

## HACKNEY CARRIAGE AND PRIVATE HIRE REVIEW OF CONDITIONS AND POLICIES

**Table 3: Issues not to be pursued in this review**

| No. | Issue   | Benefit of change   | Community response   | Trade response   | Cost to applicant/licensee | Officer response/comment  | Panel response  | Council Resource implications | Panel Recommendations | Recm'd Implmtn. Date |
|-----|---|---|--|--|----------------------------|---|---|-------------------------------|-----------------------|----------------------|
|     | GENERAL   |   |  | <p><b>TRADE RESPONSE</b></p> <p>In the light of the European Petitions Commission Report 28.4.03, proposed changes in policy and conditions ought to be accompanied by a cost impact assessment undertaken by the Council, scrutinised by an independent arbiter and translated into a rate increase in the fares so that the costs can be funded by the proprietor.</p> <p>The Reigate &amp; Banstead Taxi Association is in favour of all real improvements in standard of safety and service. It also recognises that the safety of the public and the safety of the drivers can at times conflict. On average each year 22 taxi drivers are killed by the public in this country. The approach has, therefore, to be balanced. The Association is not in favour in instituting measures which pay lip service to improved safety in the absence of evidence that real improvements will be the result.</p> <p>In general terms the association welcomes improvements in clarity, training provision, safety and the opportunity to establish a quality partnership to enhance the service available to the public. It has already expressed its support for the new omnibus running late on Friday and Saturday to Horley from Redhill and the voucher scheme. It must however emphasise that increased bureaucracy, additional costs which are unnecessary or do not directly improve the service provision or which may have a tendency to further destabilise businesses which currently are struggling for survival must be avoided.</p> |                            |   | Any proposed changes must be qualified and in keeping with spirit of legislation. Officers have indicated in the consultation document why the condition is necessary, and what Reigate & Banstead BC wish to achieve by imposing each condition or policy. |                               |                       |                      |
| 42  | <p><b>DISABILITY AWARENESS TRAINING</b></p> <p>Question 3</p> <p>Question: Are you in favour of <b>new</b> drivers having to undertake this training?</p> <p>Question: If Yes, do you consider the start date of 01.01.06 to be reasonable?</p> <p>Question: Are you in favour of <b>existing</b> drivers having to undertake this training?</p> <p>Question: If Yes, do you consider the start date of 01.01.06 to be reasonable?</p> <p>All drivers to undertake disability awareness training to include: Blind and partially sighted people; Deaf or hearing impaired people; Wheelchair users; People with speech impairments; Ambulant disabled people; People with learning disabilities; mental health problems; People who might be disfigured. Drivers of wheelchair-accessible vehicles to be trained in the safe carriage of wheelchair users in vehicles. With effect from (date to be agreed) new applicants will be required to undertake the training. With effect from (date to be agreed) all existing licensed Hackney Carriage and Private Hire drivers will be required to undertake the training before their licences are renewed.</p> | <p>New Policy</p> <p>This is a new requirement and would involve Council resources in setting up a training scheme. It would assist with requirements of the Disability Discrimination Act 1995. The Disabled Persons Transport Advisory Committee (DPTAC) recommends making the training of drivers compulsory, as the training would help to make a driver a "fit and proper person". The Council could consider subsidising this training – and seek funding from relevant agencies.</p> | <p>Yes – 12<br/>No – 0<br/>No Comment - 1</p> <p>Yes – 9<br/>No – 3<br/>No Comment - 1</p> <p>Yes – 11<br/>No – 1<br/>No Comment - 1</p> <p>Yes – 11<br/>No – 1<br/>No Comment - 1</p> <p>Disability Awareness Training necessary asap as more and more disabled people rely on taxis. It should be done over a longer period, maybe a max of 5 years. Sooner. Would be willing to provide info regarding the needs of hearing dog owners and how to recognise hearing dogs.</p> | <p>Yes 33<br/>No 3<br/>No comment 0</p> <p>Yes 31<br/>No 0<br/>No comment 5</p> <p>Yes 6<br/>No 29<br/>No comment 1</p> <p>Yes 5<br/>No 29<br/>No comment 2</p> <p>Old people don't like climbing into London style taxis or big cars and prefer saloons. Often require driver to carry shopping into house. Random checks on taxi and P.H. vehicles are good, like other councils.</p>  | Not known.                 | <p>Majority of customers in favour. Trade generally in favour of training for new drivers, but against training for existing drivers – they would want any training funded.</p> <p>Suggest we should leave it out of this review but set up training as soon as we can (funded by the Council?) and then bring it into force for new drivers, and on renewal of existing driver licences.</p> | <p><b>Decision of Hackney Carriages Review Panel (meeting on 15.7.04: not to pursue this issue further at this stage of the review, as significant further investigation would be required.</b></p>   |                               |                       |                      |

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| 43  | <p>STANDARD COLOUR/LIVERY<br/>Question 6<br/>Question: Do you agree with having a standard colour/livery for taxis?</p> <p>Question: Do you agree with having a standard colour/livery for private hire vehicles?</p> <p>To adopt a colour/livery, e.g.:<br/>HC: Black with white bonnet and boot White with black bonnet and boot White with coloured diagonal on doors. All black. All white Purpose-built HC, approved by the Council, to be any colour. PH: All PH to be a particular colour (not the same as HC) e.g. silver. All PH to be any colour (not the same as HC)</p> | All HC and PHV would be more readily identifiable, although there are other ways of making vehicles easily recognisable. | <p>Yes 9<br/>No 3<br/>No comment 1</p> <p>Yes 8<br/>No 4<br/>No comment - 1</p> <p>Plates most necessary for all vehicles.</p> | <p>Yes 4<br/>No 32<br/>No comment 0</p> <p>Yes 2<br/>No 34<br/>No comment 0</p> <p>If single colour, should include purpose built vehicles but high cost, could phase in as vehicles replaced (comment x 2)<br/>Difficult for public to report problems if all vehicles the same.<br/>HC recognised by roof signs so P.H. shouldn't have them (comment x 14)<br/>Colour should be universal (include purpose built vehicles (comment x 5)<br/>HC recognition is effected by means of Council approved roof signs with lights (comment x 2)<br/>Most recognised by roof signs and operate at ranks and few hailed so colour of little use.<br/>Not feasible.<br/>Our fleet going gradually silver.<br/>Too expensive to spray cars.<br/>Would look nice but is not needed.<br/>Would not support livery for executive vehicles – customers would go elsewhere.<br/>Livery only for PH vehicles.<br/>Current recognition of Hackney Carriages is effective by use of the large and illuminated signs. Liveried cars would not be a benefit to the customer commensurate with the respray costs which, to effect a quality product, would be in excess of £1,000. The notion that a purpose built vehicle should be treated differently to the rest of the fleet is not equitable and divisive.</p> | <p>Up to £1,300</p> <p>It would be expensive for owners if we required a vehicle or parts of a vehicle to be sprayed a contrasting colour, and then re-sprayed when licence ended.</p> | <p>New condition. This review of conditions gives the opportunity to specify a particular colour or livery for HC or PH which could assist members of the public by providing readily identifiable vehicles e.g.: Brighton CC require HC to be white with turquoise blue bonnet &amp; boot. Crawley BC requires HC to be white unless it is a purpose-built vehicle approved by the Council and PH shall not be coloured white or similar colour.</p> <p>Customers overwhelmingly in favour, trade overwhelmingly against.</p> <p>Officers are not in favour of imposing a livery requirement as part of this review as it is considered to be a "luxury" and the cost outweighs the benefit.</p> <p>Suggest we do not proceed with this item at this review and consider it at another review.</p> <p>HC are currently easily recognisable by the large illuminated "TAXI" roof sign.</p> <p>PHV would be more readily recognisable if an illuminated roof sign was fitted (which would be considerably smaller than the HC sign to avoid confusion). The Health Committee on 17.9.96 refused to allow illuminated signs on Private Hire Vehicles.<br/>CROSS REFERENCE TABLE 1, ITEM 10.</p> | <p><b>Decision of Hackney Carriages Review Panel (meeting on 15.7.04: Not to pursue this issue further at this stage of the review, as significant further investigation would be required.</b></p> <p>Decision of the Hackney Carriages Review Panel (meeting on 24.11.04: Livery: General support as it makes the vehicle instantly recognisable. Not appropriate for Executive vehicles. Consider a banner over the door or magnetic door sign on PH vehicles (not for Executive vehicles). If it was agreed there should be a gradual introduction.<br/>Issue of impostors working at the airport that are not licensed supports the argument for the livery approach.<br/>Consider the balance of financial implications on operators.</p> |                               |                       |                      |
| 44  | <p>CONSTRUCTION<br/>Question 8: Do you agree with the requirement that all vehicles should meet the DfT Type Approval standards?</p> <p>With effect from (date to be agreed) each vehicle licensed for the first time must have European Whole Vehicle Type Approval or UK Low Volume Type Approval or meet the Transport for London Conditions of Fitness (as amended from time to time).</p>  | All vehicles would meet specified standard.  | <p>Yes 12<br/>No 0<br/>No comment 1</p>  | <p>Yes 33<br/>No 2<br/>No comment 1</p> <p>M1 tested as minimum where appropriate.<br/>Need more info on how will affect us.<br/>All vehicles should be of manufactures type warranty, specialised vehicles limited to disabled passengers.</p>  | None.  | <p>New condition. This is to ensure that specially constructed wheelchair accessible vehicles are suitable. We could be more or less strict. Further details of Type Approval can be provided).<br/>(Category M1 – vehicles used for the carriage of passengers having no more than 8 seats in addition to the driver – all taxis and PHV come into this category.) Type Approval is a separate matter, all vehicles from main manufacturers have Type Approval, but vehicles which have been converted may not have had the conversion work approved.</p> <p>Type Approval: We need to go into this in detail and submit a separate report. If we require Whole Vehicle Type approval we are restricted to 4 manufacturers of wheelchair-accessible vehicles. Currently 2 manufacturers of London-type black</p>   | <p><b>Decision of Hackney Carriages Review Panel (meeting on 15.7.04: not to pursue this issue further at this stage of the review, as significant further investigation would be required.</b></p>   |                               |                       |                      |

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|     |  |  |  |  |                            | <p>cabs - Metrocab and LTI (London Taxi International) - have ECWVTA (European Whole Vehicle Type Approval). Andrew Overton of LTI has informed me that there are two converters that have obtained ECWVTA with the "E7" and the "European".</p> <p>A lesser standard is Low Volume Type Approval for production or conversion of up to 500 vehicles per year (certificate from the Vehicle Certification Agency (VCA).</p> <p>However, this costs approx £25,000. For example, Universal Vehicle Conversions Ltd (UVCL) who converts Mercedes, Renault, Ford and Volkswagen say "it is not cost effective for us to gain VCA low volume type approval".</p> <p>We do not know how many companies that provide converters have obtained LVTA for their conversions to wheelchair-accessible HC and PHV.</p> <p>The effect on the trade of type approval would be both a higher cost and limited choice.</p> |   |                               |                       |                      |
| 45  | <p><b>VEHICLE CONVERSIONS</b><br/>Question 9: Do you agree that any converted vehicle must be certified to ensure fitness?</p> <p>A vehicle which has been converted from the original 'type approval' category (e.g. van to minibus) as well as modified for use (e.g. MPV converted to carry disabled passengers or wheelchairs) must provide proof that the conversion has been examined and certified by the Vehicle Inspectorate, Vehicle Certification Agency, DfT or any other recognisable body acceptable to the Council.</p> | No uncertified vehicles would be accepted for licensing. | <p>Yes 12<br/>No 0<br/>No comment 1</p> <p>None.</p> | <p>Yes 35<br/>No 1<br/>No comment 0</p> <p>Full testing certificate where appropriate. Should go without question.</p> | None.                      | <p>New condition.<br/>This information is taken from PCO follow-up consultation paper on vehicle licensing.</p> <p>See response to item 44 above.</p>   | <p><b>Decision of Hackney Carriages Review Panel (meeting on 15.7.04: Not to pursue this issue further at this stage of the review, as significant further investigation would be r required.</b></p> |                               |                       |                      |
| 46  | <p><b>OPERATOR'S BASE</b><br/>An application for a Private Hire Operator licence will not be considered unless the operating base is in the Borough of Reigate &amp; Banstead.</p>   | More practicable for enforcement.                        |  | None.  |                            | <p>This has always been usual practice but has not been formally adopted as policy. The Local Government (Misc. Provisions) Act 1976 does not require the operating base to be within the Council's boundaries, but enforcement would be impracticable if the Council granted licences to operators who were not based within the borough.</p> <p>Remove the suggested amendment not to license unless the operating base is in the Borough as this would be contrary to the Act.</p> <p>Better technological communication systems are making this option appear more attractive to operators, however officers need to seek</p>   | <p><b>Decision of Hackney Carriages Review Panel (meeting on 15.7.04: not to pursue this issue further at this stage of the review, as significant further investigation would be required.</b></p>   |                               |                       |                      |

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|                                       |   |  |                    |   |                            | further legal advice with regard to developing enforcement protocols and arrangements to inspect premise outside the Borough.  |                |                               |                       |                      |
| ADDITIONAL COMMENTS FROM CONSULTATION |   |  |                    |   |                            |  |                |                               |                       |                      |
|                                       | Section 13, page 34 of the Draft Review of Policies and Conditions –<br><br>Extracts from the Office of Fair Trading (OFT) Report<br>"The regulation of licensed taxi and PHV services in the UK" | Comment from Reigate & Banstead Taxi Association<br><br>In section 13 of the proposals reference is made to the OfT report. The director of this report admitted to a parliamentary committee that far from being an independent review of the facts the report was written to support a perceived view that it was Government policy to delimit numbers of hackney carriages and that the factual evidence was then weighted to support that view. The committee did not accept the report and the subsequent recommendation in the report was discredited.<br><br>The notion that the public should be able to negotiate fares less than the meter is all very well in theory but as the document suggests it is not easy to see how it can work in practice. Further the notion is inequitable. If the public are able to negotiate downwards the corollary should also apply. This association has been informed that currently in the borough some private hire companies are running larger vehicles including hackney carriages within the borough at fares vastly exceeding that charged on the meter (fare and a half or double fare for 6-seater vehicles) in contravention of current regulations. In some other areas in the country Marshals are employed by the local authorities in the evenings to inform the public of estimated fares and arrange for the drivers to be paid up front thus removing another contentious area. It should be stressed that these marshals must be independent, not promote one service provider over another and not encourage the public into trying to brow beat drivers to accept lower fares. There is clear misunderstanding of the difficulty faced by most drivers in making even a minimum wage income from this business. In fact most drivers would be ecstatic if they managed to retain £4.50 per hour after all expenses. |                    |   |                            | Officers have received no complaints of overcharging on the meter for hackney carriages with 5-8 seats.<br><br>When a hackney carriage is hired for a journey which ends outside the borough, then the meter does not have to be used and the method of charging for the journey must be agreed in advance with the passenger (as is done with private hire bookings). |                |                               |                       |                      |
| 47                                    | Engine capacity minimum 1600 cc. No change.   | No change.   |                    | Minimum engine capacity: Consideration should be given to the current developments of hybrid fuel systems (e.g. Petrol/electric) and to the fact that modern engines have a higher power output per cc. (comment x 6). Perhaps Brake Horse Power may be a better measure. |                            | Vehicles may carry up to 8 passengers and luggage and officers consider 1600cc to be appropriate. To assess adequacy of engine by BHP would be impracticable.  |                |                               |                       |                      |