



33 Sleights Drive
Wisbech
Cambridgeshire
PE14 7BT

01945 350314

7th March 2016

Licensing Regulatory Manager
Fenland Hall
County Road
March
Cambridgeshire
PE15 8NQ

FENLAND DISTRICT COUNCIL

STATEMENT OF HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY & CONDITIONS

With regard to the above document, which you intend to come into effect on 12 May 2016, I have briefly read it and wish to make the following comments.

This document is clearly old. *Having been approved by full Council on 15 December 2011 it will have effect from 1 April 2012.* Really? It has references to both the DSA (Driving Standards Agency) and VOSA (Vehicle Operators Services Agency) both of which closed nearly two years ago to be replaced by the DVSA (Driver and Vehicle Standards Agency), which is also mentioned.

The document seems to have been "borrowed" from another council as it makes 3 references to the "*Borough Council*".

The document makes numerous references to "*Authorised Officer*" yet fails to explain the term and how such individuals can be identified.

5.41 States *Licensed Vehicle proprietor may, subject to the written approval of the District Council, install and use a visible closed circuit TV surveillance camera in their vehicle which face outward and are for insurance purposes only.* Why is this? A dash cam for example facing outwards and recording no sound can be detrimental in what way? If anything it is advantageous for all protecting the driver as much as the passengers.

9.10 States *when hired to drive to a particular destination, a driver shall (subject to any directions given by the hirer) proceed to that destination by the shortest available route.* For a Hackney carriage operated on a meter this is quite right but for Private Hire is actually in many case ridiculous. The shortest route from Wisbech to

Leatherhead would involve travelling through the centre of London adding well over an hour to the journey and probably incur the congestion charge. Very few long distance private hire journeys will be on the shortest route but on the quickest and in all probability all private hire customers would require the quickest route.

9.15 States *The driver MUST, whilst driving a Private Hire vehicle, b. confirm the fare before the commencement of the journey in accordance with the District Council's regulations.* Many Private hire journeys are pre paid and the driver has no knowledge of the fare, especially if on a Council contract.

9.16.3 States *not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.* However on a long journey as many private hire journeys are there is a valid need to keep current with traffic conditions broadcast on local and national radio particularly if motorways are involved.

9.33 States *All drivers shall if required:*

b) *and removing it to or from the entrance of any building, station, or place at which the licensed driver may take up or set down the passenger.* There are no airports; docks and few train stations where this is possible when setting down. Leaving a vehicle unattended to comply with such a request may result in a Fixed Penalty ticket, prosecution or vehicle removal.

9.55 States *At the request of the Licensing Officers or a Police Officer, the holder of a driver's licence must within seven (7) days produce for inspection the following original documents:*

g. or any other document required by the District Council for inspection. This is too vague and open. The Council must know what documents it may need to inspect and must itemise them.

12.4 States *The following list, whilst not exhaustive, details the number of penalty points that will be awarded for the infringements shown.* It is totally unacceptable to have the phrase "whilst not exhaustive". Such a list must be clear and comprehensive.

The list at PP3 states that *Failure to attend the Council Offices when directed by an authorised officer will accrue 6-penalty points.* This seems to allow no negotiation as to an appropriate time and shows the council in its draconian attitude.

The issue of medicals and which GP's can carry them out has still not been resolved correctly. It seems that I can see a GP who specialises in such medicals (DVLA, PSV, HGV and many Councils Taxi medicals) at £40 yet he has to speak to my GP who I have not seen in 10 years at a further £135. Interestingly Fenland is the only one that has this requirement and he states that it is the worst medical form he has ever seen.

At this stage I have come to the conclusion that this STATEMENT OF HACKNEY

CARRIAGE & PRIVATE HIRE LICENSING POLICY & CONDITIONS is old, borrowed and not fit for purpose. In many places it is vague, disjointed, and even wrong. I have not even read the Hackney Carriage parts.

It states at 2.5 *it should also be noted that whilst every effort is made to ensure the accuracy of this guidance document Fenland District Council cannot be held responsible for any inaccuracies.* Please explain who is responsible?

At 2.6 it claims *In producing this document, Fenland District Council wishes to demonstrate its commitment to ensuring that the Hackney Carriage and Private Hire trades maintain the highest possible standards.* I would respectfully suggest that if this is true then Fenland District Council should start by example and devote proper time to providing a new, current and well thought out document instead of the lip service it currently has.



David Green