleet of vehicles, they need not be and this is properly the responsibility of the person / company that is the vehicle proprietor. In the circumstances, this condition should begin by referring to 'proprietors' and be included in the private hire vehicle / executive private hire vehicle / novelty private hire vehicle conditions of licence.

Employment of private hire drivers and staff

- (50) [REDACTED] objects to the term "employ" in respect of self-employed private hire drivers at the heading of paragraph 1.1.
- (51) [REDACTED] disagrees with paragraph 1.6 in respect of drivers: all drivers are required to demonstrate that they are properly licensed by the relevant Council. This requirement is sufficient to establish that a driver is fit and proper.
- (52) [REDACTED] disagrees with paragraph 1.10. While the principle is supported, the teaching of the meaning of 'plying for hire' should for part of the test within the driver application process.
- (53) The training detailed in paragraph 1.12 should be provided by the Council and operators should pay the reasonable cost of attending this course. This would avoid different training providers providing different levels of teaching to those trying to comply with this requirement.

Operator's premises

- (54) Paragraph 1.22 should stipulate two vehicles or less, not three. Once a new business gets beyond two vehicles, it is the opinion of [REDACTED] that a dedicated booking taker should be engaged. In addition, accepting and making a record of bookings away from the premises encourages calls to be answered and notes to be taken while driving, potentially distracting the driver. If this was allowed for three vehicles, and for example, each vehicle had two drivers (one per shift) then there could be six separate sets of booking records. It is the view of [REDACTED] that this freedom to accept bookings anywhere within the county should only be available to those operating two or less vehicles from a residential address. Any operator operating from a commercial address should have a dedicated call-taker irrespective of how few vehicles they may be operating.

Taking bookings and maintaining records

- 55) Paragraph 1.29 of Appendix G is contrary to section 55A of Local Government (Miscellaneous Provisions) Act 1976 and should be removed for the reasons already explained under the heading 'Standards of service.'

Use of the words 'taxi', 'cab' and 'hire' in advertisements

- 56) Paragraph 1.56 of Appendix G should allow the use of the word 'taxi' when describing a business. While it is appreciated that the Council may not want the word to appear on a vehicle to maintain the difference between hackney carriages and private hire vehicles, the term 'taxi' has become generic and the public, when telephoning a private hire operator, always ask to book a 'taxi'. The ASA (Advertising Standards Authority) has held that a private hire operator may advertise using the word taxi when clearly inviting advance bookings, because this does not cause confusion with hackney carriages that may be subject to immediate hire.

- 57) If I can assist by clarifying and expanding upon anything herein, please do not hesitate to contact me. Thank you in anticipation of the careful consideration we trust will be given to the matters raised herein by you and, in due course, the Members of the Strategic Licensing Committee.

Yours faithfully,

[Redacted signature]

[Redacted address]

Email: [Redacted]
Mobile: [Redacted]