

Schedule of Responses to Hackney Carriage & Private Hire Licensing Policy

Ref	Respondent	Comments	Appraisal	Response
1.0	Taxi Customers	General petition document regarding the issue of penalty points to taxis who drop passengers off on taxi ranks or at bus stops		<p><i>“Petition against the FDC preventing Hackney Carriage vehicles from dropping off and picking up passengers in our towns.....”</i> It is believed that this petition relates to concerns regarding the penalty point’s scheme and in particular PP28 Parking/stopping contrary to authorised road markings. A yellow line across the side of the road indicates that there is a restriction regarding either parking or waiting in that particular area. Yellow lines, along with all parking restrictions, are designed to help the free flow of traffic and ensure public safety.</p> <p>Double yellow lines mean that a vehicle cannot wait at any time. However, a vehicle may stop to load or unload, unless there are loading restrictions signposted nearby. Loading restrictions are marked by yellow lines on the edge of the kerb and the restrictions will be signposted nearby. The only times a vehicle may ever park on a double yellow line is in an emergency and/or directed by a police officer.</p> <p>For reference we direct any enquiry to the Highway Code general rule 238.</p>

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2.0	Taxi Drivers	Petition in support of the new proposed penalty points system with a request that the system is implemented in “a responsible way”.		See response to item 1.0
2.1	David Green	Various comments regarding the draft policy.		<i>“the document is clearly old...”</i> the existing policy had been used to show proposed amendments. The updated version of the policy document is expected to be in place by May 2016 as stated and will reflect the relevant dates when published.

				<p><i>“the document seems to have been borrowed...”</i> The licensing authority works in partnership with other licensing authorities within the county and those on our neighbouring borders to share similar licensing conditions. The document has now been amended.</p> <p><i>“the document makes numerous references to ‘authorised officers.....’</i> Point 3.10 of the policy document states; Licensing and enforcement is carried out by District Council Officers appointed ‘Authorised Officers’ for that purpose and they have been issued with written authority to do so as well as having a District Council identity badge.</p> <p><i>“5.41.....CCTV...”</i> For licensing committee discussion.</p> <p><i>“9.10.....”</i> These are the terms and conditions of private hire.</p> <p><i>“9.15...”</i> These are the terms and conditions of private hire.</p> <p><i>“9.16.3....”</i> <i>These are the terms and conditions of private hire.</i></p> <p><i>“9.33....”</i> These are the terms and conditions of private hire.</p> <p><i>“9.55....”</i> We try to future proof the policy document as much as possible and allow for changes to third party documents therefore we add the caveat that should a police or authorised officer request a document the licensed driver should be able to provide it without having to list all documents that may be requested.</p> <p><i>“12.4...the following list whilst not exhaustive....”</i> We have not listed every offence or possible breach of the legislation and reserve the right to address such breaches should they occur.</p> <p><i>“the list at PP3.....”</i> This item covers the offence of obstructing an authorised officer in their duties and is listed under the relevant offences.</p>
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2.2	Mark Walton	Concerns regarding information on CCJ's, Penalty points i.e. parking on yellow lines, 'unofficial taxi system'.		<p>“...medicals...” The standards required are as laid down in the DVLA publication ‘At a Glance Guide to the Current Medical Standards of Fitness to Drive’. The standard required is the ‘Group 2 Entitlement’. You may have the medical with any GP but they must have access to your personal medical records and your own GP surgery may charge a fee for providing that information.</p> <p>“CCJ's very intrusive.....” This item is deemed relevant to the licensing authority; point 9.20 of the policy, The driver shall notify the District Council in writing if he/she receives any summons, charge, conviction, caution, formal or informal notice, County Court Judgement or fixed penalty notice within seven days of receiving such.</p> <p>“double yellow lines...” See point 1.0 above.</p>
2.3	Mark Holland	Wheelchair accessible taxis on rank spaces would require rear loading space.		<p>Should this proposal be agreed there would need to be a review of the use of hackney carriage rank space and the use of current provisions.</p>
2.4	Lisa Corbett	Various comments regarding the draft policy		<p>“Point 3.11.....Wheelchair Accessible Vehicles ”. The council need to consider the best approach to achieving the objective of guaranteeing a reasonable proportion of wheelchair accessible vehicles in Fenland’s hackney carriage fleet to ensure equality of access to all users of hackney carriage services. At the trade consultation meetings this issue was discussed in more detail and preferred options were put forward by the hackney carriage trade present at those meetings that will be reflected in the licensing committee report and considered by members. Under Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 and Section 37 of the Town Police Clauses Act 1847, the Council has the power to licence and determine the design and appearance of</p>

				<p>hackney carriages albeit there is no wish to lose the 'salon car' option.</p> <p><i>"Point 4.21....paying the cost of Mandatory Safeguarding Training?"</i> Existing driver costs paid out of licence fees and new drivers to obtain a certificate prior to any licence being issued.</p> <p><i>"Point 5.26.....cost..additional compliance test..."</i>. For members consideration.</p> <p><i>"Point 5.28 What is the clarification of History...."</i>. Any and all information about a vehicles past that may be applicable to the consideration of licensing the vehicle.</p> <p><i>"Point 5.29...cost.."</i> For members consideration</p> <p><i>"Point 5.37...fire extinguishers..."</i>. For members consideration.</p> <p><i>"Point 6.14..Meters..."</i>. The only updates the council would be involved in for meters is when there is an alteration to the mandatory fare tariff set by decision of Licensing committee members. All other considerations are between the vehicle proprietors and the supplier/agent for the meters including any cost of service required.</p> <p><i>"point 6.27..Roof signs..."</i> Points 6.26 to 6.29 as outlined in the draft policy document.</p> <p><i>"Point 9.20..CCJ's..."</i>. Council must be satisfied that drivers are fit and proper persons to hold a licence.</p> <p><i>"Point 12..Penalty Point System....."</i> The penalty point scheme is based on a 'light touch' approach to compliance and enforcement. The system is designed for the interest of the public as an aid to ensure continued public safety and to give the individual concerned a chance to rectify any relatively minor breaches of licence conditions without the need to resort to suspension, revocation or prosecution.</p>
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3.0	Mrs Brighty	Concerns regarding the use of Hackney Carriage Rank Space.		<p>A hackney carriage is a taxi that plies for hire on the street, as distinct from a private hire vehicle that cannot ply for hire and needs to be hired by phone, or by going to a point arranged by the private hire company that is not on the public highway.</p> <p>There are two ways of hiring a hackney carriage. One way is to hail the taxi in the street. The other method, which has become standard practice, is to go to a hackney carriage stand.</p> <p>Many hackney carriages have the name and phone number of the operator displayed on them. It is possible to phone that number to book a taxi but, when responding to such a booking, it will be on the same basis as if it were a private hire booking.</p> <p>A hackney carriage stand (hereafter referred to as a taxi rank) is a defined length of road on which the only vehicles allowed to park are hackney carriages while they are available for hire.</p>