

## TAXI TRADE MEETING

Wednesday 19 September 2012–Council Chamber,  
East Cambridgeshire District Council, The Grange, Nutholt Lane, Ely  
10.30am–11.28am

### PRESENT:

<b>Cllr Tony Goodge</b>	<b>Chairman of Licensing Committee</b>
<b>Elizabeth Bailey</b>	<b>Principal Environmental Health Officer</b>
<b>Liz Knox</b>	<b>Head of Environmental Services</b>
<b>Melanie Sage</b>	<b>Democratic Services Officer</b>

### ALSO IN ATTENDANCE

<b>Alan Cole</b>	<b>Alans Taxis</b>
<b>Colin Featherstone</b>	<b>A2B Taxis</b>
<b>Jamie Edmunds</b>	<b>A2B Taxis</b>
<b>Richard Turnell</b>	<b>Fencabs</b>
<b>Sandra Collin</b>	<b>Fencabs</b>
<b>S. Lindsay</b>	<b>Cornell Taxis</b>
<b>Martin Lane</b>	<b>A10 Taxis</b>
<b>John Skipper</b>	<b>A10 Taxis</b>
<b>A. Taggart</b>	<b>Acabcars</b>
<b>One other representative from Fencabs</b>	

A short presentation was delivered regarding Hackney Carriage Roof Signs in East Cambridgeshire. The current licence condition relating to roof signs does not define what 'an approved sign' means.

A survey of those roof signs currently in use in the district is to be carried out and the results taken to Members. The survey was agreed at the July Licensing Committee Meeting.

A general discussion was held regarding Hackney Carriage Roof Signs and whether there is a need for a definition. The notes of the Taxi Trade meeting will form part of a committee report that will be presented to the Licensing Committee detailing the outcome of the roof sign survey.

<b>Summary of Discussion</b>	<b>Officer Comments/ Action</b>	<b>Officer Comments/ Action subsequent to meeting</b>
<b>Roof Signage</b>		
Licence Condition 3.3, ' <i>A vehicle roof sign will be allowed in a form to be approved by the Council</i> ', should not be amended until after the outcome of the Taxi and Private Hire Reform is known. Otherwise any amendments to the condition might require further amendment once the Bill is published.	The Council would be required to consider and implement any requirements of the Reform once enacted.  If there were any changes to roof signs they would need to be 'reasonable' and 'proportionate' and a consultation exercise would need to take place with the Trade.	The Roof Sign Survey Results committee paper to be presented to the Licensing Committee meeting on 16 November 2012 which commences 9.30am.
Numbers that appear on the end of some roof signs should be removed to avoid confusion with		

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<p>the vehicle identification plate number. The company telephone number should appear on the reverse of the roof sign. Agreed that Licence Condition 3.3 should not be amended until the outcome of the Taxi and Private Hire Reform is known.</p>		
<p>Perplexed as to why roof signage was creating such an issue. If purchased from a legitimate source a roof sign was the easiest item to identify a vehicle as a taxi. However, a roof sign was also the easiest item that could be stolen.</p>		
<p>Door stickers had been introduced to increase public safety and therefore standardised roof signs were now unnecessary.</p>		
<p>Educating the public regarding the differences between a Hackney Carriage Vehicle and a Private Hire Vehicle is a very difficult task.</p>	<p>Condition 3.3 was currently unenforceable and comments were invited as to how, or if, the wording of the condition should be amended, for instance by the removal of '<i>in a form to be approved by the Council</i>'. This could be an interim measure until the extent of the Taxi and Private Hire Reform is known.</p>	
<p>A roof sign had been purchased by a driver that complied with a previous decision of the Licensing Committee. However, he stated that it was not suitable for use as when illuminated it was blue in colour and therefore was confused with a police vehicle.</p>		
<p>Any future roof sign should have the company name and telephone number on for ease of identification. This would also provide an additional form of advertisement.</p>		

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The trade would be reluctant to purchase a roof sign that only had the word 'taxi' on it.		
Roof signs could easily be stolen and then placed on an unlawful vehicle. The public would only be truly protected if all Private Hire and Hackney Carriage drivers worked together and formed a group similar to 'pub watch'.	Roof signs are part of the general make up of a Hackney Carriage, and go hand-in-hand with vehicle stickers and other identifying features such as the vehicle plate.	
An advert should be placed in the newspaper to educate the public on ways to identify Hackney Carriage and Private Hire Vehicles and the differences between those vehicles.	Information has been drafted to go on to the Council's website as to how to recognise an ECDC Private Hire or Hackney Carriage vehicle. This will go onto the Council's website at the end of next year, when ALL vehicles will be displaying vehicle stickers (as this was a phased introduction).	
Suggested that Officers go out on a Friday or Saturday night in order to understand the vehicle identification issues faced by intoxicated people when using taxis.	Late night exercises can be planned.	
In conclusion it was agreed that Licence Condition 3.3 should not be amended until the Taxi and Private Hire Reform Bill has been published. In the meantime an advertisement should be placed in a newspaper to educate the public on how to identify Hackney Carriage and Private Hire vehicles and the differentiation between those vehicles. Consideration should be given that each operator has its own individual roof sign.	The findings of the Hackney Carriage Roof Sign survey, and a summary of the discussions following this meeting, would be presented to a future Licensing Committee meeting for discussion regarding the current Hackney Carriage Roof Sign Licence Condition.	

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<b>Medical Examinations</b>		
<p>Hackney Carriage and Private Hire drivers are required to undergo a medical examination upon reaching 55, 60 and 65 years and a yearly medical thereafter, and that this must be completed by the individual's own GP. Could the Licence Condition not be amended to enable the use of the company as used by Public Service Vehicle and coach drivers in Cambridge for the purposes of medical examinations, as the cost of the medical examinations would be significantly reduced.</p>	<p>One advantage of the individual's own GP completing the medical examination was that the GP had a comprehensive medical history of that driver.</p> <p>Officers would consider these comments and bring back to the next forum.</p>	
<p>In the past it has not always been that an individual's own GP had to complete the medical examination.</p>		
<p>The requirements of when a medical examination was required seemed overly onerous, an example was given when a driver who developed heart problems was initially told by his doctor that he should not drive, and was later told by the same doctor that he could resume driving. However, the driver then had to undertake a medical examination.</p>		
<p>It was requested that officers provide a list of medical conditions that required a medical examination, including guidance notes.</p>	<p>Certain medical conditions require a medical examination and it is a requirement of driver licence conditions that drivers notify the Council should certain conditions develop or worsen. Drivers must also notify the DVLA where ability to drive is affected.</p> <p>Officers would provide a list of medical conditions that are covered by Group 2 and are likely to require an</p>	<p>Condition 18 of Hackney Carriage and Private Hire Drivers licence states that:</p> <p><b><u>Physical and Mental Fitness</u></b></p> <p>The driver shall during the period of the licence report to the Council as soon as practicable any disability, physical or medical condition which develops or worsens which effect his/her ability to drive safely. Examples of such conditions could include the</p>

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	assessment to ensure fitness to drive.	<p>following:</p> <ul style="list-style-type: none"> <li>a) heart attack</li> <li>b) fainting</li> <li>c) epilepsy</li> <li>d) strokes</li> <li>e) Parkinson's disease</li> </ul> <p>This list is not exhaustive. However, drivers are also reminded that they are legally required to inform the DVLA at Swansea of any developing conditions, which may affect their ability to drive.</p> <p>If a driver has any accident, injury, illness or condition that affects their ability to drive, <u>they must notify licensing as soon as possible</u>. It is requested that details be put <u>in writing</u>, explaining the nature of the illness/condition that affects the ability to drive, and any other relevant information. Contact will then be made with the Driver by a Licensing Officer to discuss the situation.</p> <p>Public safety is the over riding issue. It is important that Members of the public, drivers and other road users are not put at risk through someone continuing to drive when they shouldn't be due to health or medical reasons.</p> <p>The DVLA have produced a list of Medical Conditions for Licensed Drivers.</p> <p><a href="http://www.dft.gov.uk/dvla/medical/ata glance.aspx">www.dft.gov.uk/dvla/medical/ata glance.aspx</a></p> <p>The document states that depending on the illness, whether driving can continue.</p> <p>This document is used by GP's to determine whether someone is fit to drive and is also referred to during routine medical assessments.</p>

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		<p>Where a driver has reported a medical condition to us, advice will be sought from the driver's GP or specialist to whether the driver is fit to drive in line with the DVLA Group 2 Medical Standards.</p> <p>This involves us sending the GP or specialist details of the Group 2 Medical Standards with a covering letter, requesting that an assessment be made as to whether the driver is fit to drive.</p> <p>Medical/health scenarios are often unique to the individual, as there are often different health factors to take into account.</p> <p>From an enforcement point of view, we need to ensure that any driver with a medical condition does not drive until it has been confirmed that they are fit to drive.</p> <p>All drivers are reminded it is their responsibility to ensure any condition that affects their ability to drive is reported in writing to the Council as soon as possible. Operators are also requested to remind their drivers of this requirement and ensure that the Driver does contact the Licensing Authority and does not continue to drive.</p>
Use of a Radio		
<p>It was noted that the Taxi and Private Hire Guide book (Blue Book) stated that a customer could request that music be played in the taxi. However, this required a PRS licence, which was not mentioned in the Blue Book, and without a PRS licence a significant fine could be incurred. It was therefore requested that this condition be amended.</p>	<p>To amend a condition requires consultation. The condition states that radios/music are only to be played with express consent of passenger, which indicates that radios and music will not normally be played.</p>	<p>Driver Licence Condition 1 (e) states that <i>in relation to the conduct of the driver, the driver will 'not without the express consent of the hirer play any radio or sound reproducing instruments or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle'.</i></p> <p>The playing of music and the</p>

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		<p>radio in a licensed vehicle does require a Performing Rights Society Licence (PRSL).</p> <p>Drivers, vehicle owners and operators are reminded to ensure that requirements by other organisations are complied with. More information can be found at <a href="http://www.prsformusic.com">www.prsformusic.com</a></p> <p>In general terms the licence condition assumes that it will be the norm NOT to have music or the radio playing in the licensed vehicle. Therefore a PRSL is not required.</p> <p>Individual Licensees need to make their own decision as to whether they want to have a PRS Licence in place.</p>
<b>Extension of Taxi Ranks</b>		
<p>When would the taxi rank in Market Street be extended? Currently there are only 6 spaces available on the rank, which was insufficient. It was suggested that the taxi rank be extended so additional spaces are created in front of Thing-Me-Bobs, and that the disabled parking bays re-located so that additional spaces can be created by Costa Coffee and the Motorist Centre.</p> <p>It was also suggested that taxis use the Market Place during the week as a taxi rank and that an additional taxi rank be created in Forehill car park.</p>	<p>The Principal Environmental Health Officer had attended an in-house meeting to discuss various transport issues within Ely. The Principal Environmental Health Officer had raised the need for more taxi ranks.</p> <p>The extension of the taxi rank in Market Street was a matter for Cambridgeshire County Council Highways.</p> <p>Officers would notify Cambridgeshire County Council Highways of the request to extend the taxi rank in Market Street and the issue would also be raised again via the District Council's Town Centres Working Party.</p>	<p>A review of the design and management of Market Street has been identified as a priority in the Ely Traffic and Environment Study Consultation and it is hoped it will be included in a future Ely Market Town Transport Strategy.</p>

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<b>Frequency of Taxi Trade Meetings</b>		
It was agreed that that Taxi Trade meetings should occur every 6 months, on a Wednesday and mid-morning.		It is requested that all drivers, operators and vehicle owners provide Licensing with an email address, so information can be circulated via email. Please email your contact details to: <a href="mailto:licensing@eastcambs.gov.uk">licensing@eastcambs.gov.uk</a>
<b>Insurance</b>		
Once a vehicle was licensed by East Cambridgeshire District Council as a Hackney Carriage or Private Hire vehicle, it could only be driven by a licensed Hackney Carriage or Private Hire driver. However, fully comprehensive insurance policies stipulated that other insured drivers could drive the vehicle. This restriction made it difficult if the vehicle was used on a long journey to go on holiday as the driving could not be shared, or if the driver became unwell as no one else could drive the car. It was requested that the Council allow another insured driver to be able to drive the vehicle.	Case law exists that once a vehicle becomes a licensed vehicle it is always a licensed vehicle. The Principal Environmental Health Officer will seek the views of other Local Authorities and report back.	The legal principle is that once a 'taxi always a taxi' and therefore anyone driving the vehicle must be a licensed driver. Insurance companies are often not aware of the legislation/interpretation.  At all times, a Private Hire Vehicle must be driven by a person who holds a Private Hire Driver's Licence issued by the same authority as that which licensed the car. The same applies for a Hackney Carriage. See <i>Benson v Boyce</i> .  Further information/explanation to be provided at the next meeting.
<b>CRB checks</b>		
Are drivers still required to complete a CRB form for Cambridgeshire County Council contracts and a separate CRB form for East Cambridgeshire District Council?	Officers are aware of changes that may be occurring regarding the CRB process. However, the proposals have not come to light. The Principal Environmental Health Officer would contact Cambridgeshire County Council to confirm the situation.	Contact has been made with Cambridge County Council who has confirmed that CRB's are not transportable. There were proposals nationally to change the CRB system where licensees would have their own unique pin number that could be provided to anyone requesting a CRB. Local Authorities and the County Council could then use the driver pin number to access centralised records. However, these reforms haven't come into place yet.