



Myre Forest Taxi Association



(Affiliated to National Taxi Association)

Mr M. Kay,
Licensing Dept,
Duke House,
Kidderminster.

Dear Mr Kay,

Please find enclosed the trade comments regarding licensing conditions to be presented to the licensing meeting of 19th Feb, 2007.

These comments replace the previous comments presented to the taxi liaison meeting of 11th Dec.

Regards,

Trevor Owen

Hackney Carriage licence Conditions

The trade's proposals regarding licensing conditions are a response to items of an agenda submitted to the trade at the Taxi Trade Liaison Group meeting of 11th December, 2006. To be presented to the Licensing Committee Meeting of 19th February, 2007. The trade's initial response to the Best Practice Guide was made before the meeting of 11th December at which this agenda was presented. The trade's opinions to the items on the agenda have been formulated following a meeting of the Wyre Forest Taxi Association of 8th January, 2007. In responding to the items on this agenda the trade have taken into account the Councils deregulation plan 20005-2008 and the Department for Transport *Draft Best Practice Guide* published 8th August, 2006 and Final Best Practice Guide published 7th October, 2006.

At the Taxi Trade Liaison Group meeting of 11th December, 2006 the trade queried the Council's interpretation of para 20 (Vehicle Types)of the Best Practice Guide upon which the Council's officer stated the conditions relating to accessibility had been based. The trade were advised they should submit an evidence based case based on fundamental differences between the Council's licensing conditions and the Best Practice Guidance. This case is outlined under the heading Specification of Vehicle Types that may be licensed and is made to address the following concerns of the trade in light of the Councils interpretation of the best practice guidelines for vehicle specification and the resulting affect of the interpretation so far as disabled people are concerned.

1. As a result of the misinterpretation of the guide a substantial number of disabled people will no longer be able to use hackney carriages due to inaccessibility.
2. The licensing conditions are against the public interest with in excess of two hundred letters of support from those affected by the licensing conditions.
3. As a result of the conditions the trade may be in breach of it's obligations under the Disability Discrimination Act 2005.
4. Under Health and Safety guidelines concerning risk assessment, in order to protect the public, trade, and Council (as the Licensing Authority) a mixture of saloon cars and accessible vehicles would be required.

Department for Transport Best Practice Guide

The best practice guide clearly states that Local Authorities are best placed to decide the transport policy regarding hackney carriages and private hire vehicles in their particular district, after consultation with all interested parties.

The policy for taxis in Wyre Forest is set out in the Council's deregulation plan which was implemented before the Government's best practice guide was published. Broadly speaking the Council's deregulation plan contains conditions regarding age of vehicles, colour and frequency of testing which are clearly more stringent than the guidelines in the Government's best practice guide, however these conditions were introduced after consultation with (but not necessarily in agreement with) the taxi trade who, because the Council's licensing conditions stipulate all hackney carriage's in future must be wheelchair accessible (a condition to which the trade objected) requested minor alterations to the age of vehicles. Negotiations regarding colour are ongoing and all vehicles now have decals for identification purposes. The trade has taken the initiative regarding driver training and drivers will undertake the Go Skills training course starting in January 2007. The course covers customer care and the correct procedure for operating the equipment in wheelchair accessible vehicles. The trade believes Council policy is in most cases in line with the Government's best practice guide, with the exception of vehicle type and accessibility.

In the past the Government's guidelines regarding the implementation of the 1995 DDA act concerning the obligations of Local Authorities to provide accessible hackney carriages for disabled groups have been ambiguous to say the least. Any advice given to the Council when they took the decision to licence only wheelchair accessible vehicles would now appear to be of no consequence, as the best practice guide clearly states "*authorities should be particularly cautious about specifying only purpose-built taxis*"

In the Wyre Forest under current licensing conditions, there are only two types of vehicle that may be used as a hackney carriage, the London type cab and the Fiat/Peugeot/Citroen type cab; which actually has a step that is higher than a London type cab. To clear up any confusion regarding the latter, these vehicles have identical body types and are merely distinguishable from each other by the badge of the particular manufacturer and therefore cannot be considered to be part of a mixed fleet, that is to say people with certain types of disabilities cannot get into either that type of vehicle or the London type cab and could therefore quote to the Council the Government's best practice guide for a mixed fleet of hackney carriage's. It is worth noting that Disability Action Wyre Forest is also in favour of a mixed fleet (Appendix 1) as are the majority of passengers and we believe the majority of Councillors, regardless of their political persuasions.

If the Council are of the belief that a mixed fleet of vehicles best suits the needs of the district the trade can see two possible scenarios.

Cont...

1. Mixed fleet for all licence holders.

If the Council were to opt for a mixed fleet of saloon cars and wheelchair accessible vehicles as hackney carriages it is doubtful that the final mix of vehicles would have the desired result, as most applicants for a licence would choose a saloon car as the cheaper option, it is also likely that some members of the trade who have purchased wheelchair accessible vehicles would change them for saloon cars. We would then be in the same situation as before deregulation with only a handful of wheelchair accessible vehicles. There would also be an immediate increase in the number of hackney carriages, as those who own private hire vehicles (currently twenty six) would obviously change to a hackney carriage vehicle for the greater rewards at no extra expense. The trade believe that to go down this route would mean a no win situation for the disabled groups and members of the trade. The Council could however stem the flow of applications by means of stringent conditions regarding driver training.

2. Mixed fleet (new applicants wheelchair accessible vehicles only)

This is obviously the most attractive route for existing members of the trade and is the one we are asking the Council to consider, but it would not necessarily ensure a truly mixed fleet of vehicles. Although an extra twelve licences will have been issued since deregulation (including five pending) most if not all of those have gone to existing members of the trade, either proprietors or drivers. It is unlikely, under current licensing conditions, that applicants from outside the trade will apply for licenses in any significant numbers.

Currently in Wyre Forest there are a total of ninety hackney carriages plus five pending. When the five pending plates are issued there will be a total of nineteen wheelchair accessible vehicles. Disability Action Wyre Forest is suggesting that one in three wheelchair accessible vehicles should be the norm. To have a truly mixed fleet of vehicles requires an amount of goodwill from the trade – particularly the fleet owners. It is to this end that the two main fleet owners have purchased wheelchair accessible vehicles well before they need to and also encouraged and helped others in the trade to do likewise in order to get somewhere near to the target of Disability Action.

Wheelchair accessible only fleet

If the Council were to continue with this policy, they will be clearly going against the wishes of the Governments best practice guide, Disability Action, the majority of taxi users (Appendix 2) the taxi trade and the wishes of most Councillors.

There would also be wider repercussions, namely an overall depletion of hackney carriages in the district as the burden of replacing saloon cars for wheelchair accessible vehicles will be too much for individual members of the trade to bear and fleet operators indicating their intention to replace the majority of their hackney carriages with private hire saloon cars.

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An example of these repercussions is the effect on those members of the public who frequent the clubs and restaurants of the town centre at night. The Council have recognised a problem outside night clubs and have introduced taxi marshals to control the problem of the number of people descending onto the streets in considerable numbers at one time. The taxi marshals form the public into an orderly queue and call up hackney carriages one at a time. A depletion in the number of hackney carriages available at pinch times could have serious repercussions for the safety of the public. An argument frequently put forward is that private hire cars could fill this void, this argument is not valid. When discussing hackney carriages we are discussing vehicles that can be hailed in the street or wait at taxi ranks, it is unlawful for private hire vehicles to undertake these tasks.

In conclusion the trade are of the opinion that a mixed fleet of both saloon cars and wheelchair accessible vehicles is desirable for this district and that the best way to achieve this is to stipulate that all extra licences issued are for wheelchair accessible vehicles only and that existing licence holders that held licences prior to those issued under the deregulation plan, can opt for either saloon cars or wheelchair accessible vehicles.

NO	ITEM	NOTE	ACTION
6.	Vehicle Livery	<p>The trade advised that their investigations had found that it was difficult to find for sale good medium sized saloon vehicles under 2 years old in red (which it was noted is also very prone to fading) which restricts drivers/company's ability to buy suitable used vehicles at competitive prices.</p> <p>They concluded that colours are subject to cycles of popularity and that they would prefer to opt for a dark grey to black colour option.</p>	
		<p>MK indicated that Wyre Forest District Council was happy to be flexible on the chosen livery and the trade agreed to come back with an agreed alternative to red.</p>	Trade
7	Deregulation	<p>The trade's response had not been circulated to all attendees and those who had received a copy had had insufficient time to go through this in detail. In future it was agreed that this Group, as a sub group of the Licensing Committee, would receive reports in line with normal practice in order that members/officers are adequately prepared.</p> <p>BK tabled a list of items for discussion today.</p> <p>The trade consider that the wording in the final Best Practice Guide indicated that Government were recommending that there is a strong case for operating a mixed fleet of hackney carriage/private hire vehicles including, but not exclusively, cabs enabling wheelchair access. They pointed out that there is no wheelchair access vehicle accessible to all currently available on the market and that such vehicles can be inaccessible to people with other disabilities. In this, they have the support of Disability Action UK and Wyre Forest Disability Action Group. The trade had not been invited to the Scrutiny Panel meeting on 16th May where the decision to recommend Council vote for this was reached and felt that Wyre Forest District Council may be risking future legal action/health & safety issues if they fail to licence a variety of vehicle types. They felt this was a missed opportunity to offer freedom of choice to a large section of the community.</p> <p>MK advised that everyone has the right to hail or to pick up from the rank an accessible vehicle. In the opinion of officers, the final Best Practice Guide was unchanged in this respect from the draft guide on which the policy had been based so he did not propose to recommend any amendment to the agreed conditions. Extensive discussion on this matter had taken place prior to the introduction of the policy, based on Access/Safety/quality.</p> <p>A report (the deadline for which is 8th January) detailing officers' recommendations in respect of changes</p>	

trevorowen@regencytaxis.uk.com

From: Mark Kay [Mark.Kay@wyreforestdc.gov.uk]
Sent: 29 December 2006 14:25
To: trevorowen@regencytaxis.uk.com
Cc: Brian Kent
Subject: Re: [NEWSENDER] - Taxi Trade Liason Meeting, 11th December,2006. - Message is from an unknown sender

The councils stance on vehicle type is any vehicle which complies with the hackney carriage vehicle condition no 1 ie any wheelchair accessible purpose built design or LA approved factory conversion as agreed under the councils deregulation plan. We believe this is line with GUIDANCE issued by government.

As a point of order para 20 does not advise against anything, the wording used is "careful consideration and "particularly cautious" and is used in the context of constraint on supply

The guidance also makes it clear (para 3) that it is up to individual licensing authorities to reach their own decisions.

It is anticipated that a report on the best practice guidance will go to licensing committe on 19th February and the deadline for reports is 6th February so we will need comments by the end of January, but earlier if possible.

Once you have had your meeting please contact me, and if you feel a meeting would be beneficial then I would be please to meet with you

Hope you had a good christmas and I wish you a happy new year

Regards Mark Kay

Mark Kay,
Wyre Forest District Council,
Environmental Health and Licensing Manager
Duke House,
Clensmore St,
Kidderminster,
01562 732580

>>> <trevorowen@regencytaxis.uk.com> 12/29/06 1:35 pm >>>
Dear Mr Kay,

We have a meeting of the Wyre Forest Taxi Owners Association shortly.

Under discussion will be the items regarding the DFT best practice guidance that were distributed at the meeting of 11th December, 2006.

I wish to clarify at the meeting the Councils position regarding vehicle types. As I understand it from the meeting of 11th December and our subsequent telephone conversation, the Councils position is that we have at the moment a choice of two purpose built taxis, the TX series, and as I mentioned the Metrocab, and approved converted vehicles such as the Fiat/Citroen/ Peugeot range, all of which must be wheelchair accessible and this is in line with DFT best practice guide para 20, which advises against approving only one type or a small number of types of vehicle.

Could you please give me the date for when you require our further response to the best practice guide and also the date of the Licensing meeting that it will be discussed.

Taxi and Private Hire Vehicle Licensing: Best Practice Guidance

Department for
Transport

Vehicles

Specification of Vehicle Types That May Be Licensed

18. The legislation gives local authorities a wide range of discretion over the types of vehicle that they can license as taxis or PHVs. Some authorities specify conditions that in practice can only be met by purpose-built vehicles but the majority license a range of vehicles.

19. Normally, the best practice is for local licensing authorities to adopt the principle of specifying as many different types of vehicle as possible. Indeed, local authorities might usefully set down a range of general criteria, leaving it open to the taxi and PHV trades to put forward vehicles of their own choice which can be shown to meet those criteria. In that way there can be flexibility for new vehicle types to be readily taken into account.

20. It is suggested that local licensing authorities should give very careful consideration to a policy which automatically rules out particular types of vehicle or prescribes only one type or a small number of types of vehicle. For example, the Department believes authorities should be particularly cautious about specifying only purpose-built taxis, with the strict constraint on supply that that implies. (There are at present only two designs of purpose-built taxi.) But of course the purpose-built vehicles are amongst those which a local authority could be expected to license. Similarly, it may be too restrictive to automatically rule out considering Multi-Purpose Vehicles, or to license them for fewer passengers than their seating capacity (provided of course that the capacity of the vehicle is not more than eight passengers).

Imported vehicles: type approval (see also "stretched limousines", paras 26-28 below)

21. It may be that from time to time a local authority will be asked to license as a taxi or PHV a vehicle that has been imported independently (that is, by somebody other than the manufacturer). Such a vehicle might meet the local authority's criteria for licensing, but the local authority may nonetheless be uncertain about the wider rules for foreign vehicles being used in the UK. Such vehicles will be subject to the 'type approval' rules. For passenger cars up to 10 years old at the time of first GB registration, this means meeting the technical standards of either:

- a European Whole Vehicle Type approval;
- a British National Type approval; or
- a British Single Vehicle Approval.

Most registration certificates issued since late 1998 should indicate the approval status of the vehicle. The technical standards applied (and the safety and environmental risks covered) under each of the above are proportionate to the number of vehicles entering service. Further information about these requirements and the procedures for licensing and registering imported vehicles can be seen at www.dft.gov.uk/stellent/groups/dft_roads/documents/page/dft_roads_506867.hcsp.

Vehicle Testing

22. There is considerable variation between local licensing authorities on vehicle testing, including the related question of age limits. The following can be regarded as best practice:

trevorowen@regencytaxis.uk.com

From: Nigel Dotchin [Nigel.Dotchin@dft.gsi.gov.uk]
Sent: 13 December 2006 18:59
To: trevorowen@regencytaxis.uk.com
Subject: Re: dft and accessible taxis

Dear Mr Owen

Thanks for your e-mail. The short answer to your question is a mix of saloon cars and accessible taxis. What we mean by accessible taxis is something we are actively considering at the moment and hope to consult on in due course. The overall objective is to increase the number of accessible taxis but to do this we first need to have some agreed accessibility standards, which will meet a range of needs. We then need to decide whether all taxis in a local authority should be accessible. Research indicates that not all disabled people wish to travel in a wheelchair accessible cab - some prefer to travel in saloons. This suggests that local licensing may wish to see a mix of vehicles in their area - saloon cars and wheelchair accessible taxis. The big questions for us are what that mix should be and how do we best ensure its delivery? We would welcome your views on how to encourage investment in accessible taxis.

Best wishes

NIGEL DOTCHIN

Mobility & Inclusion Unit
Department for Transport
4/23 Great Minster House
London SW1P 4DR
020 7944 4912

>>> <trevorowen@regencytaxis.uk.com> 12/12/06 12:25:54 >>>

Dear Mr Dotchin,

Could you please help with the item in the best practice guide for taxis that refers to specification of vehicle types that may be licensed?
Does the guide refer to a mix of accessible taxis or a mix of saloon cars and accessible taxis?

Yours sincerely,

Trevor Owen

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DISABILITY ACTION

Wyre Forest

www.communigate.co.uk/wyres/disability

Date 10th November 2006

Re Accessible taxis.

Dear Mr Owen

The concern of DAWF is the one of availability of accessible taxis.

DAWF has been monitoring the taxi rank at Exchange Street in Kidderminster over the last twelve months and when there have been taxis there has always been an accessible vehicle.

However we have had complaints about lack of accessible vehicles the pinch times of 9am & 3pm because accessible vehicles being used for school contracts. This area is our greatest concern, we are also concerned on the approach of all taxis being wheelchair accessible.

There are two main type of accessible taxis(1) black cab London type (2)converted van.

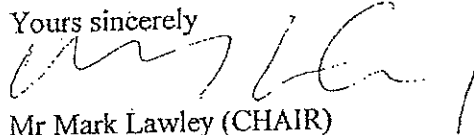
Disabled people come in all shapes, sizes and needs with only 5% being wheelchair users.

DAWF supports the idea of a mixed fleet to meet the needs of the taxi user.

A one type taxi size would not fit all disabilities.

A more reasonable approach would be a 1 in 3 were accessible and to ensure that such vehicles were available at 9am & 3pm.

Yours sincerely



Mr Mark Lawley (CHAIR)

Residents

Jubilee Drive, Kidderminster

Give people freedom of choice.

Gilbert Scott Way, Kidderminster

It is always good to have a choice of vehicle.

Brook Street, Kidderminster

Leave the taxis alone - it is nice to have freedom of choice.

Willow Bank, Leigh, Worcester

Listen to the customers instead of relying on your infinite wisdom

!!!!

Tomkinson Drive, Kidderminster

Freedom of choice is what people want !!

Longfellow Green, Kidderminster

I like to have a choice.

Broomy Close, Stourport-on-Severn

I like to have a say in what I want, not what the Council want.

Broadwateres Drive, Kidderminster

Leave well alone.

Dunlin Drive, Kidderminster

If you want us to have all London type cabs, then you had better think again!!

Chestnut Grove, Kidderminster

We need a mix of both - freedom of choice.

Linden Avenue, Kidderminster

People want freedom of choice !!!

Cedar Close, Stourport-on-Severn

I prefer a saloon car as I am disabled and a car is easier for my wheelchair.

Wiveldon Avenue, Wildon Top, Stourport-on-Severn

I prefer a saloon car as it is nice to have a conversation with the driver and do not feel so enclosed.

Residents

| Muskaka, Bewdley

I prefer saloon cars as I find it difficult to get into a London type cabs

| The Slad, Wilden Top, Stourport-On-Severn

I prefer saloon cars as they are much easier when you have got shopping.

| Great Western Way, Stourport-on-Severn

I prefer saloon cars as they are easier to get in and out of.

| Shrubbery Street, Kidderminster

It makes sense to offer a variety of vehicles to cater for everyones needs.

| Gheluvelt Avenue, Kidderminster

We prefer saloon cars as they are easier for us to get in and out of.

| Wilton Avenue, Kidderminster

I prefer saloon cars as in the London type cabs I feel that I have a cage around me. I prefer the personal touch of a car.

| Marlpool Place, Kidderminster

I need a taxi most days and do not like the London type cabs.

I am a sufferer of a chronic back injury and I find it very difficult and painful to get into a London cab I also find that they are not secure in the back as I slide around and they are a rougher ride. In the normal saloon cars I can get in a lot easier and the seating is a lot more comfortable, supportive and more secure also the ride is a lot smoother so does not jolt me around causing great pain. I hope the council will see sense and stop making their own rules up.

| Burns Close, Kidderminster

London type cabs are no good to me at all.

| Highfield Road, Kidderminster

I prefer saloon cars as they are more comfortable than the London type cabs.

Residents

1 | Ledwych Gardens, Droitwich

The saloon cars are more comfortable and a change will result in a rise in taxi fares.

_____ | Ghelevelt Avenue, Kidderminster
I dont want London type cabs, I prefer saloon cars.

~~| Sebright Road, Wolverley~~

We prefer saloon cars as we can easily get in and out of them.

| Sycamore Road, Tipton, West Midlands

Why change a very good service.

| Serin Close, Kidderminster

I feel more London type cabs would not go down well in Kidderminster. We need comfort and I don't believe cabs is the way forward.

| Crescent Road, Kidderminster

Please keep the saloon cars on the road.

| Dunlin Drive, Kidderminster

Prefer a mix of both but we could do with more cabs.

| Nursery Grove, Kidderminster

We have an excellent service but maybe a mix of both would be a fairer proposition!

| Guildford Close, Kidderminster

We do not want all London type cabs, we are happy with a mix of both.

| Mason Road, Kidderminster

I am happy with a mix of both.

| Stourbridge Road, Kidderminster

I am happy with a mix of both saloon cars and cabs.

Residents

Kidderminster

I worked in the trade for over 20 years and know full well, that each individual, wanting a taxi, has individual needs. Some like cars, some like London style taxis. It would be catastrophe, if the council insisted on all London Cabs. The effect this would have on older people getting from "A" to "B", would be disgraceful. I would like to ask the council planners to, listen to the people who know best, the people who own the taxi company's and the drivers.

Hawford Avenue, Kidderminster

I think it is daft to get rid of saloon cars etc i know disabled people for e.g. people in wheelchairs can not get into cars for e.g. saloon cras or hatchback cars and i know they can get in and out of the LONDON TAXI'S because there is a ramp but then again i suppose if it is for the elderley then Wyre Forest District Council You have got my vote from William Howes From Hawford Avenue Kidderminster

Comberton Avenue, Kidderminster

Being old and disabled, saloon cars are much easier to get in to.

Leswell Street, Kidderminster

I prefer the comfort of a saloon car when going out for the evening. A trip to Birmingham is not so comfortable in a London type cab.

Leswell Street, Kidderminster

I have disabilities and a saloon car is better for my needs.

Oak Hill Avenue, Kidderminster

The London type cabs are too big.

Chester Road North, Kidderminster

I prefer saloon cars as they have a higher degree of comfort and ease of access if disabled.

Damson Way, Bewdley

Has anyone asked the public - by anyone I mean Wyre Forest District Council.

Specification of Vehicle Types that may be licensed

Deregulation Plan

Under the licensing conditions in the Deregulation Plan for hackney carriage's only purpose built or LA-approved wheelchair accessible vehicles may be licensed.

The Council have stated that these conditions are based on the Council's interpretation of the Governments Draft Best Practice Guide as noted in the minutes of the Taxi Trade Liaison Group meeting of 11th December, 2006 (Appendix 1 minutes not signed off) and an email to Mr Owen of the trade (Appendix 2)

Best Practice Guide

The best practice guide (para 20 Appendix 3) suggests that Councils should give careful consideration to a policy which automatically rules out particular types of vehicle or prescribes only one type or a small number of types of vehicle and should be *particularly cautious* about specifying only purpose built taxis.

Trade Proposals

The trade have sought clarification from the Department of Transport (Mobility and Inclusion Unit) regarding the interpretation of Para 20 of the Best Practice Guide (Appendix 4)

It is clear in the reply from the Department for Transport that the Best practice guide refers to a mix of saloon cars and wheelchair accessible vehicles. The Council's licensing conditions regarding vehicle types are therefore fundamentally flawed as they are based on an incorrect interpretation of the best practice guide.

The trade's proposals for the specification of vehicle types are as stated in our initial response to the best practice guide, that is All new licenses issued to be for wheelchair accessible vehicles only, with existing licence holders that held licenses prior to those issued under the deregulation plan to have the option to opt for either saloon cars or wheelchair accessible vehicles. These proposals are made after consultation with a wide range of interested parties that includes Disability Action (Appendix 5) and other disabled people and groups (Appendix 6) with differing types of disabilities and consequently differing transport requirements Their opinions, a small sample of which we have put forward for this meeting are typical of the views of the vast majority of taxi users in this district.

Vehicle Tests

Deregulation Plan

Under the Licensing Conditions contained within the Deregulation Plan both Hackney Carriage and Private Hire Vehicles are tested three times per year, this is the maximum allowed under the 1976 miscellaneous provisions act. All tests are undertaken at the Council's Green Street Depot.

Best Practice Guide

The best practice guide recognises that older vehicles should possibly be tested more frequently than the once annually legal requirement and suggests twice annually would be appropriate.

Trade Proposals

The trade are of the opinion that vehicles should be tested three times per year, regardless of age, however it is always the case that a vehicle would have undertaken or will be due to undertake an MOT test within a maximum of two months prior to or after a Council test. The trade's proposal is that in place of one of the Council tests, vehicles should undertake an MOT test. This would be a money saving exercise for the Council without compromising safety. Regarding the testing procedure the Licensing Conditions require a vehicle to be inspected to MOT testing standards, the trade therefore are of the opinion that vehicle examiners should be trained to VOSA standards and that an in-house appeals procedure should be implemented.

Vehicle Age Limits

Deregulation Plan

Under the Deregulation Plan when vehicles are first licensed they must be under two years of age, Purpose built and LA approved vehicles have a lifespan of ten years, saloon cars (both Hackney Carriage and Private Hire) have a lifespan of seven years.

Best Practice Guide

The Best Practice states: "It is perfectly possible for an older vehicle to be in good condition. So the setting of an age limit beyond which a Local Authority will not licence vehicles may be arbitrary and inappropriate."

Trade Proposals

The trade are in agreement with the Council with regard to the lower age limit of two years and the upper age limit of ten years for purpose built and LA approved vehicles. However because the Licensing Conditions have now become fragmented the trade propose that these conditions should also apply to saloon cars.

Operator Licence Fees

Deregulation Plan

Under the deregulation plan private hire operators licenses are renewed annually. The fee is the same regardless of the number of vehicles operated.

Best Practice Guide

The best practice suggests a five year licence may be appropriate.

Trade proposals

The trade are in favour of licenses being renewed on an annual basis with a set fee to cover any amount of vehicles

Vehicle Livery

Deregulation Plan

Under the current Licensing Conditions in the Deregulation Plan the Hackney Carriage livery is silver and the Private Hire livery is red. Specific colours have been introduced to address public issues regarding recognition.

Best Practice Guide

The best practice guide makes no reference to colour for either vehicle type, but recognises the need to distinguish between Hackney Carriages and Private Hire vehicles.

Trade proposals

The trade are of the opinion that as colours go in cycles a broader colour description would be appropriate, for example some of the silver Hackney Carriages currently licensed under the new conditions are described as grey in the log book. The trade's proposal for Hackney Carriage vehicles is light grey to silver; whilst these colours are available from all major manufacturers. For Private Hire Vehicles the trade's proposals are dark grey to black with the same proviso regarding availability for Hackney Carriage's and that each vehicle should display an Advanced Bookings Only sign on the front offside and front nearside doors.

Hackney/Private Hire drivers Licence Duration

Deregulation Plan

Under the Deregulation Plan drivers licenses are issued for a two year period.

Best Practice Guide

The best practice guide suggests Local Authorities offer a choice of one to three years and notes that the Police now automatically notify Local Authorities of any driver convictions.

Trade Proposals

The trade propose licenses are issued for a three year period with the option of paying by annual instalments.

Licences From EU and EEA Member States

Deregulation Plan

This is topic is not covered in the Deregulation Plan

Best Practice Guide

The best practice guide seems to suggest that any person from an EU or EEA member state is eligible to be licensed as a Hackney Carriage/Private Hire driver provided they have been issued with an ordinary driving licence from their particular state.

Trade proposals

The trade are of the opinion that to be a competent driver at least two years experience is required and propose that this is reflected in the Licensing Conditions.

Medical Criteria

Deregulation Plan

Under the licensing conditions in the Deregulation Plan drivers are obliged to undertake a medical every two years. Drivers of seventy years of age and over must undertake an annual medical.

Best Practice Guide

The best practice guide suggests a group 2 medical standard should apply and a C1 standard for drivers with insulin treated diabetics

Trade proposals

The trade is in agreement with the deregulation plan subject to the guidance in the best practice guide.

Age Limit Drivers

Deregulation Plan

Under the licensing conditions in the deregulation plan a driver must be aged twenty one years or over. Drivers of seventy years of age and over must undertake an annual medical.

Best Practice Guide

The best practice guide suggests there should be no minimum or maximum age limits and that drivers should be assessed on their merits..

Trade proposals

The trade are in agreement with licensing conditions in the deregulation and would further suggest that drivers should have held a full driving licence for a minimum period of two years.

Duties Under The 2005 Disability Discrimination Act

Deregulation Plan

The Deregulation Plan was formulated before the 2005 Disability Discrimination Act came into force.

Best Practice Guide.

The Best Practice guide states: *"In order to meet these new duties, licensing authorities will be required to review any practices policies and procedures that make it impossible or unreasonably difficult for a disabled person to use their services."*

Trade proposals

The trade are to undertake a disability awareness training course through Go- Skills, this is a three hour course of groups of ten at a cost of £30.00 per person after which a certificate of attendance is issued. The completion of the course will mean that drivers will be aware of their duties under the act. The trade propose that attendance of this course should be adopted as a condition of a hackney carriage/private hire drivers licence with lead in times to be agreed with officers.

The Disability Rights Commission has issued guidance to transport providers regarding their new duties under the act. At eighty eight pages the guidance is too lengthy and complex discuss at one meeting, however the introduction says:

"The duty to make reasonable adjustments is a cornerstone of the Act and requires transport providers to take positive steps to make their services in respect of vehicles accessible to disabled people. This goes beyond simply avoiding treating people less favourably for a disability-related reason."

The trade have contacted the Disability Rights Commission for clarification of this introduction. We have been advised that until a vehicle is available that caters for people with all types of disabilities, transport providers will be obliged to offer an alternative form of transport.

Under current hackney carriage licensing conditions, upon completion of the Deregulation Plan, the trade will be unable to meet these obligations. The trade therefore propose that the Council revise the licensing conditions accordingly.