

## Comment Sheet

### Draft Hackney Carriage & Private Hire Licensing Policy

**Contact Details**

Name:	
Address:	
Please keep my contact details confidential	<input checked="" type="radio"/> Yes <input type="radio"/> No

Are you responding as:	
Driver	<input checked="" type="checkbox"/> Elected Member
Proprietor	<input checked="" type="checkbox"/>
Operator	<input checked="" type="checkbox"/>
Other (please specify)	

I would make the following comments on the Draft Private Hire and Hackney Carriage Policy:

First of all if I can draw your attention to the fact that online comments box doesn't allow to write in the boxes. I had to print out this comments sheet and filling in now on the printed sheet.

\* I agree to the proposal of age limit to be increased to 25 years for Hackney and 20 years for the private hire.

\* I am also in favour of the proposal of Medical test should be allowed from any GP, does it doesn't have to be your own GP.

I am also in favour of all the other proposals.

Please continue on separate sheet(s) if necessary.  
 Comments should be sent to: Licensing Team, East Staffordshire Borough Council, Town Hall, Burton upon Trent, Staffs, DE14 2EB or e-mailed to [licensing@eaststaffsbc.gov.uk](mailto:licensing@eaststaffsbc.gov.uk)

\* I have spoken to all most of the taxi drivers.

⊙ In my understanding the ALL THE TAXI DRIVERS I have spoken with are in favour of 25 years and 20 years of age for Hackney Carriage and private hire respectively.



## Comment Sheet

### Draft Hackney Carriage & Private Hire Licensing Policy

**Contact Details**

<b>Name:</b>	MR MEHBOOB HUSSAIN		
<b>Address:</b>	49 WARREN LANE, BRANSTON		
	B.O.T, STAFFS, DE14 3EN		
Please keep my contact details confidential		Yes	No <input checked="" type="checkbox"/>

Are you responding as:			
Driver	<input checked="" type="checkbox"/>	Elected Member	
Proprietor	<input checked="" type="checkbox"/>		
Operator			
Other (please specify)			

I would make the following comments on the Draft Private Hire and Hackney Carriage Policy:

<p>PROBATA SHOULD BE REINTERPOLLE, THIS MAKE TOTAL SENSE, DUE TO THE FACT IF YOU HAVE TO CHANGE A VEHICLE AND ITS CURRENT VEHICLE IS STILL RATED FOR A LONG TIME, THEN A SMALL ADMIN FEE SHOULD HAVE TO BE PAID, NOT 90% OF THE FULL FEE AGAIN. MANY OTHER COUNCILS AROUND THE COUNTRY HAVE LICENCED TAXIS OPERATING WHICH ARE 20-15 YEARS OLD, AND MAINTAINING AND NOW RUNNING PERFECTLY. THIS WILL ALSO CASE PRESSURE OF DRIVERS, BECAUSE AT THIS MINTUE OF TIME VEHICLE PRICES ARE SKY HIGH AND UNAFFORDABLE FOR A MAJORITY OF DRIVERS. BY ALLOWING US TO HAVE THE EXTENDED AGE LIMIT IT WILL DEFINITELY BENEFIT ALL IN THE TRADE.</p>

Please continue on separate sheet(s) if necessary.  
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## Comment Sheet

### Draft Hackney Carriage & Private Hire Licensing Policy

**Contact Details**

<b>Name:</b>	MOHAMMED IKHLAG		
<b>Address:</b>	26 KINGSMEAD		
	STRETTON		
	BURTON ON TRENT		
	STAFFORDSHIRE		
Please keep my contact details confidential		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

<b>Are you responding as:</b>			
Driver	<input checked="" type="checkbox"/>	Elected Member	<input checked="" type="checkbox"/>
Proprietor	<input type="checkbox"/>		<input type="checkbox"/>
Operator	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Other (please specify)			

I would make the following comments on the Draft Private Hire and Hackney Carriage Policy:

1.	BE ABLE TO REPLACE MECHANICAL BREAKDOWN VEHICLE WITH HIRE VEHICLE REPLACEMENT:
2.	TO REMOVE ROUTE PART OF THE TEST BECAUSE WITH NEW TECHNOLOGY + SAT NAVS (I LLIVE WITH BRAMCOTLANDERS)
3.	TRANSFER FEES TO BE LOOKED INTO. (TOO HIGH)

Please continue on separate sheet(s) if necessary.  
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## Comment Sheet

### Draft Hackney Carriage & Private Hire Licensing Policy

**Contact Details**

<b>Name:</b>	MR. MAROOF HUSSAIN		
<b>Address:</b>	175, BURTON RD, BRANSTON		
	BURTON - ON - TRENT, STAFFS, DE14 3DR		
Please keep my contact details confidential		Yes	No <input checked="" type="checkbox"/>

Are you responding as:			
Driver		Elected Member	
Proprietor	<input checked="" type="checkbox"/>		
Operator			
Other (please specify)			

I would make the following comments on the Draft Private Hire and Hackney Carriage Policy:

I think the age limit should be extended on all vehicles because in the current climate it is very difficult to purchase a new vehicle according to the current age limit. Vehicle prices for a low mileage in good condition is in the region of £8,000 - £10,000 and is not possible for the majority of drivers. By extending the limit it will give drivers a lot of breathing space and chance to buy a good vehicle at an affordable price. A large portion of other countries allow a lot older vehicles to operate than ESBC. The Pro Rata system should come back into effect, because it is not fair that a plate can be licensed for 1 month or 12 months at the same price and if you need to change a vehicle during the plate period you have to re-pay full again.

Please continue on separate sheet(s) if necessary.

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## Andrew Price

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**From:** Cllr G Marjoram  
**Sent:** 18 October 2018 18:04  
**To:** Louise Kemplay  
**Subject:** RE: Policy Review Consultation

Dear Louise

Thank you for this. I have just received comments from our local private hire firm from whom I requested observations. I am aware that the date for comments expires today but hopefully the observations here can be considered, albeit sent in after office hours,

1. It is suggested that the age limits for private hire and hackney should be brought into line, I understand that at the moment some vehicles are converted to hackney when 7 years old
2. Illegal pop-up rank problems exist at Uttoxeter racecourse on racedays and regularly at Uttoxeter station and market place, there are no marked ranks in Uttoxeter which makes it understandable that hackneys create their own but unfair practices make it difficult for the private hire trade to compete

Kind regards  
Gordon

**From:** Louise Kemplay  
**Sent:** 20 September 2018 16:32  
**To:** DL Councillors-All <DLCouncillors-All@eaststaffsbc.gov.uk>  
**Subject:** Policy Review Consultation

Dear Cllr,

Please see information below regarding two current Consultations regarding proposed changes to the Hackney Carriage and Private Hire Policy and the Gambling Act Policy.

In the event that you have any queries or would like further information, please do not hesitate to contact me on the number below or the Licensing Team on (01283) 508310 or by email: [licensing@eaststaffsbc.gov.uk](mailto:licensing@eaststaffsbc.gov.uk)

Kind regards,

Louise Kemplay  
Interim Enforcement Manager  
East Staffs Borough Council  
Tel: 01283 508343  
Email: [louise.kemplay@eaststaffsbc.gov.uk](mailto:louise.kemplay@eaststaffsbc.gov.uk)

### **Hackney Carriage and Private Hire Policy**

East Staffordshire Borough Council proposes to review the policy that regulates the Hackney Carriage and Private Hire trades within the Borough of East Staffordshire.

The aim of the policy is to secure the safety and amenity of the travelling public and to ensure that drivers provide taxi services while facilitating a sustainable taxi industry.

The Council, in adopting the licensing policy recognises both the needs of residents for safe, healthy, convenient, and effective taxi transport and the importance of this provision to the local economy and vibrancy of the Borough.

[View current version of the taxi policy.](#)

[View matrix of proposed changes](#)

Any comments should be made by the 18<sup>th</sup> October 2018 using the [comments form](#). This is also obtainable from the Licensing Section at East Staffordshire Borough Council.

If you require any further information please contact the Licensing Team on 01283 508310.

Completed comment forms can be emailed to [licensing@eaststaffsbc.gov.uk](mailto:licensing@eaststaffsbc.gov.uk) (link sends e-mail)

### **Gambling Act 2005 - Review of Statement of Gambling Act Policy**

Under the terms of the Gambling Act 2005, East Staffordshire Borough Council, being the licensing authority under the Act, is required to review its Gambling policy statement every three years. The original Gambling Act policy came into effect in November 2006. The policy must now be reviewed and re published. The consultation will take place from 20<sup>th</sup> September 2018 to 18<sup>th</sup> October 2018

The consultation process must take place before the policy can be reviewed and republished.

On reviewing the policy the Council has taken into consideration any new guidance issued by the Gambling Commission.

After reading the policy, please answer the questions on the attached questionnaire. There is an opportunity for you to provide any additional comments in section 2. All responses will be considered prior to the adoption of the revised Policy.

[View the draft Gambling Act Policy](#)

[View and complete the feedback questionnaire](#)

Once the consultation process is complete a report and revised policy will be prepared for adoption by the Authority. A revised policy will then be available for viewing on the Councils website.

Completed questionnaires can be emailed to [licensing@eaststaffsbc.gov.uk](mailto:licensing@eaststaffsbc.gov.uk) (link sends e-mail) or forwarded to the following address:

East Staffordshire Borough Council  
Licensing Team  
PO Box 8045  
Burton upon Trent  
Staffordshire  
DE14 9JG

For more information please contact the Licensing Team, telephone 01283 508310

**From:** Cllr A J Legg  
**Sent:** 03 October 2018 09:59  
**To:** Angela Wakefield <[angela.wakefield@eaststaffsbc.gov.uk](mailto:angela.wakefield@eaststaffsbc.gov.uk)>  
**Subject:** Re: Policy Review Consultation

Dear Angela

I have read the email and can I please make a comment I have no problem with the things to be considered. but would like to make the following comments please for the safety of the users and the drivers I would like to see CCTV in all taxis and hackneys I would also like to see the door panels kept please also I would like to see a mystery shopping case study this would help when ringing for taxis as well as the less able who use taxis.

thanks  
kind regards  
Alison

thankyou

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## Andrew Price

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**From:** Andrew Price  
**Sent:** 17 October 2018 14:40  
**To:** Louise Kemplay  
**Subject:** Policy review consultation

Good afternoon Louise

These are the points I wish to be considered at tonight's meeting:

- Age limits for both Hackney & P/H vehicles should be standardised. Previously P/H vehicles have been converted to Hackney when 7 years old.
- Illegal pop-up rank problems exist at Uttoxeter racecourse on racedays but all the time in Uttoxeter Market Place and railway station. Private Hire trade unable to compete due to unfair practices. NO marked ranks in Uttoxeter, therefore, Hackneys create their own wherever they identify a need.
- Reception at Millers Lane unsuitable for purpose. The external buzzer does not create a welcoming reception for visitors whilst waiting outside without shelter .

I will bring a paper copy of these points with me tonight as usual.

Many thanks.



## Andrew Price

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**From:** Andrew Price  
**Sent:** 12 October 2018 11:47  
**To:** Louise Kemplay  
**Subject:** RE: My response to proposed Taxi Policy changes

Hi Lou

Having looked at the taxi trades proposals and having considered Johns comments I must agree with Johns position on this. We are first and foremost responsible for ensuring the public are kept as safe and secure whilst using a licenced vehicle as possible, that as to be our primary concern and not the taxi trade business concerns. I welcome any ideas they may have to improve the public's safety or indeed to improve the service they offer to the public but any suggestions made with a view to just improving their business or profitability should not be a consideration for the authority. I hope you find my comments helpful.

Kind Regards  
Andy

**From:** Louise Kemplay  
**Sent:** 11 October 2018 11:44  
**To:** John Thompson <John.Thompson@eaststaffsbc.gov.uk>; Enforcement <enforcement@eaststaffsbc.gov.uk>  
**Subject:** RE: My response to proposed Taxi Policy changes

Many thanks, John.

Andy/ Jeanette – have you anything to add as we will class it as a collective response on behalf of the Enforcement Team.

Kind regards

Louise

**From:** John Thompson  
**Sent:** 11 October 2018 11:27  
**To:** Enforcement <enforcement@eaststaffsbc.gov.uk>  
**Subject:** My response to proposed Taxi Policy changes

Consideration	Options/Proposal/Change
The Council is permitted by law to issue a certificate of compliance confirming that a vehicle has reached the standard required to pass an MOT test plus additional requirements of the Council concerning safety, comfort and the aesthetics of the vehicle. The compliance certificate only relates to a vehicle for a maximum period of 12 months, provided that the vehicle is licensed as a hackney carriage or private hire vehicle during that period. The Council reserves the right to request that the compliance test be completed at any time at the proprietor's expense.	Representatives from the Trade have requested that the Certificate of Compliance is to be an annual process and not on a six monthly basis.

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My view on this is that licensed vehicles should be tested on a six monthly basis. It would not be unusual for a licensed vehicle to travel 50000 in a twelve month period, and this has been checked as a realistic figure from existing licensing records. A new front tyre should last for 20000 miles, so a six monthly C of C would be sensible to ensure that tyres are being changed. Additionally, it is a very common practice for licensed vehicles to be fitted with part-worn tyres (I don't think this should be allowed but would be very difficult to police), so their lifespan will be considerably shorter than 20000 miles. This being the case, even 6 monthly C of C checks would be too short a period to ensure safety; increasing the period to twelve monthly would certainly not be in the public interest.

<p>The Policy states that vehicles will be subject to periodic, random inspections by authorised officers of the Council, or its agents to ensure the vehicle and/or its taximeter is fit for purpose. Where a delegated Officer is satisfied that a vehicle fails in any respect to meet any specification or condition of licence or the relevant construction and use regulations require by law they may suspend a vehicle licence for any specified period. Where an authorised officer of the Council has reasonable grounds to suspect that the condition of the vehicle poses a danger to either passengers or other members of the public, he/she may serve on the driver/proprietor a vehicle defect notice. In such cases the vehicle licence shall immediately be suspended until such time as the defect(s) have been remedies. The suspension shall not be lifted until it is proved to the authorised officer that the vehicle defect has been corrected.</p> <p>Section 68 of the Local Government (Miscellaneous Provisions) Act 1976 refers.</p>	<p>Representatives from the Trade have requested that vehicle inspections that are currently done by the Council to be undertaken by the Testing Stations to save time</p>
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Vehicles are inspected by Enforcement/Licensing Officers on an ad hoc basis, and I feel that this is an important part of the enforcement process. Officers regularly find a lack of compliance, with some vehicles not carrying important safety equipment such as fire extinguishers, and also failing to display plates and panels which clearly identify vehicles as being licensed, and are there for public safety. These must be done as and when, and not left to 12 monthly checks when drivers can ensure that vehicle equipment is in place just to pass the test. Other checks carried out by licensing officers, such as wheel chair safety and window tinting is also important for public safety, and is not covered by the C of C check.

<p>When granting and renewing vehicle licences and providing all requirements are met, the Council will issue a 12 month vehicle licence for vehicles under 7 years old for a private hire vehicle and non-wheelchair accessible hackney carriages and 10 years old for a purpose built hackney carriage and providing it has passed a Council compliance test at an appointed test station. In the final year of licensing the Council will issue a licence until the day before the</p>	<p>Representatives from the Trade have requested that the age limits in respect of all vehicles to be increased to ten years for Private Hire and fifteen years for Hackney Carriage vehicles</p>
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## **East Staffordshire Borough Council**

### **Taxi / Private Hire Licensing Policy Consultation**

#### **Staffordshire County Council Response – September 2018**

The County Council is a significant buyer of taxi and private hire services across the County. Taxi/Private Hire operators provide the majority of the County Council's Special Educational Needs home to school transport and a small, but nevertheless significant, proportion of mainstream home to school transport (i.e. primary, middle and secondary schools). These services are provided under contract, within an EU Framework Agreement. The County Council's conditions of contract require that all contractors adhere to a high standard of delivery, which fits closely with raising standards through revision to licensing policy. We are keen to continue working with all licensing authority partners to maintain and improve standards of service delivery.

#### **MOTs / Certificate of Compliance**

It is our strong view that reducing the frequency of MOT / Compliance Tests would compromise public safety and, therefore, should remain at least 6 monthly intervals. Private Hire Vehicles and Hackney Carriages cover extremely high mileages and are not subject to any statutory safety inspection regime in between MOT tests. This means that the MOT / Compliance Test is the only assurance available regarding the safety of vehicles.

Our experience is that the focus on vehicle maintenance and roadworthiness within the PHV and Hackney Carriage sectors is somewhat variable. In light of the high mileage and arduous work to which these vehicles are put, vehicle defects can develop quickly and become safety critical. Given the lack of structured vehicle maintenance and safety inspection in much of the industry, higher frequency MOT tests are vital.

We would, therefore, request:

- MOTs are maintained at a minimum 6 monthly interval.
- Consideration be given to increasing number of MOTs per annum to three or four for vehicles above a certain age e.g. 7 years.
- Vehicle proprietors are obliged to provide evidence of rectification for advisory defects as well as defects causing failure of MOT.
- That ESBC arrange for all MOTs to be entered as MOT tests on the DVSA system so that the results are accessible to all through the "MOT History" service on .gov.uk.

## **Inspections by Testing Station**

The nature of the proposal is a little unclear from the matrix of changes as published. For the purposes of this response, it has been read as stating that the change proposed is for only test stations to examine vehicle defects and not Council Officers.

As understood, the proposal is not supported. It is our view that approved officers of ESBC should have ability to inspect and suspend vehicles at any location. Requiring that a vehicle proceed to a test station in the event of a defect being noted or suspected could lead to a public safety risk and the vehicle being driven in an unroadworthy condition. Placing an immediate suspension on a vehicle at the location it is inspected places a greater onus on the driver to have the vehicle recovered to a garage or attended to at that location before the vehicle is driven. Notwithstanding this, the option of an officer being able to require an immediate MOT test is a useful tool where either a defect is suspected or a vehicle cannot be safely examined at the location an officer encounters it.

## **Increase to Vehicle Age Limit**

The proposals as set out to increasing vehicle age limits are of concern. However, some variation to age limits could be progressed with some accompanying measures to maintain a reasonable level of assurance concerning the safety of vehicles.

It is our view that the vehicle age limit could be reviewed as follows:

- Private Hire Vehicles – increased from 7 to 10 years, albeit with the frequency of MOTs increased to minimum of three per year from 7 years old.
- Hackney Carriage Vehicles – increased from 10 to 12 years for purpose built Hackney Carriages, albeit with the frequency of MOT increased to minimum of three per year from 7 years old.
- A maximum mileage limit of 500,000 after which the vehicle is no longer licensed regardless of age.
- Obligation on vehicle proprietors to address all MOT advisories to prevent minor defects from progressing into major defects.

Given the increasing emphasis being placed upon urban air quality, the age limit policy could additionally be used to incentivise the take up of electric vehicles such as the London Taxi Company TX EV. For example, a further 2 years could be allowed on top of the standard age limits for fully electric vehicles licensed as Private Hire or Hackney Carriages. This would then provide vehicle proprietors with the opportunity to offset any additional capital costs over a longer payback period whilst benefitting from lower day to day vehicle running costs.

### **Medical Standards**

As PHV / Hackney Carriage drivers are professional drivers, carrying members of the public, including vulnerable passengers, the continued adoption of Group I medical standards is opposed. It is our strong view that given the nature of the job, that Group II medical standards as applied to PSV and HGV drivers should be adopted by ESBC. We would request that the policy be amended to require a DVLA Group II medical, using a D4 or similar form. The option to acquire such a medical from a doctor other than the driver's own GP is supported.

### **Door Plates**

It is important for public safety and safeguarding of vulnerable passengers that both Private Hire Vehicles and Hackney Carriages (where relevant) clearly display the name of the company that they are working for. This could be in the form of vinyls, magnetic signage or other sign writing on the vehicle. We do not believe that door panels of themselves are necessary providing that any vehicle working for a Private Hire Operator is carrying the Operator Licence Holder's trading name / livery prominently on the vehicle. Hackney Carriages working on their own account should remain clearly identifiable as Hackney Carriages, albeit this could be achieved by measures other than door panels.

### **"Vaping"**

The proposal to include use of "vaping" devices, electronic cigarettes or similar within the smoke free stipulations for all Private Hire Vehicles and Hackney Carriages is fully supported.

### **Institute of Licencing Guidance.**

The adoption of the IoL's Guidance on the suitability of applicants is fully supported. We would also request that ESBC give consideration to requiring all applicants sign up to the "DBS Update" service. This would assist in reducing administration and duplication of DBS checks between organisations. An applicant with an enhanced DBS certificate and valid update service can then use this to demonstrate to any licensing authority or employing organisation that their DBS certificate is both valid and genuine.

## **Knowledge Test**

The extension of the knowledge test to include an oral component is fully supported. We would request that the oral component is also used to assess whether the applicant has a sufficiently reasonable knowledge of English for the role they are undertaking. It is important that drivers particularly are able to communicate with and understand vulnerable passengers so that their needs are fully met.