



Taxi consultation 2019

Background

- 27 questionnaires were submitted online between 10 October 2018 and 14 March 2019
 - Multiple responses from one respondent (a taxi driver)
 - Not everyone answered each question
- Four from Private hire / Hackney Carriage vehicle owner
- Nine responses from taxi drivers
 - But four were from the same driver
- Ten from members of the public
- Three from Private hire operator
- One from an organisation

Headline findings

- Majority of responses were for the main part of the policy document
 - Multiple responses from one taxi driver who strongly opposed it
- Members of the public were more supportive than other respondents

Analysis of data

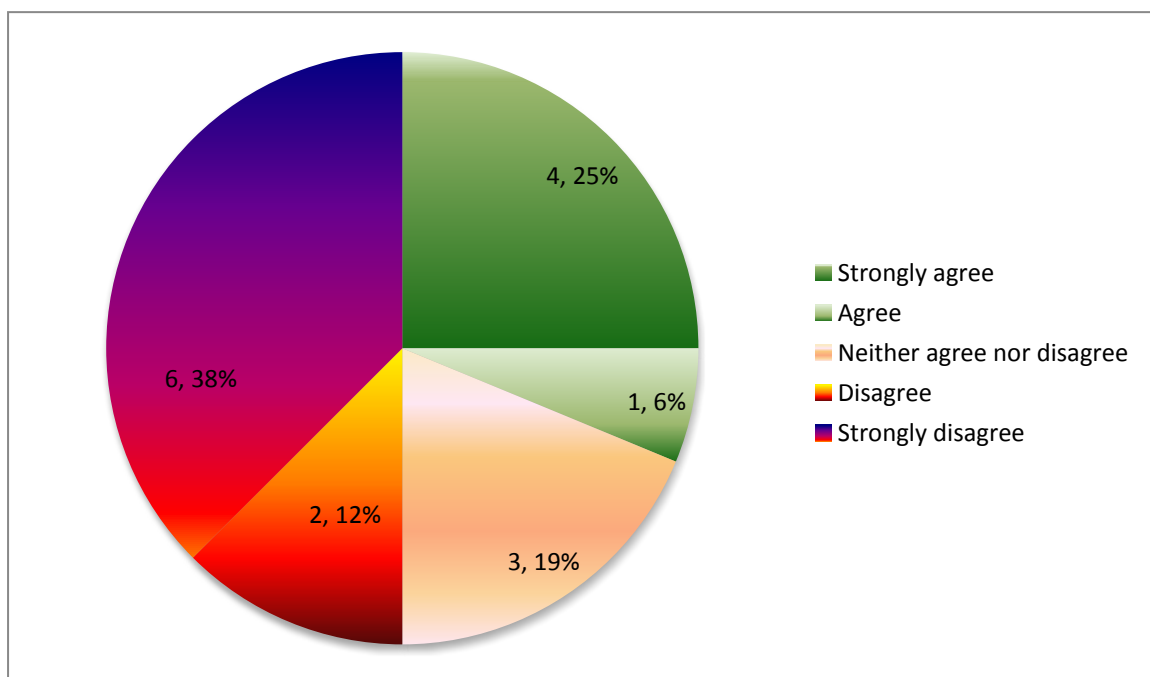
Q1) Do you agree with the contents of the main part of the policy?

There were more responses (16) to the main part of the policy than to any of the appendices.

However, there needs to be some caution when looking at the results to this part. Firstly though, we can see that responses were largely negative

- 31 per cent were in agreement
 - 25 per cent strongly agreed
 - 6 per cent agreed
- 19 per cent neither agreed nor disagreed
- 50 per cent were in disagreement
 - 38 per cent strongly disagreed
 - 13 per cent disagreed.

Figure 1: Do you agree with the contents of the main part of the policy? 16 responses



However, it needs to be noted that there were four responses from the same taxi driver – in pairs, with two responses within one minute of each other one evening and then two more within one minute of each other the following morning. He did not leave any comment to say that he was submitting responses on behalf of anyone else, and selected ‘strongly disagree’ to every part of this survey that he answered, namely:

- Appendix B - Driver code of conduct
- Appendix C - Driver criteria
- Appendix D - Hackney carriage vehicle conditions

- Appendix E - Hackney carriage vehicle specifications
- Appendix G - Private hire vehicle conditions
- Appendix H - Private hire vehicle specifications
- Appendix J - Taxi and PHV licensing convictions guidelines
- Appendix L - penalty points scheme

Respondents were given the opportunity to leave any further comments, and eight did so. Each response, as they are throughout this report, is included **in full and unedited** here.

- 1) (Private hire / Hackney Carriage vehicle owner). Firstly i would like to say the council officer's are not cooperating with the drivers at all, The staff they have very rude and not helpful at all ,please consider that Where it says they response back to the query via email within 10days that is false statement because on many occasions they haven't responded to any of emails The customer service isn't helpful at all when the switch boards transfer call to the reception kindly you ask them to transfer the call to the officers they hang up on you, Again this happened to many taxi members many times. When you launch the complaint to staff council they're not responding too I would like to ask the council to employee those people who are civil mannered and polite and have good customer service skills Some of the receptionist are clueless they need to be trained for their job.
- 2) (Member of the public). Page 32 3.4.42 Private hire waiting. I welcome this because - Recently I've seen a private hire waiting in the Residents Parking Zone bay on West St and another one part on the pavement and the double yellow lines on the corner of West St and Back Garden St. These vehicles either have engines running or are just sitting there and are both taking up space which they have no right to use in the case of the RPZ area, and causing a nuisance by parking on the double yellows on the corner. In the main the cars are plated by NULBC and either driving for Roseville or Lucky 7. In the recent past I've reported drivers for throwing rubbish out of their cars onto Back Garden Street and also one driver who was urinating in the street. All these cars were plated by NULBC and driving for Roseville. Their cars were parked on the double yellows on Back Garden Street. We have also taken drivers rubbish after we saw it thrown out of a Roseville car back to the Roseville office. So, whilst I welcome the draft policy with regard to private hire waiting, I must ask how will it be enforced? It is very difficult or the public to contact private hire licensing direct about the issues such as the ones I raised above and that is also something which need changing. I addition, how will it be enforced in the evenings? I ask this because some of the behaviours I listed earlier were from drivers who had dropped off or waiting for students from Hassells Bridge flats.
- 3) (Member of the public). What i have used of the hackney taxi's lacking of clean usable cars on the road, No tariff or insurance liability on display, Meters not turned on and Quote from a black cab for £14 from Wilko's Newcastle to Porthill overcharging Many of the taxi's i have used, the drivers are on mobile phones hands free, some not, but talking to who ever in a

language that's not English, and find this disturbing that the call is taking place and the driver is not fully in control of the taxi. Complaints fall on deaf ears in the town hall.

- 4) (Private hire operator). I live outside the Borough, and have an operator's licence for Newcastle under Lyme council, I'm a sole trader and have had this licence for approximately 10 years and think I've provided a fully professional service that reflects well on the council. My bookings and correspondence are done by mobile phone, email or social media, my home is registered just as a postal address for yourselves. I think it's unfair that to continue I'll have to move house, which is ridiculous or quit your council. I think operators like myself are being penalised unfairly after years of loyal service.
- 5) (Member of the public). An additional clause should be added to follow 3.2.24: 3.2.25 ENGINE IDLING WHEN STANDING DRIVERS MUST NOT HAVE THEIR VEHICLE'S ENGINE RUNNING WHEN STANDING. Environmental concerns relating to air pollution. There already exists legislation relating to PSV's and we should be particularly aware of this in the Town Centre. In the winter most vehicles, majority of which are diesel engines, are standing with their engines running. Further, a number of recent models have a STOP/START facility as a factory fitted facility. THESE MUST NOT BE SWITCHED OFF. Suggest reference Transport for London.
- 6) (Organisation) Guide Dogs response to Newcastle-under-Lyme Borough Council's Hackney Carriage and Private Hire Licensing Policy 12/02/19
Summary Guide Dogs provides mobility services to increase the independence of people with sight loss in the UK. Alongside our mobility work we campaign to break down physical and legal barriers to enable people with sight loss to get around on their own terms. There are an estimated 19,120 people with vision impairments living in Staffordshire, of which about 103 are guide dog owners. Taxis and private hire vehicles (PHVs) and the door to door service they provide are essential for disabled people. In particular, they are essential for the independence of blind and partially sighted people, who are often unable to drive or use public transport. However, accessing taxis and PHVs can be a major challenge for assistance dog owners: a Guide Dogs survey found that 42% of assistance dog owners were refused by a taxi or PHV driver in a one-year period because of their dog – despite this being a criminal offence under the Equality Act 2010. Such access refusals can have a significant impact on assistance dog owners' lives, leading to feelings of anger and embarrassment and a loss of confidence and independence. We are therefore pleased to see that the proposed policy 'seeks to ensure that transport for those with a disability will be provided'. Key recommendations:
 - a. The policy should clearly state that all drivers are under a duty to carry, free of charge, any assistance dog. We advise highlighting within the policy that this is a legal requirement under the Equality Act 2010 and failure to do so is a criminal offence.
 - b. Medical exemption certificates to exempt drivers from their duty to carry an assistance dog should be accompanied by features distinguishable to vision-impaired passengers, such as an embossed or raised 'E'.

- c. The mandatory disability equality training should include information regarding the carriage of assistance dogs and their obligations under the Equality Act 2010. The training should focus on the concept of people being disabled by society's barriers and attitudes and highlight the role an organisation and individuals play in the removal of those barriers, while also including awareness elements such as customer care, etiquette and appropriate communication.
- d. The policy should state that the Newcastle-under-Lyme Borough Council Licensing Authority will use its best endeavours to investigate all reported violations of the Act in a timely manner with a view to pursuing a conviction. The policy should state that the Newcastle-under-Lyme Borough Council Licensing Authority will work together in conjunction with assistance dog owners to ensure that licensing requirements are being complied with by various means such as, but not limited to, test purchases to ensure that licensing requirements are being complied with. Highlighting obligations under Equality Act 2010 in respect of Assistance Dogs We advise that the policy should specify that all drivers are under a duty to carry, free of charge, any assistance dog. We advise highlighting within the policy that this is a legal requirement under the Equality Act 2010 and failure to do so is a criminal offence. Currently, the policy makes reference to this duty in the negative, by stating in paragraph 38 of Appendices B, D and G that the duty under another paragraph (31 in Appendices B and 32 in Appendices D and G) does not remove or reduce the duty under the Equality Act to carry assistance dogs. Further, paragraph 31 in Appendix B refers to the duty to not smoke or vape whilst in a licenced vehicle; paragraph 32 in Appendix D refers to ensuring a policy of insurance is in force; and paragraph 32 in appendix G refers to the requirement to attend a vehicle test. We believe that paragraph 38 in these appendixes may instead intend to refer to paragraph 37, which details the driver's discretion to carry an animal. Further, guide dog owners in the local area have expressed concern of access refusals which take the form of not stopping the car when they see the dog. We recommend ensuring that this is clearly identified as an illegal access refusal. Medical Exemption Certificates We are pleased to see that paragraph 38 of Appendix C states that medical exemption certificates will only be granted when 'sufficient proof from their GP, or independent medical specialist, confirming that the exemption is required in order for the driver to carry out their duties' is provided. We are also pleased to see it give examples of sufficient proof, such as results of blood tests, skin tests and evidence of the individual's clinical history. It is often difficult for vision-impaired passengers to identify the validity of exemption certificates. Currently, it is not permissible for licensing authorities to issue exemption certificates which incorporate tactile features, as this would alter the certificate's prescribed form and render it invalid. We therefore recommend that Newcastle-under-Lyme Borough Council Licensing Authority issues exemption certificates that are accompanied by features distinguishable to vision-impaired passengers, such as an embossed or raised 'E'. Guide Dogs would be

happy to supply Newcastle-under-Lyme Borough Council with tactile exemption cards.

- e. Disability equality training As stated above, drivers who refuse to carry an assistance dog are committing a criminal offence under the Equality Act 2010. A Guide Dogs survey found that many taxi drivers are unaware of their legal obligations and the impact refusals have on assistance dog owners. The best way to address this is through disability equality training for all taxi and PHV drivers. Therefore, to help reduce the number of access refusals, it is important that drivers know their legal obligations and how to best offer assistance to their customers with vision impairments, including those travelling with a guide dog. We therefore welcome the inclusion in paragraph 3.2.4 and 3.2.5 of the Policy that applicants must 'pass disability awareness training approved by the Council'. However, we recommend that this is strengthened by changing 'disability awareness training to disability equality training'. Disability awareness training has proven helpful to increase non-disabled people's understanding of individual disabilities. However, it does not focus on the greater social issues that affect disabled people and what is needed to make services more inclusive. This is explored by disability equality training, which focuses on the concept of people being disabled by society's barriers and attitudes. It highlights the role an organisation and individuals play in the removal of those barriers, while also including awareness elements such as customer care, etiquette and appropriate communication. We recommend that this training, as well as highlighting a driver's legal obligations and disabled people's rights, should focus on the concept of people being disabled by society's barriers and attitudes. It should highlight the role an organisation and individuals play in the removal of those barriers, while also including awareness elements such as customer care, etiquette and appropriate communication.
- f. Enforcement. While our survey shows that 42% of assistance dog owners have been refused over a one-year period, many of these incidents are not reported. Indeed, only 54% of respondents said they would 'definitely' or 'very likely' report an access refusal. In part, the underreporting is due to challenges of reporting, especially for people with sight loss. However, it is also due to disappointment at the lack of action taken following an access refusal and the low fines issued. Considering the significant impact an access refusal can have on assistance dog owners and their communities, it is important that assistance dog owners know that all cases of access refusals are viewed very seriously and are investigated. As mentioned, it is a criminal offence for any operator or driver to refuse to carry assistance dogs. On conviction for such an offence, drivers can be fined up to £1,000. As failure to carry an assistance dog is a criminal offence, we recommend a zero-tolerance approach to enforcement of the Equality Act. We therefore are pleased to see that section 33 of Appendix L states that failure to carry an assistance dog without requisite medical exemption certificate results in 12 penalty points. Some guide dog owners have also expressed concern about the time it takes some Local Authorities to investigate access issues with drivers. One way of

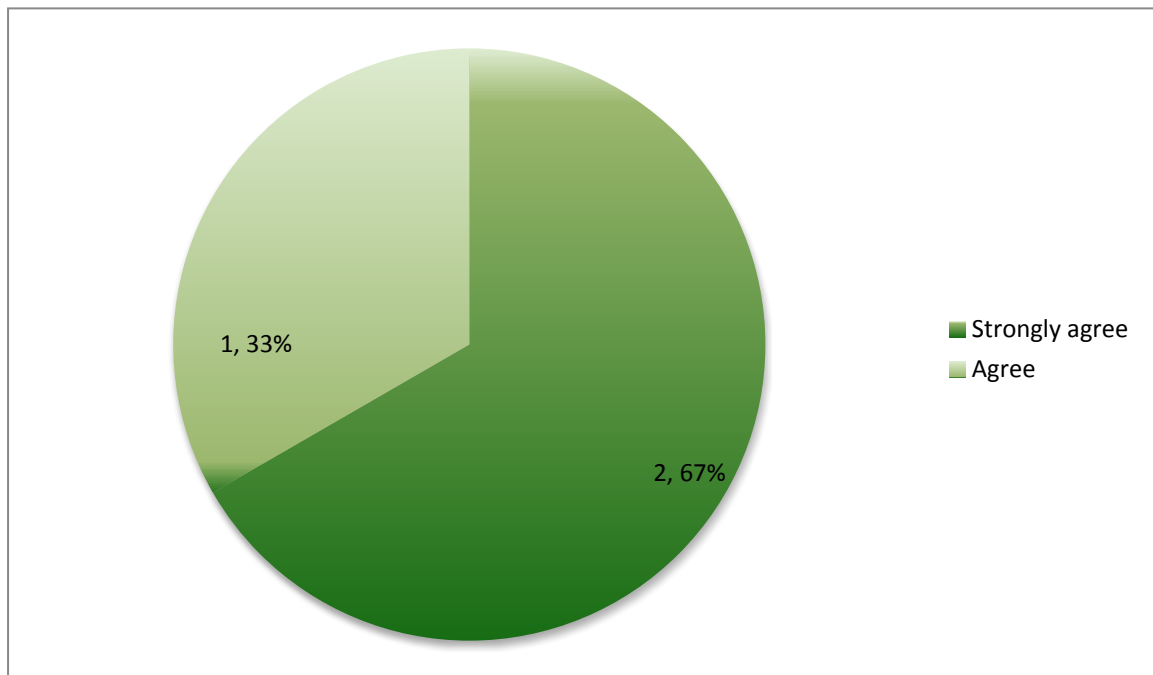
ensuring swift action is to suspend the driver's license until they have engaged and made the initial statement. Further, the current policy does not contain any reference to prosecution of drivers who refuse a passenger. We also recommend a zero-tolerance approach to enforcement of the Equality Act in seeking prosecutions and therefore recommend stating that Newcastle-under-Lyme Borough Council Licensing Authority will use its best endeavours to investigate all reported violations of the Equality Act in a timely manner, with a view to pursuing a conviction. We also recommend that the policy should state that the Newcastle-under-Lyme Borough Council Licensing Authority will work together in conjunction with assistance dog owners to ensure that licensing requirements are being complied with by various means such as, but not limited to, test purchases to ensure that licensing requirements are being complied with. For more information, please contact Public Affairs Officer Katherine Copperthwaite on katherine.copperthwaite@guidedogs.org.uk or 0118 983 8121.

- 7) (Member of the public). The following quotation from the BBC expresses my concern and support for the proposed Taxi Licensing policy "Hundreds of taxi drivers have been granted licences despite declaring criminal convictions for sex offences, burglary and assault, figures show." The government guidelines for local authorities states applicants convicted of sexual or violent offences should be refused a licence.
- 8) (Taxi driver). No consideration to local passengers and drivers dedicated to the Borough. You are punishing dedicated drivers and local community for your past inappropriate policing of the existing policies. A new system and policies should be forced on the existing council for very low standards of house keeping and not providing a service to the taxi industry. We cannot get appointments etc due to your inappropriate system. Phone calls after phone calls to be passed around then informed to make an appointment to make an appointment.

Do you agree with the contents of Appendix A - Child sexual exploitation and trafficking of children and young people?

There were only three responses to this question, all made by members of the public. The responses were supportive, with one strongly agreeing and one agreeing.

Figure 2: Do you agree with the contents of Appendix A - Child sexual exploitation and trafficking of children and young people? 3 responses

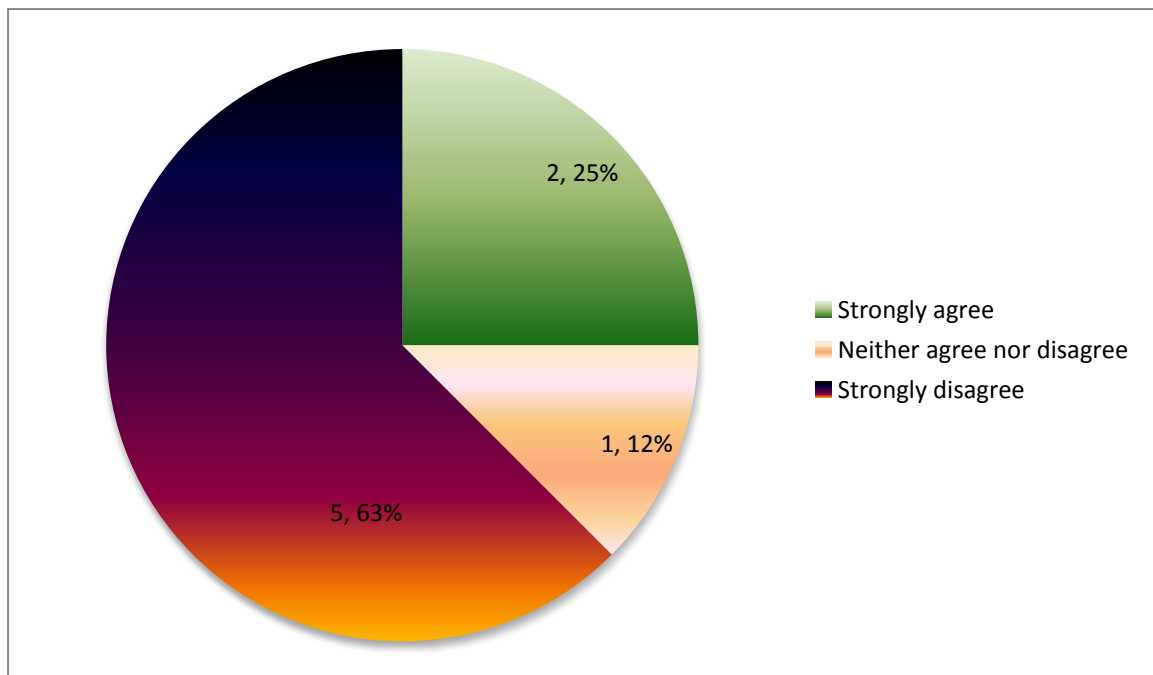


No further comments were left.

Do you agree with the contents of Appendix B - Driver code of conduct?

Responses were largely unsupportive (remembering the caveat of the repeated submission) with 63 per cent strongly disagreeing. Only 25 per cent were in (strong) agreement, with the remaining 13 per cent neither agreeing nor disagreeing.

Figure 3: Do you agree with the contents of Appendix B - Driver code of conduct? 8 responses



No further comments were left.

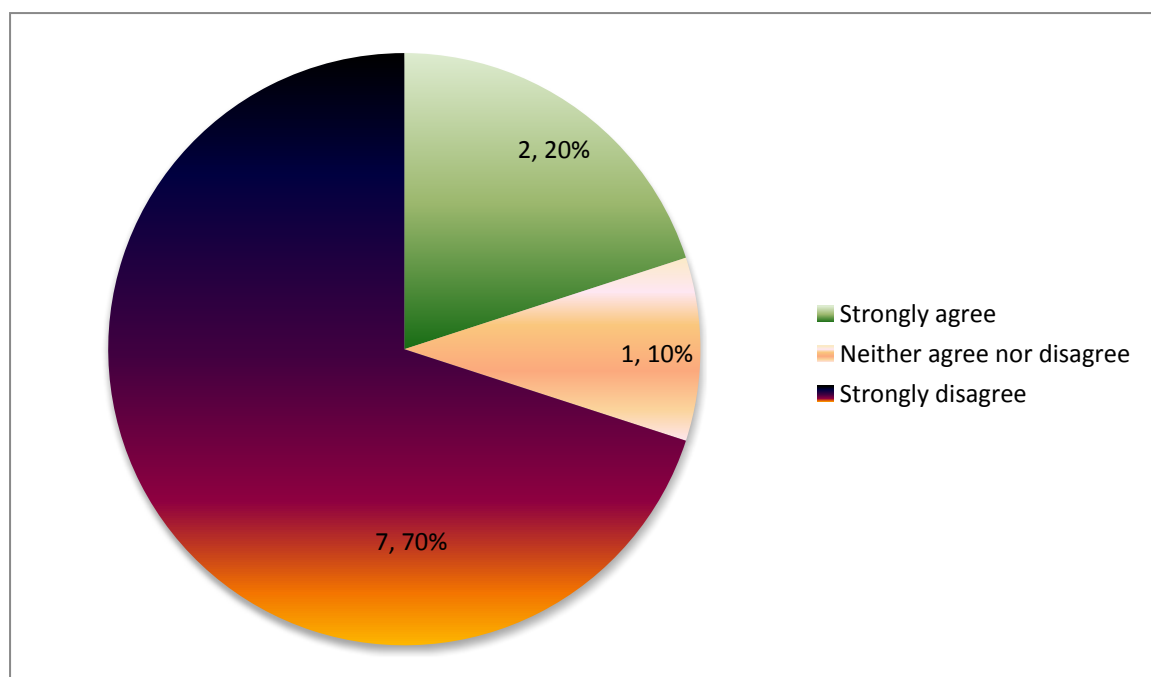
Do you agree with the contents of Appendix C - Driver criteria?

Responses were mostly unsupportive with 70 per cent strongly disagreeing. 20 per cent strongly agreed with the remaining 10 per cent (one respondent) neither agreeing nor disagreeing.

The two respondents who were in strong agreement were members of the public. Of the seven respondents who strongly disagreed, there were:

- Two private hire / Hackney Carriage vehicle owner
- One private hire operator
- Four responses from the same taxi driver

Figure 4: Do you agree with the contents of Appendix C - Driver criteria? 10 responses



The following two comments were left:

- (Left by a Private hire / Hackney Carriage vehicle owner). The appointment system is very slow as in other councils they do have appointment system too but their waiting timings isn't long If its renewal of Badge or vehicle licences you have to wait for Months where as you will be left out of work for months Officers or receptionist wont consider the drivers statements It will be helpful if we have online system to book in
- (Left by a Private hire operator). The new proposals will be detrimental to the trade. Will put hundreds of driver out of business.

Do you agree with the contents of Appendix D - Hackney carriage vehicle conditions?

Responses here were very unsupportive, with nearly three-quarters (73 per cent) strongly disagreeing

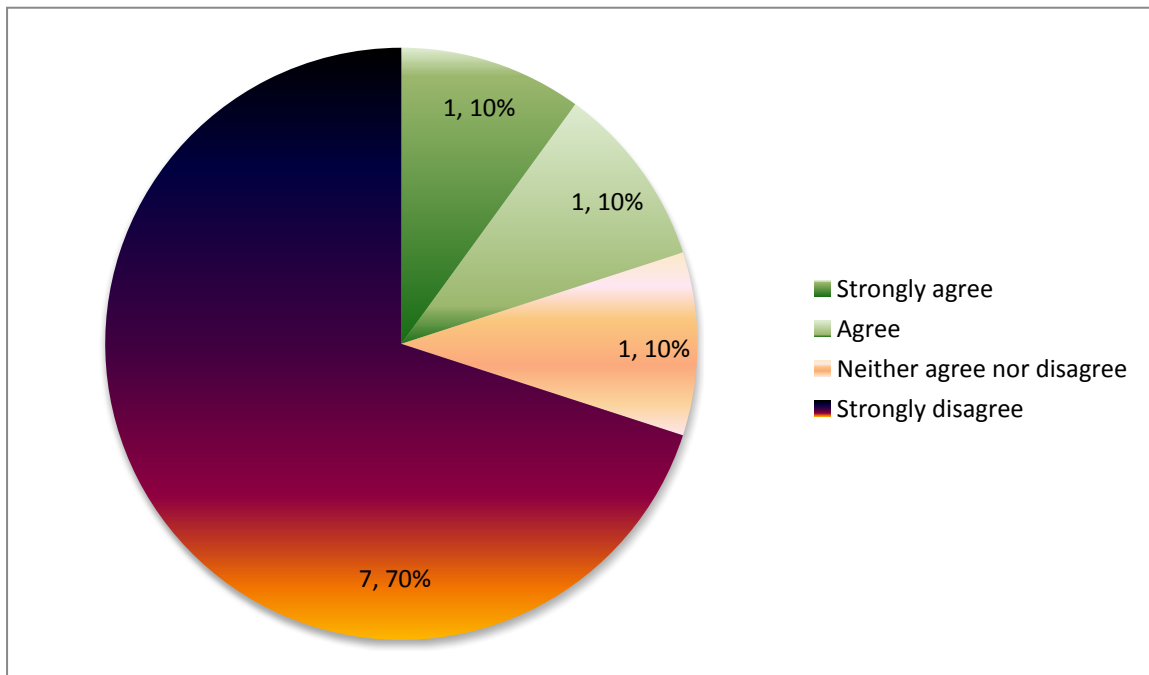
- Six taxi drivers
 - Including four from the same respondents
- Two private hire / Hackney Carriage vehicle owner
 - One was also a taxi driver
- One private hire operator

The remaining 27 per cent were split completely between three other answers, with one respondent choosing each of the following:

- One member of the public chose strongly agree

- One member of the public chose agree
- The representative of Guide Dogs neither agreed nor disagreed

Figure 5: Do you agree with the contents of Appendix D - Hackney carriage vehicle conditions? 11 responses



Four respondents took the opportunity to leave the following comments:

- (Private hire / Hackney Carriage vehicle owner). This is unjust for the existence drivers who have been working in this trade more than 20 years where they need to provide local knowledge test certificates when they passed their test there wasn't any certificates at that time. For obtaining certificates they will be paying more and it is costly. Where council is increasing their fees on plates on badges without notifications. Totally disagree with the English test. It is common sense a person who has passed his driving test they have studied the theory book which is in English and driving in United Kingdom where all the road signs are in English. Clearly they can read signs and follow the instructions of Satellite Navigation. Who do they still need to pass their English test? That's all money making schemes nothing in LAYMAN Favour.
- (Private hire operator). The new proposals will be detrimental to the trade. Will put hundreds of drivers out of business.
- (Taxi driver). In regards to the changes to the grandfather rights. I believe it is a unfair and unjust decision on taxi drivers with saloon vehicles. I've recently invested all my life savings in purchasing a saloon vehicle. Now knowing at the end of my licence I will have to purchase a wheelchair accessible van is a cry for concern. Financially I will not be able to cope as these vans are not cheap. By removing the grandfather rights it will result in taxi drivers to end up quitting their jobs. Saloon vehicles are easy to drive and most customers do prefer them over the big vans. These changes need to be removed and not taken into effect. If the council are pushing this reform then the council must help taxi drivers in my situation for example providing incentives or grants. I

feel like the council are making changes in favour of themselves and the public but neglecting the duty of care for taxi drivers also.

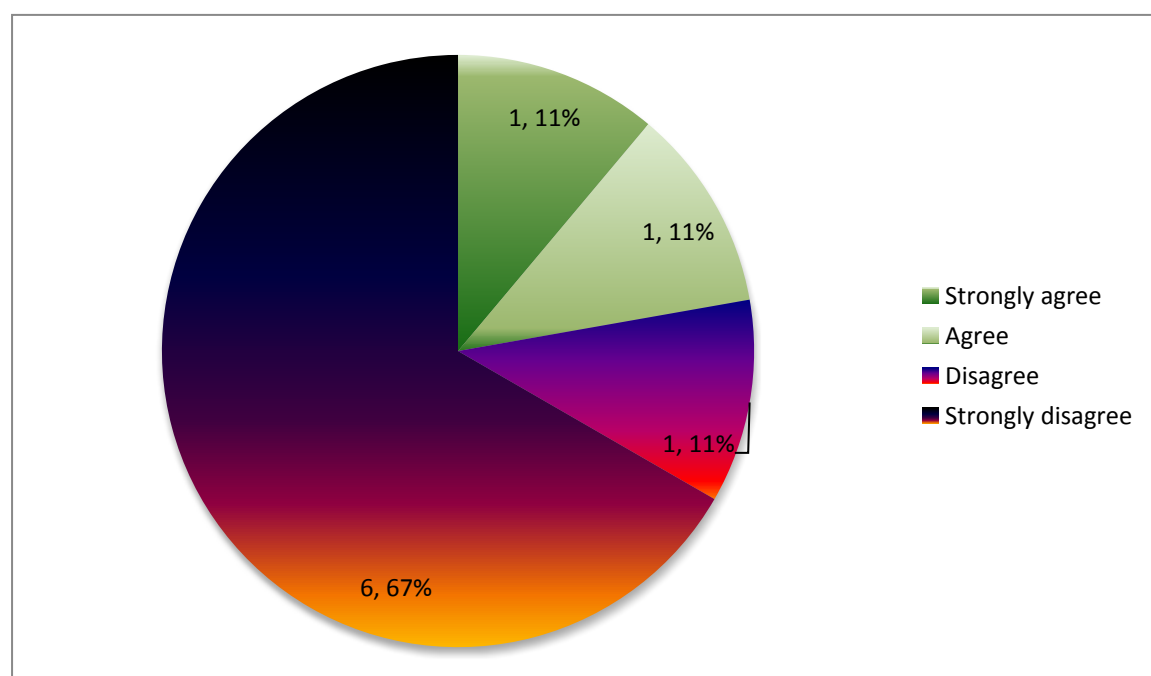
- (Taxi driver and Private hire / Hackney Carriage vehicle owner). This is unfair to all taxi drivers with saloon vehicles. Grandfather rights are rights which we have to purchase affordable saloon vehicles instead of buying new expensive wheel chair accesible vehicles. Please re consider your descision on this as this will have massive effect on drivers resulting in job losses.

Do you agree with the contents of Appendix E - Hackney carriage vehicle specifications?

Responses were largely unsupportive:

- 22 per cent (two respondents) were in agreement
 - one member of the public strongly agreed
 - one member of the public agreed
- 78 per cent did not agree
 - 67 per cent (six) strongly disagreed
 - one Private hire / Hackney Carriage vehicle owner
 - one Private hire operator
 - four taxi drivers (by the same respondent)
 - 11 per cent disagreed
 - One member of the public

Figure 6: Do you agree with the contents of Appendix E - Hackney carriage vehicle specifications? 9 responses



Three respondents left the following comments

- (Private hire / Hackney Carriage vehicle owner). Vehicle Age where in new policy says for the new vehicle it has to be under 3 years old How can a driver

afford 3years old vehicle ?? A new Driver how is it possible for them to buy A New vehicle that is Harsh for the driver's our neighbour' council Stoke on Trent they have policy for the vehicles is 7 years old Undoubtedly you can purchase a 10years old vehicle in immaculate condition that is safe for the public Why does it has to be 3 years old ? When you have to pick passengers up from the town CENTRE ontheir neight out they be aggressive and abuse you and your vehicle and Damage the vehicle Its harsh for the driver Would like to ask the committee please rethink it again

- (Private hire operator). The new proposals will be detrimental to the trade. Will put hundreds of driver out of business
- (Member of the public). Perhaps I missed the section on engine specification. There is considerable pollution in the town centre not least caused by hackney carriages. Their engines, mainly deisel, are kept running as they move up the queue, see high street(south). In winter they are run continuously. Suggest: long term – aim for the 'london electric cab' with the incentive of a very low licence fee. Medium term - ensure that all vehicals have a 'stop start engine' facility that cannot be immobilised or instigate spot checks to ensure that the facility has not been switched off. Short term - refuse to licence or re-licence used vehicals with deisel engines without adblue facility. Short term - instigate spot checks on existing deisel engined vehicals to ensure that the ad-blu facility is adequately filled.

Do you agree with the contents of Appendix F - Plying for hire?

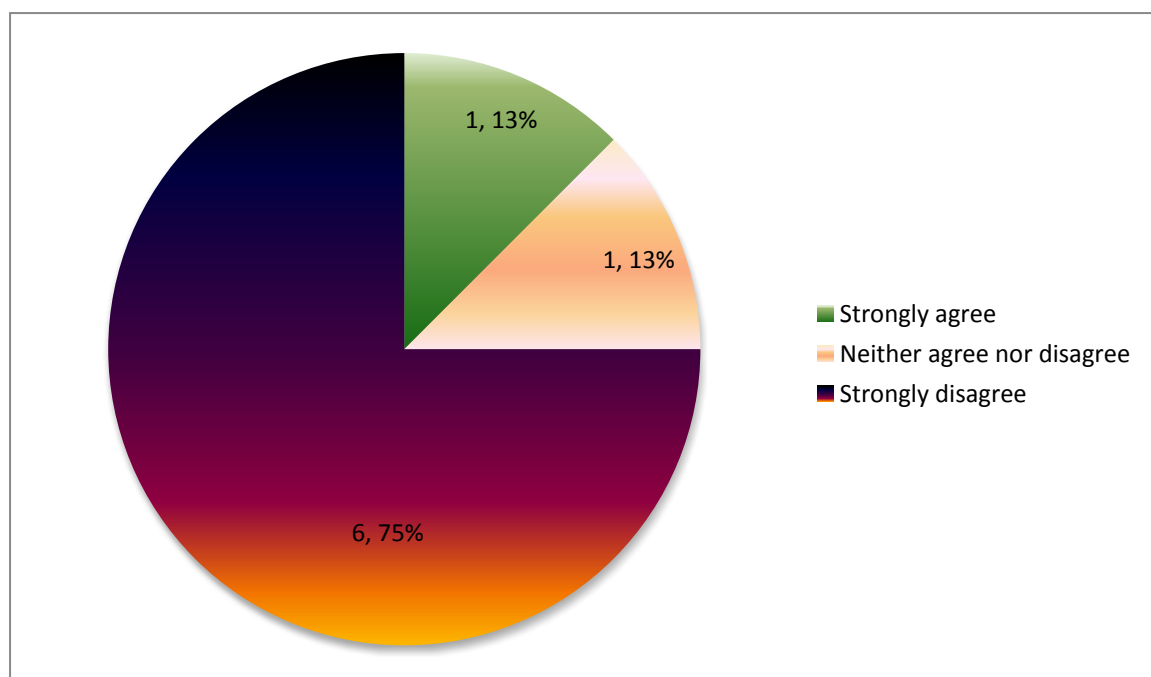
There were only two responses here, both from members of the public who strongly agreed with the contents. No further comments were left

Do you agree with the contents of Appendix G - Private hire vehicle conditions?

There were eight responses to this questions and they were far less supportive:

- One (13 per cent), a member of the public, strongly agreed
- One (13 per cent), a representative of Guide Dogs, said that they neither agreed nor disagreed
- Six (75 per cent) strongly disagreed
 - One Private hire / Hackney Carriage vehicle owner
 - One Private hire operator
 - Four responses from one taxi driver

Figure 7: Do you agree with the contents of Appendix G - Private hire vehicle conditions? 8 responses



The following comments were left:

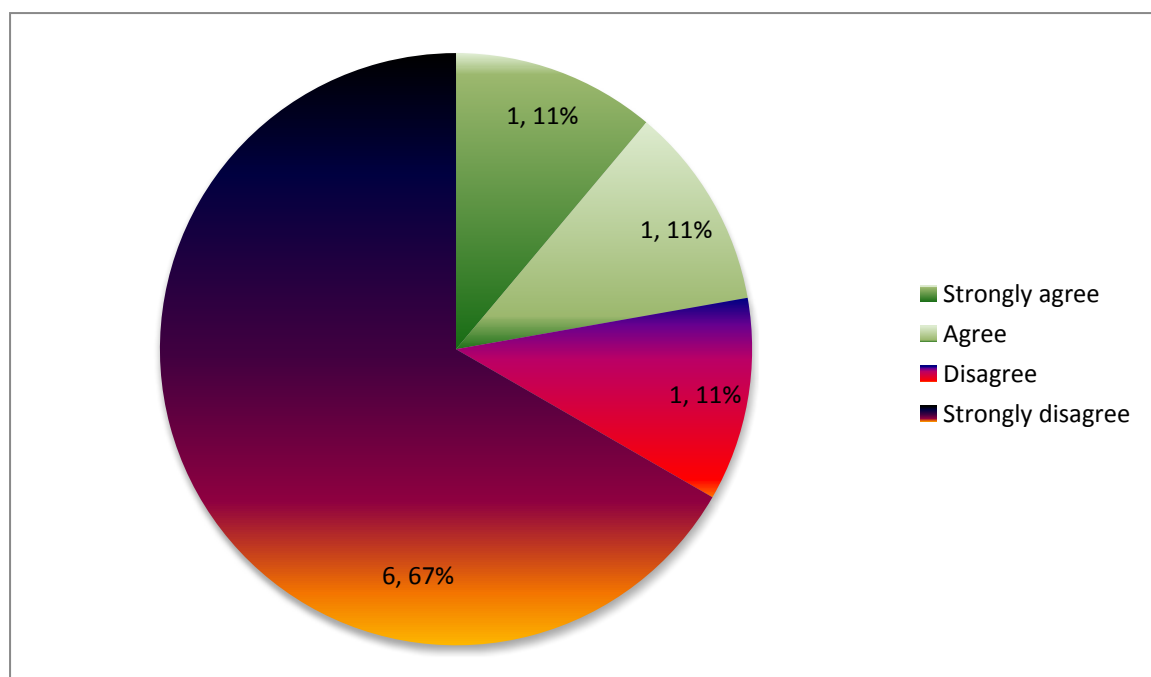
- (Private hire operator). The new proposals will be detrimental to the trade. Will put hundreds of driver out of business.
- (Member of the public) I have had it suggested that various vehicle are without a D P F and the ems remapped to hide this. I understand this may be difficult to prove in some cases. Please can this be noted. this information came via a long taxi journey during a small talk conversation.

Do you agree with the contents of Appendix H - Private hire vehicle specifications?

Responses here were mostly against the contents of this appendix.

- Two members of the public were supportive
 - One (11 per cent) each for strongly agree and agree
- One member of the public (11 per cent) disagreed
- Six out of nine respondents (67 per cent) strongly disagreed
 - One Private hire / Hackney Carriage vehicle owner
 - One Private hire operator
 - Four submissions from one taxi driver

Figure 8: Do you agree with the contents of Appendix H - Private hire vehicle specifications? 9 responses



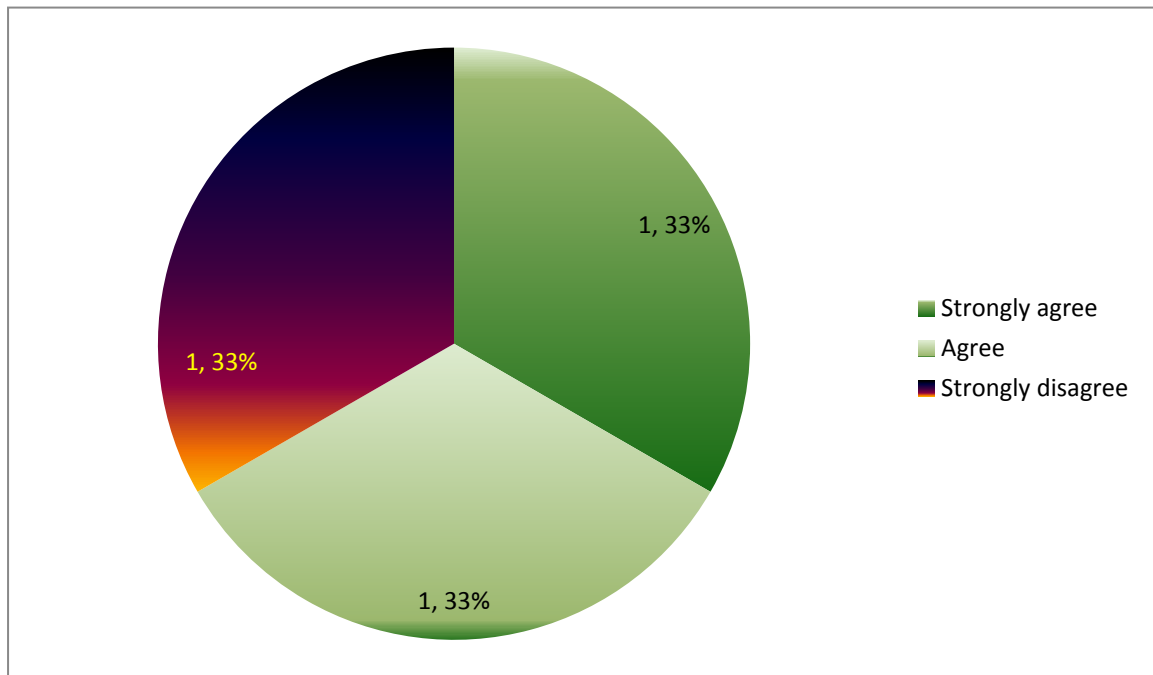
The following comments were left:

- (Member of the public) - perhaps i missed the section on engine specification. There is considerable pollution in the town centre not least caused by hackney carriages. Their engines, mainly deisel, are kept running as they move up the queue, see high street(south). In winter they are run continuously. Suggest: long term - aim for the 'london electric cab' with the incentive of a very low licence fee. Medium term - ensure that all vehicals have a 'stop start engine' facility that cannot be immobilised or instigate spot checks to ensure that the facility has not been switched off. Short term - refuse to licence or re-licence used vehicals with deisel engines without ad-blue facility. Short term - instigate spot checks on existing deisel engined vehicals to ensure that the ad-blu facility is adequately filled.
- (Private hire operator) The council are losing sight of the average earnings of local taxi drivers, reducing the age to less than 3 years old, at which cars can be first licenced incurs a great cost, which many will be unable to afford. Then to reduce their working life to 7 years is outrageous, cars are better built now than they have ever been. Also an affordable way of putting a newer car on is to repair an insurance write off, according to this policy this will be no longer allowed, which is ridiculous as the government allow these cars to be repaired and put back on the road ,that is why the damaged is catergorised, What you should be proposing is that these cars have to have an independent engineers report to ensure that they've been repaired correctly.

Do you agree with the contents of Appendix I - Private hire operator conditions?

There were three responses to this question:

- One member of the public strongly agreed
- One member of the public agree
- One private hire operator strongly disagreed



The following comment was left:

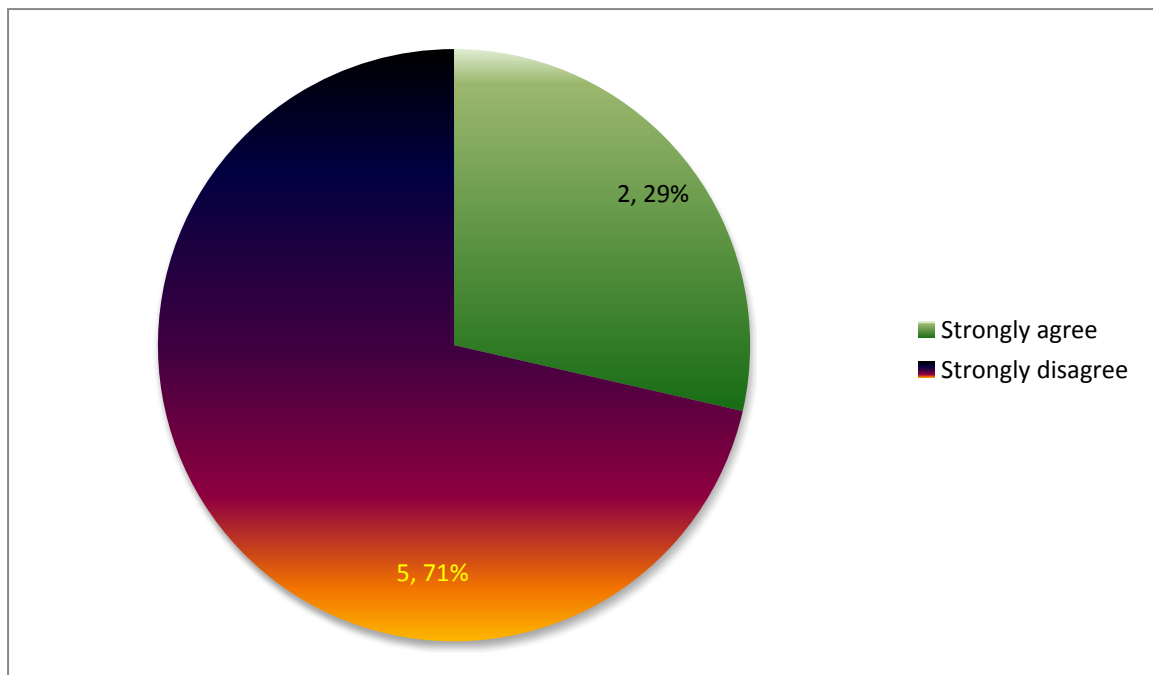
- (Private hire operator). Hundreds of drivers will be out of work. Unnecessary expense to Stoke PH operators to run from two premises. Since deregulation operators can challenge this in courts.

Do you agree with the contents of Appendix J - Taxi and PHV licensing convictions guidelines?

There were seven responses to this question:

- Two members of the public strongly agreed
- Five respondents strongly disagreed
 - One private hire operator
 - Four responses from the same taxi driver.

Figure 9: Do you agree with the contents of Appendix J - Taxi and PHV licensing convictions guidelines? 7 responses



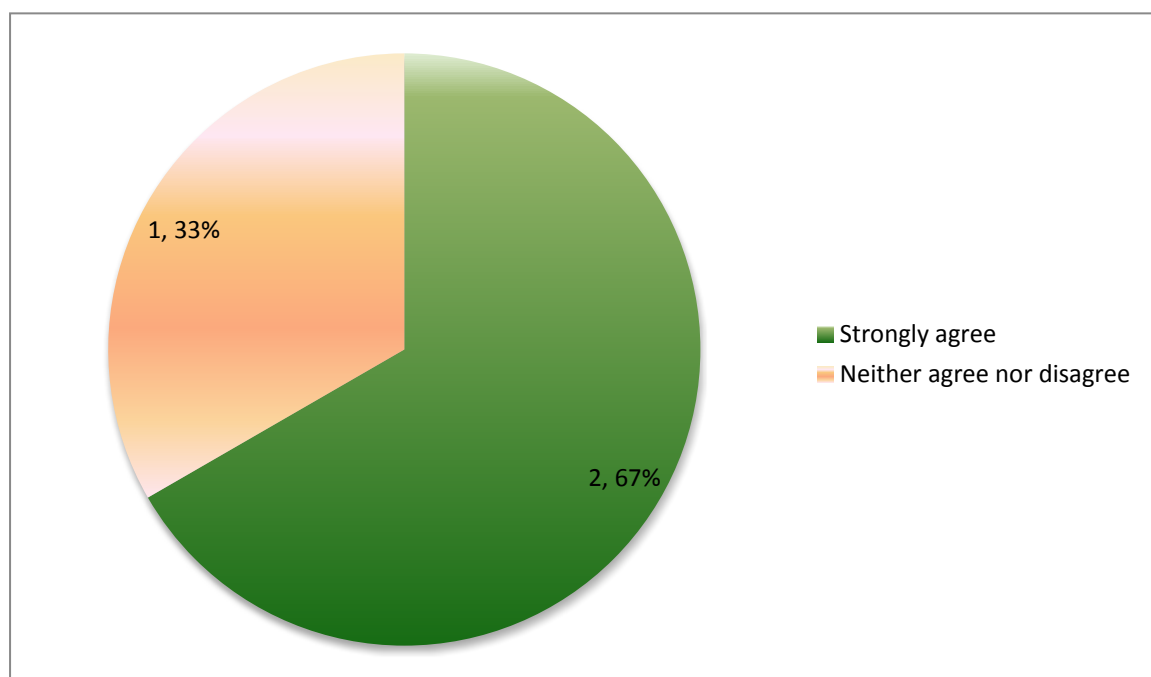
No further comments were left

Do you agree with the contents of Appendix K - Code of conduct when working with vulnerable persons?

Three responses were received to this question:

- Two members of the public strongly agreed
- One Private hire / Hackney Carriage vehicle owner neither agreed nor disagreed

Figure 10: Do you agree with the contents of Appendix K - Code of conduct when working with vulnerable persons? 3 responses



One further comment was left:

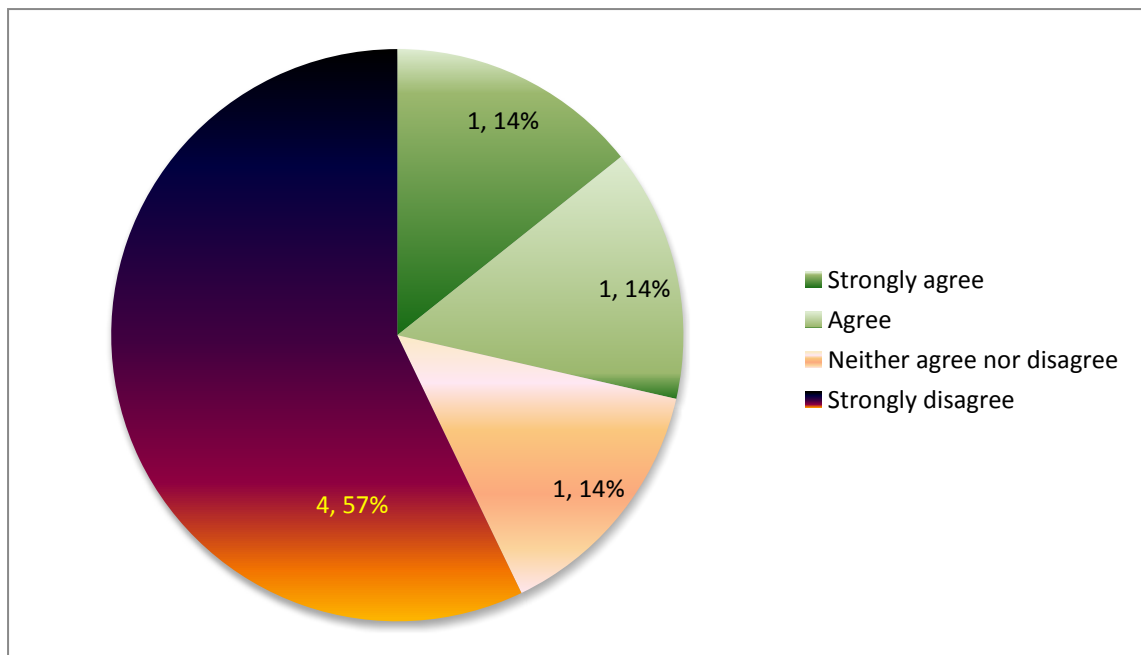
- (Private hire / Hackney Carriage vehicle owner.) Need more safety for the driver's currently young people are standing beside the roads inthe Night throwing bottles and rocks at the public transport buses including taxis putting public and drivers at risks causing damage to their vehicles nothing has been done if this will be keep going on not many drivers will be out inthe Nights Council should place a rule for the passengers who don't pay or run off or have a rule in place to pay upfront after midnight many incidents took place where people have run off without paying to the drivers)

Do you agree with the contents of Appendix L - penalty points scheme?

Seven responses were received:

- One (14 per cent) member of the public strongly agreed
- One member of the public agreed
- One organisation (Guide Dogs) neither agreed nor disagreed
- Four (57 per cent) responses said strongly disagree
 - But these were from the same taxi driver.

Figure 11: Do you agree with the contents of Appendix L - penalty points scheme? 7 responses



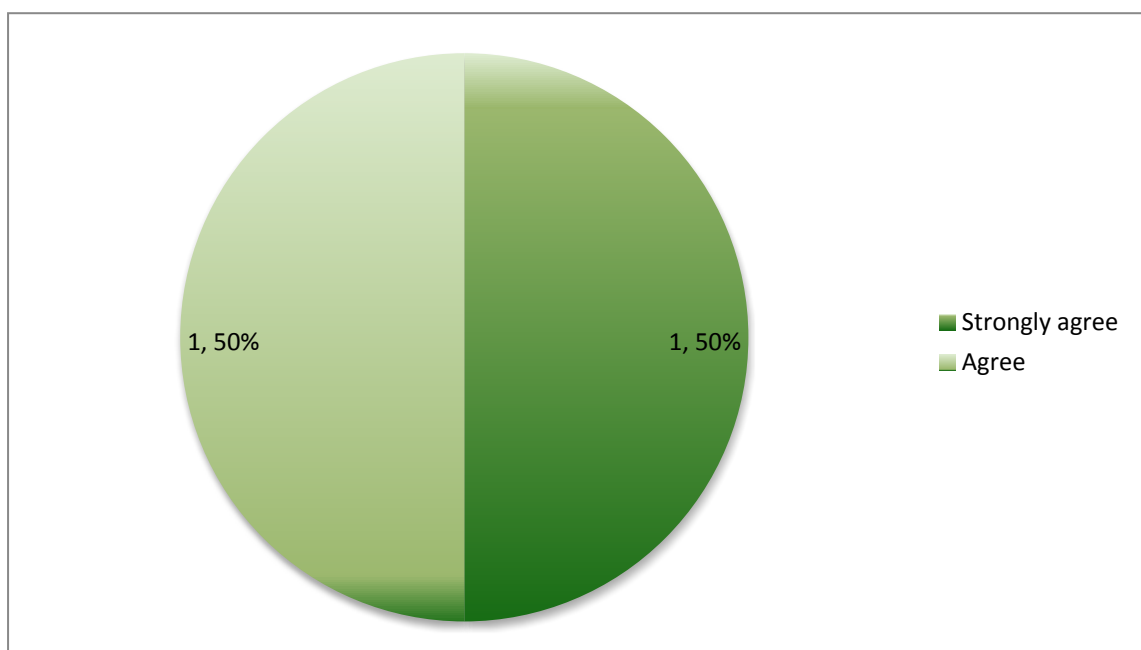
No further comments were received.

Do you agree with the contents of Appendix M - vehicle signage?

There were only two responses to this question, both from members of the public:

- One answered strongly agree
- One answered agree.

Figure 12: Do you agree with the contents of Appendix M - vehicle signage? 3 responses



No further comments were left.