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156 CENTRAL DRIVE, BLACKPOOL, LANCASHIRE FY1 5EA

Officially
A BLACKPOOL'S No. 1 TAXI COMPANY

04 FEB 2010

3 February 2010

Vicky Cartmell
Westgate House
Blackpool
FY4 2TS

Dear Ms Cartmell

I write in response to your letter dated 30 December 2009 in which you gave us the opportunity to make comments by 3 March 2010.

I am the Managing Director of one of Blackpool's largest Taxi/Private Hire companies and the operator of eight hackney carriages.

I believe that an age limit of just six years for all none purpose built vehicles, i.e anything but LTI's, would have a great financial impact on a lot of taxi/private hire proprietors especially the latter who have no alternative vehicle to choose from.

Already this year, one month, we have had three operators leave the company owing to financial difficulties. One of them had a two year old vehicle but could not afford to keep up the hire purchase payments, another has a ten year old vehicle but cannot afford to replace it with a three year old one. Two operators at both ends of the scale who cannot carry on.

Blackpool has seen a dramatic fall in visitors over the last eight years and the present economic climate has seen a fall in the number of people using taxis for both pleasure and work.

Having operated both purpose built and saloon type vehicles over the years I can say that the saloon type are far more robust and cheaper to maintain.

I would respectfully suggest a limit of eight years phased in gradually. This would enable proprietors to buy a vehicle five years of age and use it for three therefore giving a wider scope.

Cont'd

- 2 -

I have been a taxi driver for twenty eight years and I have seen a decline in takings commensurate with fuel and maintenance costs. I just do not believe that earnings are sufficient enough for such a drastic step.

I have no objections to any of the other proposals.

Yours sincerely

A handwritten signature in cursive script that reads "David King". The signature is written in black ink and is positioned above the typed name and title.

DAVID KING
Managing Director

6 Counce Street Blackpool FY1 3DN
Telephone: (01253) 292929
Facsimile: (01253) 752810
taxis@ccabs.net

CCabs

CARE • COMFORT • COURTESY

29 29 29

03 MAR 2010

V Cartmell
Licensing
Westgate House
Blackpool
FY4 2TS

3 March 2010

Dear M/s Cartmell

We are writing to you to object in the strongest possible terms to the proposed reduction of age policy regarding non purpose built vehicles in the hope that common sense will prevail.

Over the past few months we have had numerous shareholders coming into the office expressing extreme concerns about the financial costings of running their vehicles and a number have stated that should the age limitation be brought in they will have no alternative than to cease trading as a taxi driver. Some of the drivers that have gone to the other extreme and acquired brand new vehicles are now finding that they are having to work much longer hours (10-15 hrs per wk) this purely covers the costs of the finance and does not give them any extra income.

We as company are already witness to this as our fleet has dropped by 10 vehicles over the past couple of months, this is not associated with company costs as our subscriptions have not increased for almost 2 years but can only be attributed to a drop in work throughout the town and the ever increasing burden of council associated fees.

We are currently in a world wide recession, Blackpool has declined over the last few years and earnings are going down all the time sometimes leaving drivers on less than the national minimum wage. Taxis are considered by many to be a luxury item so consequently in times of recession are one of the first things people cut back on.

On top of the drop in trade it is a well known fact that the banking world are not giving out loans and credit as they used to do and many people are struggling to obtain finance so how do the council propose the cost of these new vehicles be met, anyone with a poor credit history will undoubtedly struggle and may be forced into unemployment by enforcing these proposals.

We have requested over the last few months that our members inform us of any pit failures and it has become apparent that more vehicles are failing on extremely minor infractions which they have previously passed on, which begs the question why ?. Does this suggest that a statistical exercise is in operation to lend weight to the argument of age limitation ?

We would like to finish quoting the Department of Transport Best Practice Guidance which reminds licensing authorities that it is perfectly possible for an older vehicle to be in good condition and the setting of an age limit beyond which they will not licence vehicles may be arbitrary and disproportionate.

We believe that the proposals are disproportionate and would ask that the council remains with the original policy as this is untenable.

Yours sincerely

Two handwritten signatures in black ink, one on the left and one on the right, positioned above the typed names.

D A Grant & T Slater
Board of Directors



03 MAR 2010



Blacktax Radio Taxis Ltd.

71 Red Bank Road, Blackpool FY2 9HX
Telephone: (01253) 596-596 Fax: (01253) 352338

Web: www.blackpool-taxi-couriers.co.uk
E-mail: office@blackpool-taxi-couriers.co.uk

bringing the local community together

Miss V L Cartmel
Blackpool Council Licensing
Westgate House
Blackpool
FY4 2TS

2nd March 2010

Dear Vicki

We list below our comments, as invited, with regard to the proposed changes to the Hackney Carriage and Private Hire Licencing Policy.

Re: Introduce Separate age policy for saloon vehicles.

- a. We believe the Council should reconsider the age policy under the Best Practice Guidelines of Policy Justification.
- b. As a Private Hire company we operate saloon vehicles and purpose built mini buses, some with hydraulic lifts to accommodate disabled passengers who have motorised or bulky wheelchairs.
- c. Private Hires operate a valuable service to the Community, including the elderly and disabled, by picking up at appointed addresses and times.
- d. The cost to an individual Private Hire owner to provide this service (not including vehicle running costs) can be between £6,000 to £8,000 per year in Subscription payments to a Private Hire Company, to cover the cost of the office and staff to enable the Company to offer this service to the public.

- e. This is a cost not borne by a Hackney Carriage. (Public Service Vehicle).
- f. The extra cost of introducing a 6 year limit, we believe, will unreasonably restrict to supply of PHV service by putting up the cost of operation, or otherwise restrict entry into the trade.
- g. We believe the age limit is aimed at 'image' and not the safety of the vehicle. The Council has in force age related pit tests to ensure the vehicles are mechanically sound and of a good standard. Operating a vehicle older than 6 years does not necessarily offer any increased risk to the public if they are well maintained.
- h. The Exceptional Quality Policy is too restrictive and we believe that a vehicle that has just come off the production line would have difficulty meeting the criteria.

Under the 'Policy Justification best Practice Guidelines' we would urge the Council to reconsider the 6 year policy and propose the following:-

From 2013 purpose built vehicles including Minibuses - maximum 10 years old. Saloons - maximum 8 years old.

YEAR	PURPOSE BUILT INCL. MINIBUSES	SALOONS
2010	13	12
2011	12	10
2012	11	9
2013	10	8

Re: Confirm the need for new drivers to undertake the Btec Qualification before they can be licensed.

- a. Under Best Practice Policy Justification we believe the Council should reconsider this requirement.
- b. Blackpool has high unemployment and taxi driving offers a good opportunity to unemployed people. With a driving licence there is the opportunity of a job opening.

- c. We believe that introducing this requirement is unduly stringent and will restrict the supply of taxi drivers by putting up the cost and restricting entry into the trade.
- d. The Council needs to ask itself, if a new driver has CRB Clearance, passes a Class 2 Medical, passes the Blackpool Council Knowledge Test, at a cost exceeding £200, is requiring them at a further cost of, we believe, in the region of £850 commensurate with the benefits the policy is meant to achieve. ?
- e. We urge the Council to reconsider this requirement and propose that renewal of a licence will only be granted to persons who have a Btec qualification or equivalent. This would give new drivers 12 months to gain the qualification.

Your response to these points would be appreciated.

Kind regards

Yours sincerely

Susan Army

PS

Graham Smith
Secretary / Director

03 MAR 2010

V Cartmell
Licensing
Westgate House
Blackpool
FY4 2TS

J Barter
40 Lewtas St
Blackpool
Lancashire

22 February 2010

Dear M/s Cartmell

I am writing to you to object in the strongest possible terms to the proposed reduction of age policy regarding non purpose built vehicles.

Over the past few years we have had to endure numerous new costs with the CRB checks and medicals and ever increasing badge costs and pit costs, there has to come a time when the voice of the elector has to be heard.

We are currently in a world wide recession, Blackpool has declined over the last few years and my earnings are going down all the time sometimes leaving me on less than the national minimum wage. Taxis are considered by many to be a luxury item so consequently in times of recession are one of the first things people cut back on.

On top of the drop in trade it is a well known fact that the banking world are not giving out loans and credit as they used to do and many people are struggling to obtain finance so how do the council propose the cost of these new vehicles be met, anyone with a poor credit history will undoubtedly struggle and may be forced into unemployment by enforcing these proposals.

The majority of second hand saloons that are then used as taxi/ph vehicles are in the main low mileage and are perfectly adequate to transport the public. What grounds are these being deemed unfit when the majority pass the council pit inspection or fail on very minor faults which are quickly rectified.

I feel I must question the reasoning behind putting in place a new policy when the existing policy whereby all vehicles will be 10 years old by 2013 has not been allowed to come to fruition surely the logical thing to do would be allow the original policy to take effect and then consider its workability and review if necessary.

I would like to finish quoting the Department of Transport Best Practice Guidance which reminds licensing authorities that it is perfectly possible for an older vehicle to be in good condition and the setting of an age limit beyond which they will not licence vehicles may be arbitrary and disproportionate.

I believe that the proposals are disproportionate and would ask that the council remains with the original policy as this is untenable.

Yours sincerely



Vicki Cartmell

From: Sharon Davies
Sent: 20 January 2010 16:41
To: Vicki Cartmell
Subject: FW: Hackney Carriage and Private Hire Licensing Policy.

From: CHRIS WHITTAKER [mailto:chris.whittaker2@btinternet.com]
Sent: 20 January 2010 15:08
To: Sharon Davies
Subject: Hackney Carriage and Private Hire Licensing Policy.

Dear Miss/Mrs Davies,

Hello,I would just like to air my views on proposed changes to the above Policy with the age Policy a big concern.

To make a living being a Taxi owner/Driver is getting harder year by year and to have to buy a newish vehicle would add more financial pressure on my already stretched finances ?

Since the Smoking Ban was introduced it has had a knock on affect all round and evening trade especially dropped by at least 30% overnight ,this coupled with the recession and fuel hikes has made things very difficult to say the least ?

To have to have a Licensed or Private Hire Vehicle under six years old would also mean more buying and selling of vehicles which involves more costs fitting of Radio equipment and spraying due to Company colours etc., and more loss on expenditure as buyers do not like purchasing ex Taxi,s and depreciation of the vehicle is higher especially with high mileage and resprays.

A large percentage of the Public do not appreciate and respect a Taxi new or not and I have had on several occasions passengers abuse the Vehicle I have owned by leaving chewing gum stuck to the carpets or seats either by them or their children ,damaging the interior with a sharp instrument, being sick through too much alcohol and on a couple of occasions urinating on the seats which made it necessary to remove the seat for cleaning and then drying and in due course putting me off the road !

I do hope you reconsider the proposed age Policy ?

Yours sincerely

Mr. C.Whittaker (P/H 269)

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Vicki Cartmell

From: Sharon Davies
Sent: 22 December 2009 20:18
To: Vicki Cartmell
Subject: FW: Proposals

From: Geoff Poole [mailto:geoffrey@geoffreypoole.orangehome.co.uk]
Sent: 22 December 2009 12:29
To: Sharon Davies
Subject: Proposals

With regard to your recent letter I feel that I must lodge an objection to the age proposal of six years. I have been in this job of private hire for about 20years and unfortunately with the economic climate as it is and is likely to continue for the foreseeable future it would just be suicidal for a lot of people in the industry and they would therefore become in a lot of cases bankrupt and then would add more strain on to our economy I realise that there should be some sort of restriction but strongly feel that six years is impractical and that 10 years would be more appropriate, the amount of money needed to buy a new vehicle and the amount earned do not now make economic sense.

I hope you take this information on board in your appraisals and make suitable decisions
Yours Sincerely
Geoff Poole

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Vicki Cartmell

From: jamesdenley@uk2.net
Sent: 20 December 2009 18:44
To: Vicki Cartmell
Subject: Consultation on Hackney Carriage and Private Hire Licensing
Attachments: VEHICLES1.doc

Hi
Here is my reply to the above. It is a word doc.
Regards
James Denley

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Mr James Denley
26 Everest Drive
Bispham
Blackpool
FY2 9DP
17th December 2009

Consultation on Hackney Carriage and Private Hire Licensing Policy

For the attention of Miss V L Cartmell – Licensing Solicitor

Blackpool Borough Council
Westgate House
PO Box 117
Squires Gate Lane
Blackpool
FY4 2TS

Dear Miss Cartmell

Further to your letter of the 9th December 2009 and your invitation to comment on the proposals to amend your “the policy” here are my comments (*in Blue and Italic*) with your original script in Black

VEHICLES - SPECIFICATIONS AND CONDITIONS OF LICENCE

1.2 All vehicles shall have an appropriate “type approval” which is either

- i) European Whole Vehicle Type approval;
- ii) British National Type approval; or
- iii) British Single Vehicle Approval.

It is also recommended that vehicles with Euro NCAP star ratings of 4 or more should be considered when purchasing a new vehicle.

Why does the London Type Taxis, a “purpose built vehicle” that has a Euro NCAP rating of nil, be the recommended choice?

Why do the London Type Taxis, a “purpose built vehicle”, not have type approval?

The exemption because of the low numbers produced puts Blackpool passengers at risk. The London Public Carriage Office (PCO) cannot be used as a national approval as this is for the London region only as was recently shown in Liverpool. We here in Blackpool have no need to make provision to carry a gentlemen wearing a top hat whilst sitting in the rear (this dictates the interior height dimensions between the seat base and the roof of a London taxi). Bearing this in mind Blackpool Borough Council cannot possibly make the ruling that only “purpose built vehicles” can be used as a hackney carriage because they cannot be type approved. Purpose built wheelchair carrying minibuses that are type approved must come into the same category as “purpose built vehicles” because they are built to much higher safety standards. Your policy of

promoting "purpose built vehicles" is someone idea of what they would like to see in Blackpool is not very practical from the point of view of the wheelchair user as generally this type of vehicle which started out as a successful person carrier that was then adapted to carry a wheelchair and very badly so. Why don't you do the decent thing and go out into the streets of the real world, sitting in a wheelchair and you too can be very frightened when you are loaded and unloaded. These questions need to be asked at grass roots level instead of forming preconceived ideas about what you think you would like to see.

1.4 All vehicles shall comply with all construction and use/ type approval requirements applicable to it. The maximum permitted length is 18 ft. The maximum permitted weight is 3500 kg.

Now that Blackpool Borough Council has a policy that covers limousines, this restriction on length is discriminatory against wheelchair users. It has prevented the purchasing a vehicle that can carry six wheelchairs although Blackpool Borough Council can use such vehicles. This is more discrimination due to out of date policies.

2.5 Vehicle Testing

2.5.1 Hackney carriage and private hire vehicles will be tested in accordance with the table below. The test must take place at a testing station approved by the Council. These requirements are in addition to an MOT, which for Hackney Carriages and Private Hire Vehicles is required at 1 year old and thereafter. Blackpool Council currently has a policy of a mandatory period of six months between the date of the MOT test and the Council vehicle inspection date. In future this will only apply to vehicles up to three years old.

Why does Blackpool Borough Council not incorporate the MOT test at the same time as the vehicle test? Is this test not to the same standard? This is an unnecessary duplication of resources. It might be fairer to have a vehicle tested to MOT standard up to four times a year (as is now done in other areas) to remove the monopoly of Blackpool Borough Council.

Exceptional Quality Policy

Certificates of Compliance will be offered at the earliest opportunity.

Vehicles must meet minimum emissions standards with reference to the year of manufacture as detailed in paragraph 2.4.6 of the policy.

1. The vehicle must pass the initial pit test – vehicles with four or fewer faults (excluding consumables – see guidance notes) will be permitted to undertake the necessary repairs and submit for a re-test; vehicles with five or more faults will fail and will not be permitted a re-test; and

2. The vehicle must meet the full exterior and interior specification detailed below (each point listed below would constitute one defect). Vehicles with five or fewer defects as detailed below will be permitted to undertake necessary repairs and submit for a re-test. Vehicles with six or more defects will fail, and will not be permitted a re-test.

Would it not be fair to offer a pre-inspection facility in view of the extreme policy of five or more faults will fail and will not be permitted a re-test or does

Blackpool Borough Council not do fair? This policy will inevitable cause hardship to some owners, especially new ones who may not have the resources of established owners as they will be the owners/drivers of older vehicles. We need to encourage new owners as they are our future. A pre-inspection facility will help these people. Does Blackpool Borough Council no longer represent the people who put them in power by removing the vehicle that is their livelihood and their only source of income which probably have all of their life savings invested in the business?

1 –3 year's old 1 inspection per year

3 – 5 years' old 2 inspections per year

Over 5 years of age 3 inspections per year.

Vehicles belonging to Blackpool Borough Council that do the same work as some private hire vehicles do not have to undergo this rigorous testing. Why do we need this discrimination? This statement excludes safety testing.

2.5.2 Vehicle testing arrangements are currently exclusively through the Authority's OSD vehicle inspection facility. This appears to be working very well.

As long as Blackpool Borough Council is asking and answering this question, this will always be the answer! This question can only be asked and answered fairly by an independent body. Unless a pre-testing or pre-inspection facility is given then it must be considered that the facility is not working very well.

It is, accordingly, not proposed, at this stage, to make any changes to these vehicle-testing arrangements.

2.3 Accessibility

2.3.1 The Authority currently licences 256 hackney carriages only **180** of which are wheelchair accessible. The government's proposals to implement the provisions of the Disability Discrimination Act 1995 involve splitting implementation into 2 phase's dependant upon a number of criteria.

Blackpool is a phase 1 authority and may be required to introduce accessible vehicles as Hackney Carriages by 2010. The Authority is committed to social inclusion and ensuring a wide variety of opportunities is available to disabled residents to enjoy a high quality of life. They fully support the view of the Disability Rights Commission that, "Making successful journeys is critical to the social inclusion of disabled people. Without the ability to travel, disabled people are denied access to life opportunities. Their access to education, shopping, employment healthcare as well as social and family life is significantly improved when journeys become accessible." For this reason, the Council considers it important that disabled residents have access to all forms of public transportation.

Almost all London Type Taxis in Blackpool cannot safely carry wheelchairs. Please read further.

2.3.2 In addition to the general conditions, accessibility for disabled people (including - but not only people who need to travel in a wheelchair) is,

therefore, an important consideration in respect of vehicles licensed as hackney carriages.

2.3.3 It is arguable that different accessibility considerations should apply between hackney carriage and private hire vehicles in that hackney carriages can be hired in the street or at a rank, by the customer dealing directly with a driver, however, private hire vehicles can only be booked through an operator. It is considered particularly important that a disabled person should be able to hire a taxi on the spot with the minimum delay or inconvenience and having accessible taxis available helps makes that possible.

2.6.2 Private hire vehicles in the Borough are required to display windscreen discs (supplied by the Authority) and door signage which indicates that they are for private hire only and are not insured for other uses. For some years it has been the policy not to permit magnetic door signage. There are no plans to change this policy.

It is essential that members of the public should be able to easily identify the difference between a hackney carriage and a private hire vehicle. Private hire vehicles will display signs indicating that they must be pre-booked.

Fylde private hire vehicles, Wyre private hire vehicles and Preston private hire vehicles all have plates affixed to the bumpers (or front and rear bodywork) to ensure that the public know the vehicle status. Customers both from Blackpool and from out of town are very confused about this rule and expect to see a private hire plate. This would prevent the foreign gentlemen who park up in north Abingdon Street and other places on a Saturday night touting for fares. Such a plate would give all customers a clear description of the purpose of the vehicle and it would help to make the affixing of your plate/sticker "How am I driving" a legal entity.

2.6.4 Every licensed hackney and private hire vehicle must display a "How Am I Driving?" plate clearly visible to the rear of the vehicle. The plate will display the telephone number 0800 0730628. This number is linked to the Authority's Public Protection Section who will record and investigate any complaints made. Details of the scheme will be publicised in Hotels & Guest Houses to encourage reports of overcharging, incivility or other poor service provision. "How Am I Driving?" plates will be provided by the Authority's Licensing Service at a modest cost to cover materials and staff time.

Unless the qualifications of the person making the complaint can be quantified, making them able to make quantifiable statements, then Blackpool Borough Council cannot act on information given by a member of the general public in this manner as it could be construed as a malicious accusation according to a barrister friend of mine. Why does no Council vehicle have such plates fitted? Such a plate or sticker should only be fitted to hackney carriage because fitting them to "private" hire vehicles makes them into taxis as they lose the "private" status.

I whole heartedly agree with the scheme being publicised by the Hotels & Guest Houses Association and other such bodies should be encouraged to publish this information too. Blackpool Borough Council should make sure every hotel and guest house room and bedroom should have such a leaflet to discourage the rouge element that exists within the taxi industry in Blackpool. To discourage such practices, Blackpool Borough Council should also use passengers who work for the council in much the same way as they use in drinking

establishments in Blackpool particularly when targeting known offenders who constantly harass tram passengers waiting at tram stops around the Uncle Tom's Cabin area, Norbreck Castle and the Pleasure Beach areas and to those individual drivers who notoriously overcharge customers who have believing it to be a game and a their right with complete disregard to Blackpool Borough Council regulations.

All taxis fares must also be the same in Blackpool whether they are a hackney or private hire with no advantages being given to certain companies which dictate a lower fare even though the driver/owner is being bullied by the company owner to reduce the fares. The fares are fixed to give the driver/owner a reasonable living and have enough to maintain his or her taxis/private hire. If a contract is made between the driver and the passenger before the journey commences then this should be enough and is within the law. All taximeters that are used within the borough should all read the same tariffs or in the case of a private hire vehicle the owner has the right to remove the taxi meter if he constantly wishes to charge less. This does not apply to discount or loyalty cards. This is my understanding of the law and is shared by other members of the legal profession.

2.7 Taxi Sharing Scheme

2.7.1 This Scheme, detailed fully in Appendix L, permits shared use of a hackney carriage at a set fare per passenger along designated popular routes provided the consent of each sharing passenger is obtained prior to the commencement of the journey.

In the years that I have been in the taxis business, I have never known of a single journey using the Taxi Sharing Scheme and I have asked this question on numerous occasions to a wide variety of taxi drivers (none of whom are in favour of such a scheme) including those who display the Taxi Sharing Scheme sign. I get the impression that this scheme is being used as a ruse by Blackpool Borough Council to hide the fact that taxi owners are entitled to run a mini bus service which Blackpool Borough Council would claim, albeit erroneously, that it would affect present bus services. I suggest that Blackpool Borough Council looks at the success of the scheme now running in the City of Plymouth and the benefits that the public are taking advantage of.

2.12.2 Appendix A makes it clear that LPG conversions to vehicles are perfectly acceptable. The policy proposed at 2.4.3 above will, furthermore, assist in this respect by ensuring that older and therefore less efficient vehicles will no longer be licensed.

It is almost impossible to purchase a suitable petrol engine vehicle although I like your green policy.

16.4 The use of a Citizen Band (CB) transmitter or receiver is prohibited.

Why, when mobile phones are a requirement of almost all taxi companies and now (as a PDA) part of the taxis companies' radio communication schemes with direct links to the meter? Is Blackpool Borough Council still in the '70's? All drivers talk to other drivers and colleagues using a mobile phone network. This is permitted and within the law if the equipment is used correctly. Therefore can anyone explain why you want this equipment prohibited?

18 TRAILERS

18.1

- (vii) Trailers must conform to the Authority's specifications.
- (viii) Trailers must undergo the Authority's inspection and licensing regime
- (ix) Trailers must display an identification plate as specified by the Authority.

English law does not require the testing of lightweight trailers so why does Blackpool Borough Council consider it to be above the law. Is this not a ruse to discourage the use of trailers? The only people that I know of using trailers are those with PSV minibuses working for hotels or delivering people to airports. Let us all take six paces backwards.

19 DISABILITY ACCESS

19.1 In the case of all hackney vehicles, which are built or adapted for disabled passengers, the design of the vehicle should ensure that any wheelchair is loaded from the side rather than the rear of the vehicle. The only exceptions being when hydraulic lifting platforms are fitted to the vehicle.

19.2 Where a vehicle is utilised for the carriage of passengers in a wheelchair, the following conditions shall apply:

- (i) Access to and exit from the wheelchair position must not be obstructed in any manner at any time except by wheelchair loading apparatus.
- (ii) Wheelchair internal anchorage must be of the manufacturer's (*which manufacturer's and to what standard? The law is a veritable minefield when it comes to wheelchair and seat anchorages for a vehicle having nine or less seats*) design and construction and secured in such a position as not to obstruct any emergency exit.
- (iii) A suitable restraint must be available for the occupant of a wheelchair.
(Is this a restraint to the wheelchair or to the passenger or both? This need to be clarified and such equipment needs to be inspected and tested by a suitably qualified person to be used).
- (iv) Access ramps or lifts to the vehicle must be securely fixed prior to use, and be able to support the wheelchair, occupant and helper.
(All lifting and carrying devices must be tested every six months with the SWL stamped upon the device. None of this is done in Blackpool Hackney Carriages. See also 19.3)
- (v) Ramps and lifts must be securely stored in the vehicle before it may move off.

19.3 Any equipment fitted to (*or used in*) the vehicle for the purpose of lifting a wheelchair into the vehicle must have been tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (S.I.1998/2307). Any such equipment must be maintained in good working order and be available for use at all times.

Who will regulate this requirement and how?

19.4 Where a vehicle is designed or adapted to carry a wheelchair, the proprietor shall ensure that the driver has received sufficient training to load and convey wheelchair bound passengers.

The amount of people trained in such use in the Blackpool taxi industry can be counted on one hand. The transfer of the responsibility to the owner/proprietor is wrong on behalf of Blackpool Borough Council. If one wishes to correctly transfer this responsibility then the end result is that of total self regulation of the taxis industry in Blackpool. Blackpool Borough Council must accept responsibility for this training and regulate it. The lady who lived at Geldof Drive in Blackpool would probably still be alive today if proper training had been given to Blackpool taxi drivers. The lady from Leeds who had a horrific head injury that was caused because the driver of the taxi was unaware of the problems associated with loading a wheelchair. Therefore you must see how imperative it is to commence training immediately. I know of no owner/proprietor who is qualified to "ensure that the driver has received sufficient training to load and convey wheelchair bound passengers". I cannot see that your Hackney Carriage and Private Hire Licensing Policy will exonerate you from your legal responsibilities.

19.5 Subject to the provisions of section 15 above, a sign may be affixed to the outside of the vehicle indicating that it is able to convey passengers in wheelchairs provided that the vehicle has been manufactured or properly adapted for that purpose.

Is this manufactured or properly adapted for that purpose to mean "purpose built" to a much higher standard than a London Taxis?

28 DISPENSATIONS/ VARIATION

28.1 The Authority may in exceptional circumstances by way of special condition dispense with or vary any of the conditions set out herein.

Can this be quantified?

8. Wheelchair Accessible Vehicles

8.1 All drivers of wheelchair accessible vehicles:

8.1.1 Must be fully conversant with the correct method of operation of all ramps, lifts and wheelchair restraints fitted to the vehicle.

Several different types of restraints must be carried in order to safely restrain the many different types of wheelchairs, both manual and electric. A recent problem that is now occurring more frequently is the size of wheelchairs being used by obese people. If you cannot carry these people as well as shall we say more normal sized people we could be considered discriminatory.

8.1.2 Must, before any movement of the vehicle takes place, ensure that all wheelchairs are firmly secured to the vehicle using an approved restraining system and the brakes of the wheelchair have been applied.

Not all wheelchairs have brakes and of those that do perhaps only 20% to 25% work with a reasonable efficiency, this is presuming that the tyres will grip the floor of the taxi, which is unlikely. The tyres of wheelchairs are made of a hard compound which makes them easier to push but also makes them very poor at gripping any surface. Wheelchairs must not be left facing across the vehicle with the disabled passenger being asked to hold on, this practice, albeit common in Blackpool, is illegal and must be stopped immediately. I can also clearly see the position of the driver who is being asked to move a wheelchair, however heavy, in a very confined area whilst bent over. A "purpose built vehicle has no headroom to make this manoeuvre in so therefore it is unsafe. All wheelchairs must be clamped or strapped to the floor according to the model of wheelchair. According to my knowledge of the law, a taxi driver under the Health and Safety Regulation 1976 has the right to refuse to carry any type of wheelchair if his "purpose built vehicle" cannot safely carry this. If this information is generally known by the taxi industry in Blackpool then very few wheelchairs would be moved at all.

8.1.3 Must ensure that any wheelchairs, equipment and passengers are carried in such a manner that no danger is likely to be caused to those passengers or to anyone else, in accordance with regulations, S.100 of the Road Vehicles Construction and Use Regulations 1986.

All London taxis must carry a wheelchair facing forwards or rearwards according to the model of taxi. To be able to do this you must be able to squeeze into the rear of the taxi and turn the wheelchair around whilst bent over. It has been proven by the Vehicle and Operator Services Agency (VOSA) with The Royal Society for the Prevention of Accidents (RoSPA) that this can damage even the fittest person's back leaving them with permanent damage, therefore no London type taxis is suitable to carry a wheelchair which throws out all your policy on the carriage of wheelchairs as dangerous and leaves you wide open to claims from existing and future taxi drivers.

Please note that only 11% of disabled people need a wheelchair. The carriage of deaf people is the carriage of disabled people. Please stop automatically thinking of wheelchairs when thinking of disabled people. Therefore only 11% of all hackney carriages need to carry wheelchairs to stay within the law.

8.1.4 Shall, in the event of a passenger who requires to be carried seated in a wheelchair, presenting themselves at a taxi rank or hailing a hackney carriage on the street and the hackney carriage which the passenger has presented them to or hailed is not wheelchair accessible either:

(a) divert the passenger to a wheelchair accessible vehicle on the rank if one is available or

(a) use their phone or radio to contact an operator of a wheelchair accessible hackney carriage to arrange to collect the passenger as soon as possible.

Why not a suitable wheelchair accessible private hire vehicle? In the real world this is what happens.

8.2 Drivers providing medical evidence (over and above the required medical) that they are physical incapable of loading an adult confined to an un-powered wheelchair may apply to be issued with a wheelchair loading exemption badge bearing their photograph. A cost will be charged (currently £5).

If we refer to 8.1.3 almost all drivers need to be exempt.

Where are the regulations about taxis owners becoming minibus operators over fixed routes with fixed published fares? This is our legal right.

1.2 Objectives

1.2.1 Hackney carriage and private hire vehicles have a specific role to play in an integrated transport system. They are able to provide services in situations where public transport is either not available (for example in rural areas, or outside "normal" hours of operation such as in the evenings or on Sundays), or for those with mobility difficulties.

If this is true why have private hire vehicles been prevented from delivering disabled passengers in wheelchairs to the front door of the Winter Gardens? No Hackney Carriage could provide this service because of the size and quantity of the wheelchairs. This to me seems to be another form of discrimination against disabled people.

10 TRAINING

10.1 All existing drivers must have taken the BTEC award (or equivalent) on or before 1st January 2011.

10.2 All new applicants must, before being granted a drivers licence, undertake a BTEC award or similar as approved by the Authority.

No training here for carrying disabled people in wheelchairs!

1.6 **(1) All vehicles shall be less than FIFTEEN years old** from the date of manufacture. This upper age will reduce by 1 year annually to 2013 by which time it will be TEN YEARS

(2) Vehicles over the age of 15 years (10 YEARS OF AGE BY 2013) may apply for "Exceptional Quality " Status, which allows them to be licensed until such time as a mechanical defect is found when the vehicle must be removed from service. No retests are permitted under this arrangement.

This ruling was first proposed when the present government still had the power to hide the affects of its massive overspending policies. Also as a result of extreme mismanagement and misappropriation of funds in the sub prime mortgage section of the international banking sector within the both the UK and the USA, the financial world was plunged into a depression that had repercussions around the world that affected every industry and commercial section. Bearing this in mind that people who were originally writing this section of the Hackney Carriage and Private Hire Licensing Policy could not possibly have been aware of the financial hardship that this has caused within the Blackpool taxi industry due to a massive reduction in takings. Until recover is in sight, this section cannot possibly stay in the policy until this present troubled times are over. What ever excuses are used if this section is left in must consider that to do so is negligent to the point of almost criminal as its affect will damage the entire industry. Blackpool Borough Council's motto of "building a better community for all" is simply not true if this section is left in. I am all in favour of improving the image of the taxi industry but financial considerations have to taken into consideration at this time.

5 DELEGATED POWERS

5.1 Public Protection Sub-Committee

5.1.1 The Public Protection Sub-Committee of the Authority is responsible for the management of the hackney carriage and Private Hire licensing regime in the district, along with the formulation and review of its policy in this regard.

Is this not the body that regulates sex shops in Blackpool?

Who are the members of this committee and what are their qualifications to be members of this committee other than their sense of duty, common sense and their political conviction. How many technical representatives of our industry are members of this committee? Where and when does this committee meet and do members of the public have a right to attend. If this is a public body then surely we have a right to attend such meetings and comment at the same meetings. This information needs to be made public and not hidden behind closed doors.

How many of the questions ask here by me and by the many others who are replying to your letter will be asked or will we just be ignored? Will a summary of these questions be asked or will a full and frank discussion be held? Please bear in mind that this document has made you aware of certain problems that are occurring in the taxis industry particularly in regard to the carriage of disabled people. Now that you are aware you have a duty of care to act in a responsible way to address these anomalies.

Bearing in mind the comments that I have made in this document regarding the legal position of Blackpool Borough Council it is obvious that the Hackney Carriage and Private Hire Licensing Policy cannot be adopted until it is re-written again.

It is blatantly clear that this policy has been written with a historical view of the taxi industry with inputs from those whose ideas have been formed from controlling/regulating this industry. We need to move forward and rewrite this policy in its entirety with a view clearly in the future to help Blackpool, its residents and visitors. The policy needs to be clearly linked to a central policy and not be treated as an isolated area of regulation.

James Denley

Post Script: The following web sites need to be viewed to gain a greater understanding of disabled passenger transport.

<http://www.ricability.org.uk/reports/pdfs/wheels%20within%20wheels2005.pdf>
<http://www.ddsg.org.uk/taxi/>
http://www.rospa.com/roadsafety/advice/minibus/info/Minibus_Code_2008.pdf
<http://dptac.independent.gov.uk/pubs/phv/pdf/phv.pdf>
http://www.stan-training.co.uk/taxi_hire.htm

Vicki Cartmell

From: Bill Lewtas [bill.lewtas@googlemail.com]
Sent: 18 February 2010 13:18
To: Vicki Cartmell
Cc: Sharon Davies
Subject: Consultation on Hackney Carriage and Private Hire Licensing Policy
Follow Up Flag: Follow up
Flag Status: Red
Attachments: BLTOA response to Consultation on Hackney Carriage and Private Hire Licensing Policy dated Dec 2009.doc

Dear Vicki

Thank you for letter dated 9 December 2009 with enclosure.

I enclose a detailed response and I shall be grateful for your reply when you have had time to consider this. You will see that my reply incorporates a request for information under the Freedom of Information Act 2000.

Thank you for your attention to this matter. I shall be grateful if you would acknowledge receipt of this email.

Regards

Bill Lewtas

<http://www.blackpool.gov.uk/EmailDisclaimer/>

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10/03/2010

Blackpool Taxi Policy Document December 2009	BLTOA Response February 2010
<p>2.2.4 Vehicles will, in general, be licensed for the carriage of up to four passengers, but applications in relation to larger vehicles that can accommodate up to eight passengers will be accepted, provided that there is compliance with the specifications applicable to such vehicles. Purpose-built vehicles are amongst those, which a local authority will licence as hackney carriages.</p>	<p>We believe that hackney vehicles should not carry more than 7 passengers. Vehicles which carry in excess of this number occupy too much room on taxi ranks and create the wrong image for an aspiring world class resort. We note that a Ford Transit is licensed for use as a hackney vehicle and we believe this may be an error by the Licensing Dept.</p>
<p>2.3.3 There is a rebuttable presumption that all Hackney Carriage Drivers will accept a hiring from either a wheelchair user or a person defined as disabled within the definition of s1 of the Disability Discrimination Act 1995. The exception to this is if the driver can demonstrate a reasonable excuse not to accept a hiring. Practical examples will include a valid medical exemption certificate which relates to the driver refusing the hiring.</p>	<p>It is also the case that a Hackney Carriage Driver can carry out a risk analysis to determine the safety issues of loading a wheelchair user into a taxi. The weight of the passenger and chair are critical in this process and the availability of a raised kerb is important, especially if the driver cannot exert sufficient force to push the passenger up a steep incline. If a driver is injured attempting to load a heavy person and wheelchair he could be out of work for some considerable time. If the passenger is injured the driver could be sued. BLTOA gave feedback to Council some time ago that the B Tech Course is failing to provide this training, even if the trainees specifically request it. We believe that the Policy Document should provide information about the risk analysis process. Putting pressure on drivers to exceed their physical capabilities is not in the public interest.</p>
<p>2.4.1 The Department of Transport Best Practice Guidance reminds licensing authorities that it is perfectly possible for an older vehicle to be in good condition and the setting of an age limit beyond which they will not licence vehicles may be arbitrary and disproportionate.</p>	<p>We agree with this advice, but we are concerned to find that this advice is apparently being ignored. We believe that if there are concerns with vehicle standards these should be addressed by testing and not by arbitrary age limits. There is also an environmental issue here in that well maintained older cabs are being pushed towards the scrap heap prematurely.</p>
<p>2.4.7 Applications for the grant/renewal of hackney carriage or private hire vehicle licence will be subject to the maximum age limits detailed below:</p>	<p>We believe that these arrangements are not supported by the current economic climate. And that any concerns with vehicle standards should be addressed by testing, as recommended by the Department for Transport, not the imposition of arbitrary age limits. We have offered on a number of occasions to demonstrate the massive decline in taxi driver earnings, by allowing Councillors or Council Officials to accompany drivers at work in their vehicles. This has not been taken up. However this should not now be necessary because we have just been provided with sight of proof of this decline. The Halcrow Fox Report dated January 2010 fully documents declining taxi trade. The policy of an annually reducing age limit is clearly not economically viable in the current economic climate.</p> <p>BLTOA proposals are that the 14 year age limit for purpose built taxis should not be reduced further and that the age limit for saloons should be reduced to 10 years in</p>

Year	Purpose Built	Saloon
2009	14	14
2010	13	12
2011	12	10
2012	11	8
2013	10	6

This provision will not apply to non-motorised vehicles.

*This means that vehicles 15 years old as of 2008 will be required to meet the minimum Euro I technology. By 2013, vehicles will have to meet the minimum Euro III standard (Euro IV in the case of saloons).
The exceptional quality policy (see appendix) details the standards to be reached by a vehicle if it is to continue to be licensed. In addition to meeting emissions standards, vehicles are required to meet minimum standards with regard to the condition of both the interior and exterior of the vehicle.

annual increments, but not beyond this age. With respect we believe that a policy of ignoring DFT advice with regards to age limits, combined with an increasingly difficult testing regime (including emissions) would, if challenged through the Local Government Ombudsman, bring about a ruling against Blackpool Council. We want to work with the Council to bring about an improvement in vehicle standards, but if our views continue to be ignored we are fully prepared to make this appeal. We believe that enforcement should be targeted against specific 'problem' vehicles, not a punitive age limit policy which also affects responsible owners who carry out regular maintenance of older vehicles. Why should the irresponsible actions of the minority have a detrimental effect on the majority?

In 2007 we were assured that Councillor Haskett would chair a review body to consider if the policy of a reducing age limit was being effective in improving vehicle standards. We believe that standards have improved considerably and we urge that Council carries out this undertaking without further delay. Efforts to determine what progress has been achieved in creating a review body have been ignored, so far.

We note that taxis are being unfairly singled out for compliance with emission standards well in excess of what the Council are prepared to achieve for their own vehicles. We reject these arrangements unequivocally and request that, if the Council are concerned with emissions, that they carry out environmental emission test sampling at street levels to determine which vehicle group (if any) is responsible for excessive emissions. We believe that such testing should include the area Market Street and Corporation Street, due to the unusually high number of Council owned buses in this area.

The Policy with regard to emissions is we believe confusing and requires clarification. Appendix B states that '*Vehicles must meet minimum emissions standards with reference to the year of manufacture as detailed in paragraph 2.4.6 of the policy*'.

However paragraph 2.4.6 appears to have been omitted from the Policy Document. We note that paragraph 2.4.5 and 2.4.7 are there but not 2.4.6, which is missing. We suspect that may be a typing error.

We note that information about emissions is available at 2.4.7, but not with the level of detail we expected. In order that vehicle owners can determine if older vehicles need emission conversion kits to be fitted, we believe that the information needs to

be expanded. Please note that these kits are extremely expensive and that the feedback we have had from London taxi drivers is that the kits are unreliable and generally inadequate.

The provision of an exceptional vehicle agreement is of little use to us if taxi owners have to spend thousands of pounds for equipment to be fitted, which is not available locally and is not guaranteed to achieve the emission targets which have been set.

We are bewildered by the Council view that we need a maximum vehicle age of 10 years for purpose built taxis and 6 years for other vehicles. If we look at the other forms of transport in Blackpool, we have:

- Council owned buses over 30 years of age with extremely poor emission standards. We note that the target date for updating these vehicles is 2020 at the moment, still some 10 years away.
- Aged diesel locomotives at train stations which presumably have poor emission standards
- Trams which are 100 years old (tourist attraction)
- Landau carriages which are several decades in age (tourist attraction)

If the driving force for taxi age limits is to improve the air quality, we would say that other, more polluting vehicles should be dealt with first. But if safety issues are the reason then we would urge the Council to consider alternative arrangements.

Currently we have age limits of:

Purpose built taxis – 14 years
Other vehicles – 14 years

We propose that the following arrangements should apply

From 1st September 2010
Purpose built taxis – 14 years

Saloon vehicles – 13 years

From 1st September 2011

Purpose built taxis – 14 years

Saloon vehicles – 12 years

We further suggest that with the exception of the age limit reductions mentioned above, that further reductions are put on hold pending the outcome of the review we are awaiting. We believe improvements will come about as a direct result of the fact that testing duration has been extended. We believe that this measure, combined with a more dynamically targeted testing regime, backed by PPC decisions requiring 'problem' vehicles to be inspected and maintained more regularly, will lead to improvements. These will not come about overnight, but we believe that they are underway. We suggest vehicle standards should be kept under constant review with regular meetings with the taxi trade as proposed by the Council but not yet implemented. And that the review period should be early 2010 to the summer of 2011 to determine if vehicle standards have improved.

The taxi trade has cleaned up its act. We have better, newer vehicles than previously. Drivers are being trained to B Tech standard and are also attending the 'Welcome to Blackpool' training module. We support efforts to regenerate Blackpool and win back visitors. We recognise that taxi drivers are often the first Blackpool resident that a visitor will speak to and that we are ambassadors for the town. But it will not help Blackpool if the Council adopts measures which drive people into debt in an effort to remain in business, by purchasing newer vehicles which are not supported by the local economy. We have a world wide credit shortage and the taxi industry is being shunned by the banks, which are not prepared to loan taxi drivers funds to purchase vehicles. The alternative for drivers to work excessive hours to update vehicles is also not in the public interest. Please reconsider proposal 2.4.7.

Please note that in order for a consultation exercise to be valid we think it is necessary that you respond to the issues we raise. We note that at the time that Blackpool Council last carried out a Taxi Policy Review that this process included open meetings. We have not been made aware of any such meetings as part of the current review and we therefore think that the Council should respond in writing to this document.

Our view is that in order for a consultation to be valid it should involve the various

	<p>parties exchanging ideas. This would not be valid, in our opinion if the proposals you have made are simply put on hold for 3 months in order to pay 'lip service' to 'consultation'. If you decide to go ahead with your proposals without responding to the concerns we raised – we believe that would invalidate the consultation.</p> <p>We respectfully draw your attention to the recent Judicial Review ruling that Newport Council cannot proceed with taxi age limits because they failed to adequately consult the taxi trade.</p> <p>We believe that it should be possible for Blackpool Council to achieve an improvement in taxi/private hire vehicle standards by testing and enforcement measures. We note that test duration and enforcement measures have been made more arduous and we request that these measures are evaluated before committing the taxi trade to measures which are unachievable in the current economic climate.</p> <p>We are told that the vehicle age limits originate from Councillors at a senior level and that as a result the Council Officials that we have contact with cannot discuss these. In our opinion it is some concern that no one (with the power to change this policy) has yet invited us to sit round a table to discuss the issue, since the policy was re-drafted.</p>
<p>2.5.1 Hackney carriage and private hire vehicles will be tested in accordance with the table below. The test must take place at a testing station approved by the Council. These requirements are in addition to an MOT, which for Hackney Carriages and Private Hire Vehicles is required at 1 year old and thereafter. Blackpool Council currently has a policy of a mandatory period of six months between the date of the MOT test and the Council vehicle inspection date. In future this will only apply to vehicles up to five years old.</p> <p>Certificates of Compliance will be offered with effect from 1st January 2010.</p> <p>1 – 5 years old - 1 inspection per year</p> <p>5 – 10 years old - 2 inspections per year</p> <p>Over 10 years of age - 3 inspections per year</p>	<p>The information in the adjacent column is out of date because since testing was increased to 3 tests per year for older vehicles, MOT tests can not be achieved within the timescale mentioned.</p> <p>We note that the information in the left hand column is incorrect. That 'Certificates of Compliance will be offered with effect from 1st January 2010'. That this is being implemented from that date and no choice is being allowed.</p> <p>We note that the test arrangements since this date is that twice the time is being allowed for individual tests. And as mentioned previously that this measure alone will deliver the improvements which Blackpool Council requires. It is our understanding that the implementation of these arrangements is causing problems at Layton Depot and we would therefore suggest alternative arrangements. If it is the intention to carry on giving 30 to 40 minute Compliance Tests to vehicles, instead of the 10 to 15 minute tests previously given, that these should be the arrangements.</p> <p>0 to 5 years - 1 inspection per year</p>

	<p>5 to 12 years – 2 inspections per year Over 12 years – 3 inspections per year</p> <p>We commend these arrangements because we believe they would deliver a real incentive to update vehicles for one that is under 12 years. We believe that these arrangements would assist in bringing about an overall reduction in vehicle age limits. And the additional benefit for the Council is that they would enable Layton Depot to reduce the onerous level of taxi testing currently in place.</p> <p>We are concerned that these Compliance Test arrangements were implemented without consultation. And we believe that legal advice should be offered for taxi/private hire drivers. Please clarify if taxi/private hire vehicles which have been tested under these arrangements can be used for private and domestic purposes, without an MOT. We believe that this advice is fundamental to the implementation of this and we are concerned to find that no such written advice has been forthcoming so far. Please also confirm if police advice has been obtained for this issue.</p> <p>We note that Layton Depot is prepared to issue MOT Certificates at a discounted rate and we request that you inform us what this will cost.</p>
<p>2.6.3 Every licensed hackney and private hire vehicle must display a “How Am I Driving?” plate clearly visible to the rear of the vehicle. The plate will display the telephone number 0800 0730628. This number is linked to the Authority’s Public Protection Section who will record and investigate any complaints made. Details of the scheme will be publicised in Hotels & Guest Houses to encourage reports of overcharging, incivility or other poor service provision.</p> <p>“How Am I Driving?” plates will be provided by the Authority’s Licensing Service.</p>	<p>Under the Freedom of Information Act 2000 we request the following information. Please let me know:</p> <p>How many calls have been received on number 0800 0730628 about taxis and private hire vehicles since taxis and private hires began displaying such signs.</p> <p>Also under the Freedom of Information Act, how many instances have there been of overcharging, incivility or other poor service provision been reported under this freephone facility which have led to follow up action i.e. enforcement taped interview, PPC appearance etc. Please provide the fullest information possible without breaching data protection rules.</p> <p>Please also let me know if these arrangements have been reviewed and if not when it is intended to carry out such a review.</p>
<p>3.2.2 With effect from 1st April 2010 drivers will have the option of applying for a three year licence as well as the standard one year licence subject to the CRB and medical cycle being aligned with the licence renewal. This option will not be available</p>	<p>We suggested this some years ago and are pleased to see this is now being implemented. Please provide details of what will be charged for a 3 year licence.</p>

<p>to drivers subject to annual CRBs. The Public Protection Sub-Committee will also retain discretion to remove drivers ability to apply for a three year licence.</p> <p>3.4.2 In order to determine fitness to hold a licence, applicants are required to undertake a written test as to their knowledge of the local geography. The existing test will be expanded to test the driver's knowledge of customer care and the byelaws.</p> <p>3.6.2 The DVLA recommend that hackney carriage and private hire vehicle drivers should be subject to the Group 2 medical standards applicable to applicants for licences to drive buses and lorries therefore with effect from 1st April 2010, the Authority proposes to introduce this medical standard for both new applicants and existing drivers applying for renewal.</p>	<p>It is a matter of some concern that drivers have been licensed who do not appear to have a working knowledge of the English language. We note that other authorities have made this a requirement and we would ask Blackpool Council to consider this.</p> <p>We believe that if these arrangements are adopted then the frequency of testing should be modified to bring it into line with DVLA recommendations. Drivers who pass a Group 2 medical to not be tested again until they reach 45 years of age, then tested every 5 years until they reach 65.</p> <p>We have concerns that least 2 drivers who have held hackney driver badges for many years would not be able to pass a Group 2 medical, due to loss of eyesight in one eye. Despite this, we understand that these individuals have been safely driving taxis for around 30 years, without complaints. Our research indicates that special measures should be implemented for applicants who held a licence before 1 January 1997 and who have an uncorrected acuity of less than 6/30 in only one eye. As part of the consultation process we ask that the Council explains what action will be taken for these individuals and if their eyesight remains unchanged will their jobs will be safeguarded?</p> <p>We are also concerned that under the present medical arrangements that doctors are required to state that drivers are capable of lifting 30 kg. We believe this is excessive for the role of taxi/private hire driver. Please consider reducing this to 20kg, or explain why you think 30kg is appropriate.</p>
<p>APPENDIX E paragraph 3</p> <p>At taxi ranks and other places where hackney carriages ply for hire by forming queues, drivers shall, in addition to the requirements above:</p> <p>(a) rank in an orderly manner and proceed along the rank in order and promptly;</p> <p>(b) remain in the vehicle.</p>	<p>Suggested amendment re paragraph (b)</p> <p>At taxi ranks and other places where hackney carriages ply for hire by forming queues, drivers shall, in addition to the requirements above:</p> <p>(a) rank in an orderly manner and proceed along the rank in order and promptly;</p> <p>(b) remain in or close to the vehicle.</p> <p>Please consider this carefully. We believe this constitutes a breach of our human rights to have to remain in the vehicle. We need occasionally to get out, breath fresh air and stretch legs. Please also consider taxi drivers who smoke. Without an amendment to</p>

<p>9.1.4 Minibuses, transits and people carrier type vehicles which are not fitted with an appropriate roof sign, as indicated above, shall have the word "Taxi" in letters of between 25cm and 30 cm in height displayed on the front and rear of the vehicles so that they can be clearly identified as a hackney carriage vehicle.</p> <p>10.1.1 The only signage permitted on PHV is self-adhesive identification signs with a small company logo as approved and supplied by the Authority, indicating that " Not insured unless pre - booked " must be affixed to the drivers' door and front passenger door panels of the vehicle. These signs should not be tampered with in any way and must be displayed at all times whilst the vehicle has current private hire plates affixed.</p> <p>10.1.2 A private hire vehicle must not carry any roof sign or any markings that might give the impression that it is a hackney carriage.</p>	<p>this the enforcement strategy of prosecuting drivers who smoke in their vehicles becomes confused. Clearly it does not help the Council if taxi drivers who commit the offence of smoking in their taxis use this policy as a defence.</p> <p>We do not believe that these vehicle types are suitable for use as hackney vehicles.</p> <p>We believe that more should be done to limit variations in private hire signage. Some of the problems we have noticed recently are:</p> <ul style="list-style-type: none"> • Phone number huge and message about insurance limitations too small (Blacktax) • Logos too large and designed in such a way that it resembles their hackney vehicles (C Cabs) • Company name on private hire vehicles (Streamline Progress) "Streamlined Progressive" slogan is similar to the company name <p>We believe that it is Licensing's role to implement policy approved by PPC, so when companies approach Licensing for permission to vary signage, they should be reminded what the agreed guidelines say. In our opinion private hire signage is blurring the distinction between the two vehicle types. We note that policy is that the self-adhesive identification signs are required to be "approved and supplied by the Authority". We believe that this is not being implemented and the companies are designing signs which are significantly different to what was previously approved.</p> <p>It is our belief that the policy document should provide direction on font size – minimum and maximum.</p> <p>The Council should be aware that some Premier hackney vehicles are operating dual tariffs, with meters capable of both the Blackpool and Fylde tariffs.</p> <p>We are not aware of taximeters being sealed by the Authority.</p> <p>We believe that all Blackpool hackney vehicles should operate on the Blackpool hackney tariff. We note that Premier and Blacktax are now operating on the Fylde</p>
<p>12.1.1 A calendar-controlled taximeter must be fitted in the HEADLINING of all PURPOSE BUILT HACKNEY CARRIAGES and must be correctly calibrated, sealed and fully functional in accordance with the current Council approved fare structure and easily visible to passengers.</p> <p>12.1.2 The taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances during the pit test, so as not to be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances. The taximeter must be sealed by the Authority.</p>	

tariff and we deplore this arrangement. We have no objection to discounts being offered but we have huge concerns that the Council have allowed this situation to continue. Taxi drivers are being put at risk of violence from passengers confused by two tariffs being used. We ask that action be taken to resolve this situation. It is our belief that Blackpool private hire vehicles should either operate the Blackpool hackney tariff or operate without a meter, as they do in other Authorities. We note that the Local Government (Miscellaneous Provisions) Act 1976 Paragraph 71 (1) requires that:

"Nothing in this Act shall require any private hire vehicle to be equipped with any form of taximeter but no private hire vehicle so equipped shall be used for hire in a controlled district unless such taximeter has been tested and approved by or on behalf of the district council for the district or any other district council by which a vehicle license in force for the vehicle was issued."

We would therefore ask that the Council should stop approving any vehicle with a meter operating on any tariff other than other than the approved Blackpool hackney tariff.

We would also wish to point out that our opinion is that the current situation is quite different to the case of Curzon v Liverpool Council 1983. At that time Liverpool Council did not have a formal Taxi Policy. We note that Blackpool Council took action some 3 years ago when tariff 3 was first introduced. At that time a fare increase only took effect if a driver worked during when this tariff operated, which was then 03.00am to 06.00am. Enforcement action took place to ensure all meters operated on the same tariff, even though some drivers did not work during these hours. Compliance with this cost taxi owners £20.

Please either take action to resolve vehicles operating on the Fylde tariff or supply a written response detailing why you cannot do this.

APPENDIX D

PRIVATE HIRE DRIVER'S LICENCE CONDITIONS

6. The licence holder shall not convey in a private hire vehicle any greater number of persons than the number of persons specified in the licence granted by the Council in respect of the vehicle. "Persons" shall be deemed not to include children under the age of three years and a child over the age of three years and under the age of twelve years shall be deemed as half a person.

This would appear to be an error. Counting a child between 3 and 12 as half a person should only be done for fare purposes. If this policy was implemented it suggests that an eight seater minibus, with 8 passenger seatbelts, could carry 16 young children.

Vicki Cartmell

From: Chris Fuller [cjfuller@talktalk.net]
Sent: 13 December 2009 19:28
To: Vicki Cartmell
Subject: Hackney Carriage and Private Policy.

Dear Vicki,

Thank you for the information sheet concerning the above policy.

My company has for some time been seeking the views of our owners regarding amendments to this policy document and generally the proposed amendments have been favourably received, with the exception of the 'age policy' changes. I write on behalf of taxi owners in Radio J Cabs and put forward the views of our members.

Of course the benefits for all that can be derived from 3 year licences and the Certificates of compliance, will very much depend upon the cost the council decide to charge. There must be some financial saving for the taxi industry.

The cost for Group 2 medical examinations will increase considerably. This area is already an anomaly as local Doctors who perform the present examinations, charge considerably more, for carrying out the same examination for a patient applying for a Blackpool badge, as for one applying for a Wyre or Fylde badge. In many cases it costs double for an examination for a Blackpool Licence, even though the same procedures apply to all areas. Why is this?

We have listened to the arguments regarding 'purpose built' vehicles and saloons and have taken great interest in the statements suggesting that 'purpose built' vehicles last longer, are more rugged and better suited to the rigours of taxi use. Never has there been any supporting evidence. Quite the opposite. This was a suggestion made some years ago by BLTOA officials when seeking to extend the working life of 'purpose built' vehicles in the policy review and results from the simple fact that the vast majority of their members operate such vehicles. It was suggested in the hope that age limitations for 'purpose built' taxis could be considerably extended over saloons. It is not based in any way on fact.

On these points we take exception and totally refute the assertions on suitability and reliability. This company have both purpose built and saloon vehicles on our fleet. Many owners use both and have owned both types of vehicle. All the evidence we have seen over the years suggests that saloons are far better mechanically and are easily as durable as 'purpose built' for mechanical reliability (often far better).

The fact that the cost of purchasing a 'purpose built' vehicle is artificially high and considerably more than a saloon, means that owners tend to repair these vehicles repeatedly, rather than scrap them. Once a saloon car requires expensive repairs it is far more prudent and economical to scrap it and replace it.

Many saloons are purchased for use as taxis at 3 years old, often with a low mileage. Commercial companies replace fleet cars at 3 years, so there is a ready supply, hence the reason for buying at this age. Usually such cars have had one driver and been fastidiously maintained. One would normally expect at least 10 more years of normal use from such a vehicle. A taxi owner may well insure such

a vehicle '3rd party' because of the massive saving over a comprehensive policy when compared against the purchase price of the car and taking account of the usual 'excess'.

In our experience these saloon cars, licensed at 3 years old, will easily provide at least 4 years and more, of reliable service as a taxi, if properly maintained. We would hope that the age for saloons could be limited therefore to a minimum of 7 years, instead of 6 and suggest this as a compromise, if any decision is made to favour 'purpose built vehicles'. Most owners would object strongly to the council proposal for 6 years but would be more inclined to accept 7 years as a fair solution.

If owners were forced into buying vehicles at 1 or 2 years old in order to get the maximum use, then in addition to the increased cost of purchase there would be a considerable increase in insurance costs also as consideration would need to be given to obtaining fully comprehensive cover.

We do honestly believe that the current economic climate is not the time to be imposing further cost increases on an industry that is already struggling.

Should the age differential between vehicles become contentious, then we would ask that the council consider the definition of a 'purpose built' vehicle. At the moment, in our opinion there is only 1 such vehicle, the Lti, London taxi. These are not by any means suitable for all passengers. All other vehicles that are using this description, are in reality 'conversions' from commercial vans. The mechanics and running gear on these vehicles is not altered at all. A 'conversion kit' is fitted to the interior and windows put in and the quality of such conversions varies dramatically from supplier to supplier. Some are so called 'factory conversions' others are not, but the end product is an identical vehicle, with identical mechanics and running gear. It is only the quality of the conversion kit that differs.

Does the council intend classifying all such converted Peugeots, Citroens and Fiats as 'purpose built' when clearly they are not? The common sense definition of the description can not apply if this is to be the case. This area becomes a minefield over what is and what is not 'purpose built'. Several companies offer conversions of the same vehicles and the quality differences are tremendous. These types of vehicles cannot sensibly be classed as 'purpose built' and of better quality than saloons as this is patently not the case. Many are nothing more than converted bread vans with a very poor level of interior finish.

It is possible to buy a new Peugeot van and a conversion kit and have this fitted by a garage who also supply completed vehicles. Would one of these become a 'purpose built' after the fitting of a conversion kit.

Vehicles such as a 'Citroen Berlingo' or the Fiat/Renault equivalent can be bought as 'factory converted' taxis, some even with access for a wheel chair. They can also be bought as original vehicles and are best described as 'saloons' in their original state. This proposal could result in the same car being classified as 'purpose built' if it has undergone the fitting of an interior conversion and a saloon if in original state. Both types could be used as Licensed taxis. What is the difference as far as reliability and longevity are concerned? Many other vehicles fall into the same category, including some Ford models.

Are mini-buses purpose built? These are again converted vans. Some are converted into mini-buses after years of alternate use. How can anyone suggest that a mini-bus is better suited to taxi work and more reliable, when it has had seats fitted. Technically they do not differ. Would a mini-bus be subject to the stricter age limit, or is it considered 'purpose built'?

We do believe that this a minefield and better left alone and fail to see what benefits either the council or customers would derive from varying the age limits for different types of vehicle. Certainly the frequency of pit-testing prevents sub-standard vehicles from being licensed.

We look forward to discussing matters with you further.

Regards

Chris Fuller (Director – Radio J Cabs)

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Vicki Cartmell

From: Mike Carthy [mike@scuba4.orangehome.co.uk]
Sent: 11 December 2009 15:52
To: Vicki Cartmell
Subject: proposed amendments

having read the letter dated 9 dec 09 re: consultation on hackney carriage and private hire licensing policy i would like to ask some questions

at present my private hire vehicle is subject to 2 pit tests and 1 mot per annum. while i agree this is a good thing to safeguard the general public from unroadworthy vehicles we are moving away from the actual cause of the damage to vehicles (mainly suspension/steering faults) **The Roads** which are full of holes, raised manhole covers and layers of missing tarmac. surely the council must take responsibility for their maintenance as we do with our vehicles

age policy: how can it be economically viable to change a vehicle every 6 years if the amount of tourism is dwindling every year due to the decline of blackpool through lack of investment over the years and the recession biting hard.

i have emailed pat donovan at fylde borough council to enquire about there licensing rules and received this reply

To licence a vehicle for Hackney Carriage or Private Hire use, the age limit is 12 years.

A vehicle is tested annually upon renewal of the licence

i understand different boroughs have different rules but my point is this.... a st annes taxi firm can pick up a fare in blackpool and drop the fare in blackpool but because they are in a different borough don't have to stick to the same strict rules as a blackpool firm. could all the blackpool taxi firms move out of blackpool and set up offices in st annes or cleveleys and run their operations from there and leave blackpool council with no revenue

hope you can answer my questions.. mr m johnson

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30 October 2009

Dear Councillor

I am writing to you regarding the proposed new age limit on non purpose built vehicles. We are extremely concerned about these proposals as we feel it will put a large number of our members out of business and force them into unemployment.

The current age limit will reduce to 10 years over the next few years and although we felt this was quite stringent 6 years is beyond peoples reach. We are currently in a world wide recession, Blackpool has declined over the last few years and drivers earnings are going down all the time sometimes leaving them on less than the national minimum wage but their costs rise annually.

The Department of Transport Best Practice Guidance reminds licensing authorities that it is perfectly possible for an older vehicle to be in good condition and the setting of an age limit beyond which they will not licence vehicles may be arbitrary and disproportionate.

We believe that the proposals are disproportionate, in particular when you see some of the buses owned by Blackpool Transport which can be over 20 years old giving off very bad emissions.

I would also like clarification on what the council classes as a purpose built vehicle as we have 25 minibuses on our company and as they cost in excess of £25,000.00 new, it would be impossible to replace a vehicle of this expense every 6 years.

I would ask that you reject any further proposals regarding this untenable suggestion.
Yours sincerely

D A Grant
Director