

APPENDIX B

Response from hackney carriage vehicle proprietor

Please could you clarify 'grandfather rights' in relation to existing licence holders.

Eg. 1. Would an existing licence holder be able to replace his/her vehicle like for like (not wheelchair accessible vehicle) indefinitely until that licence is surrendered providing the vehicle is less than seven years old.

Eg. 2. My present vehicle 5 years old is written off – can I replace it like for like or under proposed new guidelines would I be forced to replace it with a wheelchair accessible vehicle.

Eg. 3 My present vehicle is due for test in November 2012 and is seven years old then – could I present a new vehicle (non wheelchair accessible vehicle) and retest that vehicle for a further seven years under the new proposed conditions.

Response from hackney carriage vehicle proprietor

I would like to lodge an objection to include a condition that hackney carriages in Macclesfield must be wheelchair accessible.

I have invested a considerable sum of money in a brand new vehicle in April this year which is a licensed Hackney Carriage. There is evidence that people who rely on a wheelchair prefer sitting in a proper car seat with a normal seat belt and their wheelchair stowed in the boot.

I regularly take people who are in this position without any problems. If an approached on the taxi rank or flagged down by a person who is wheelchair bound I will contact one of several colleagues who do operate taxis with suitable access.

I am therefore raising an objection to the inclusion of the above mentioned condition.

Petition signed by 24 hackney carriage drivers/proprietors

We the undersigned petition against Cheshire East Council's proposal to introduce wheelchair accessible vehicles on the grounds of cost and lack of driver support at a time when the economics of such a move would adversely affect our ability to earn a living.

Response from a member of the public

I have heard that you are considering obtaining new vehicles for any of the taxis covering your area. I believe that they will be wheelchair friendly, this I presume meaning that they will take the wheelchairs inside and the passenger still sitting in it. I do not like this idea. I like the one that is used by the DS Taxi Company. The chair is folded up and I can sit in the passenger seat with no problem. This way I do not feel like an invalid, the other way I will.

These cars are very comfortable, the Black Cabs are not. You are also thrown about in them. I know I have been in a few.

Please reconsider your ideas and leave it as they are at the moment.

Response from hackney carriage vehicle proprietor

I refer to your consultation document of the 12th October.

Do you have the research criteria that shows the level of expected usage by wheelchair users? I assume that proper research has been carried out which provides overwhelming proof that all new hackney carriages need to be wheelchair friendly because of the demand?

At present I am only working on anecdotal evidence from other companies and drivers but the historic demand seems to have been virtually nil and that those wheelchair users visiting Macclesfield have made prior arrangements with local specialist companies.

Petition signed by 65 hackney carriage drivers and joint hackney carriage/private hire drivers

In response to your Vehicle consultation proposal dated 12 October 2011 as follows:

It is agreed by all that the following proposal be considered:

(a) Regarding your proposal to changing all vehicles to wheelchair friendly.

If you have an existing vehicle with a pre-existing plate then you should be able to keep your plate and change the vehicle as present.

If you do not have an existing plate and are putting a new vehicle on the road with a new plate then the vehicle will have to be wheelchair friendly, that way there will be sufficient wheelchair vehicles.

(b) Regarding your proposals to change the terms and conditions.

There should be no difference to terms and conditions between MOT tests for hackney vehicles, private hire vehicles and chauffeur vehicles.

We should all be working to excellent high standards and privacy glass should be allowed in ALL vehicles if fitted by the factory.

(c) Allowing the fitting of tow bars on vehicles.

If the tow bar is to be used for business purposes then the tow bar and trailer are to be MOT tested in the same manner as the car.

Also the driver is to be tested to prove competence at towing both the vehicle and trailer.

Regarding the policing of whether the vehicle and trailer are fit for purpose, and if the driver is competent to tow a trailer then a 'T' to be printed on the vehicle licence plate and also the drivers badge. This will then show at a glance at the vehicle and driver are legal.

Response from driver

I object to the new conditions of hackney carriage vehicles. I feel that purpose built wheelchair accessible vehicles are not needed on the scale you propose. For me this would be a very expensive venture in this current climate and can say that most people think likewise.

Purpose built vehicles are not needed on the scale you propose. Having all these vehicles can't be good for the environment. They are heavy and use more fuel and expensive to run. I feel in this current climate this will have an effect on the livelihood of most taxi drivers. Also most of the general public I talk to would prefer to be a saloon car. Most of the elderly folk I take shopping have trouble getting in and out of these purpose built vehicles.

Response from Disability Resource Exchange

Initially queried whether the proposed condition in relation to wheelchair accessible vehicles would apply only to hackney carriages or whether they would also apply to private hire vehicles. Subsequently verbally confirmed support for the proposals.

Response from testing centre

1) Section 1.7 – It should be noted that some rear facing seats may only have lap belts fitted by the manufacturer, so you may need to check whether such vehicles would be suitable for use as a Hackney Carriage and if so amend the condition. This may not be an issue for the types of vehicles that will be submitted from now on.

2) Section 2.2 – This condition may need clarification to state only “patch” type welding repairs for say corrosion damage would not be acceptable, as some body work repairs carried out by specialist accident repair centre may include the welding in of complete new panels (floors, cills, quarter panels, etc) to the manufacturers specifications would be prevented.

3) Section 5.1 – Can we ensure that all LPG certification paperwork is presented to the licensing office on submission of the application? We believe there is a 72 hour period from submitting the application before they can book a test appointment so plenty of time for everything to be checked (certificates, type of vehicle, seat configuration, etc).

4) Section 5.2 – Note that some cars don’t come with spare wheels now. This point is mentioned again in the test guidelines.

5) Section 6.3 & 6.4– Up to now, only the Private Hire Vehicles have required a warning triangle and high visibility vest, so we assume this is part of unification of the conditions?

6) Section 9.1. vi – From our experience we only ever see taximeters that do display “FOR HIRE” sign at some time. If there is another type available then perhaps it should be made clear than existing operators cannot reuse their old taximeters in new vehicles if they don’t comply.

Response from vehicle proprietor

I am a Chartered professional with twenty years experience in factory management before starting my career in the service industry. Responses are, therefore, measured and based on 21 years experience in the taxi profession and on the premise that to develop an increasingly demanded professionalism in the industry has to move forward taking into consideration, customer preferences, the practicality of potential achievements and the economic viability of such developments/policies.

Proposed hackney carriage conditions

I have no objections to the proposed conditions with the exception of:

1.3 all vehicles presented for a new hackney carriage vehicle licence shall be a purpose built wheelchair accessible vehicle.

I am lodging an objection to the above proposed condition. I have summarised my reasons below

: Non- powered loading systems (3.5) present an appreciable risk to Driver and client i.e. whilst all Drivers are passed physically fit to drive a Taxi – Drivers vary in size, strength and age clearly any Driver faced with a situation where physical strength etc is required to facilitate loading presents serious Health & Safety concerns for both Driver and client. Liability in the event of an accident while loading falls to whom, the Driver or the Licensing Authority? Is the ability to push a heavy load up a 16 degree incline going to be part of the medical?

: There are currently a number of Companies and individuals operating in the Borough, as your records will verify, who have invested considerably in the correct equipment and training to supply a vehicle “Fit For Purpose”. Blanket requirement that all hackney carriages be wheelchair accessible seriously prejudices existing services would through market forces possibly reduce availability i.e. operating a specific service would become uneconomical.

: Non wheelchair bound i.e. those clients who require a wheelchair to alleviate mobility issues, from experience prefer to use non purpose built vehicles, presenting to themselves, as much as anyone else a “normal” life.

: Consideration has to be given to able bodied clients who due to age or limb immobility (e.g. Arthritic joints etc) i.e. unable to “climb” into a purpose built vehicle or preference i.e. unwilling to hire a modified vehicle. This situation currently occurs but to a lesser extent, should all Hackney carriages have to be modified vehicles the situation would be exacerbated, reducing consumer choice and seriously disadvantaging Hackney carriage owners.

: Supply and demand, it was mooted by licensing that phone calls were received relating to the unavailability of specifically modified vehicles at certain peak times which could perhaps be viewed as an unmet demand. Unavailability at peak times is equally applicable to the able bodied community, as peak times can, over a 24 hour period amount to approximately 4 hours; no one is suggesting there should be more Taxis licensed, 4 hours a day would not make a Taxi economically viable.

Grandfather rights- when applied to the plate (not the vehicle) would retain the current level of "normal" Hackney carriages in the Borough i.e the plate being attributed to a specific type of vehicle e.g. saloon, estate etc until the plate is surrendered. New plates only being issued to purpose built WAV's would over time increase the overall number of WAV's in the Borough.

The Taxi ranks across the Borough would continue to offer its customers, the electorate, choices that are required to accommodate the needs of

Wheelchair dependant

Wheelchair assisted

Mobility challenged

Aged and Able bodied customers a variety of vehicles to suit their particular requirements.

Good for the Council, good for the electorate and good for the Taxi Industry.

Response from hackney carriage company

Many thanks for the opportunity to have some input into the consultation of the Hackney Carriage Conditions etc.

I do have a few points to put to the Council, while most of what has been suggested seems mostly reasonable, the main point is that of the seven year age test limit. This would affect many cars in Congleton, and while I can see the Council's thinking on this, I would point out that since the closure of the Brunswick Wharf depot, we in Congleton have to make a journey to Crewe for the testing of our vehicles, this takes a lot of time, both in travelling to and from Crewe, plus the test and then there is the possibility that the car may fail and we have to do it all again.

May I suggest that we go back to the ways of old and have a MOT six months after the Council test, a MOT in Congleton would take very little time, and could be done when a quiet time was available. It is also much cheaper to have a MOT than a second Council test charge. If the Council's reasons for a second test is purely safety on older vehicles then I don't see any reason why this could be done.

My second point is the word "harmonisation". I am sick to death of this word. The problem in the wider world and in particular in the Euro zone is because people in high places are putting too many eggs in one basket. It would seem to most people that to harmonise Greece with Germany would always be a harmonisation too far. I feel that to try to put Macclesfield, Crewe and Congleton in one Cheshire Zone basket would be a folly, and a huge waste of time and money.

Both Crewe and Macclesfield have larger populations, larger bus stations, larger train stations, larger shopping centres. They have large taxi numbers because of this. So why do the Council think that to harmonise Congleton with our larger neighbours is going to be a good idea. The only harmonisation that should be done, would be to put a limit on taxi numbers in Crewe and Macclesfield to harmonise with Congleton. Rank space in all towns is too few in number, and footfall in all town centres is much lower now, than in other years.

This brings me onto deregulation. There are now many part time taxis in Congleton, too many to make a living. Deregulation would have the effect of less taxis in the week, as more taxis would make it harder and harder for the full time taxi drivers who provide a fantastic service to many older residents, and those because of the economic downturn have got rid of their cars to make a living.

The full time drivers/owners try to subsidise their weekday trade, and work weekends, as this can be much busier, but as more and more taxi plates issued would flood the town at weekends, and as trade reduced I fear that the full time drivers would move on to pastures new. Some days takings of

£30-£40 is the norm, many elderly, mums and disabled people rely on taxis during the week, issuing more plates would put this service at risk.

The public of East Cheshire know their taxi service. The zones work to a certain level, we all know the different regulations, and some of the different ones could be "harmonised", but I feel that each town has its own identity and its own differences that the public and the taxi trade understand.

I have little confidence in this letter making any impact with the Council. Years ago the Congleton taxi trade entered into a consultation about the redevelopment of the taxi rank/bus station, we put many ideas forward, told officials what would or wouldn't work. The Council then went ahead and did what it wanted, took nothing on board, and we ended up with a dog's dinner.

I have one last point to make, and this isn't a criticism at anyone or even the Council. Having been to many meetings over many years, it is obvious that members of the Licensing Committee have limited knowledge of the taxi trade, and why should they, many don't ever need a taxi and have little idea of the problems etc of our trade, I am sure that they mean well and try to make a honest and intelligent contribution to the meetings.

Just as an idea, maybe for the future as and when the Council have meetings about the taxi trade of East Cheshire, and particularly if the three zones are maintained, would it be worthwhile if the Council invited a member from each zone to act as an information guide, each zone member could put to the Council issues of note, parking, rank space, violence to drivers, illegal taxis from other towns etc, etc. Anyway just an idea, I am sorry to have gone on so long, but it is important to me and many other owner/drivers, how the Council handle our lives.

And I know the taxi trade is only a very small part to the Council's bigger issues, but hopefully you will make some good decisions.

An operator in Congleton

P.s. as you have noticed, I have gone a bit wayward with what you were asking for. The test guidelines are a great idea, a big help at test time, just 1 or 2 comments. Page 2 regarding rear window heater, this I think should change to 4 or 5 not working elements. My other comment is page 6 regarding First Aid kit, none of the drivers have any first aid training, maybe some could be sorted out, and if not why do we carry a kit? My other moan is contained in my letter regarding the testing.

South Cheshire Chamber

Thank you for your letter dated 17th October 2011 giving the Chamber the opportunity to comment on your proposals in relation to private hire vehicles and hackney carriages.

Whilst we feel unable to comment in detail on the technicalities involved, it is our view that from an image perception point of view it is important that the quality and safety of taxis should be at the highest level possible as they are often the first point of contact for visitors and create a lasting impression.

For this reason we would support any proposals that improve current arrangements.

Cheshire Constabulary

Re: (i) Consultation in relation to proposed hackney carriage vehicles conditions (zones 1,2 & 3) and hackney carriage test guidelines; (ii) consultation in relation to private hire condition 2.7 and private hire guidelines.

Thank you for recent correspondence forwarded to Cheshire Constabulary Roads Policing Unit, in respect of the proposed amendments detailed above, which have been forwarded for my attention.

I have reviewed the information you have sent. The conditions imposed on Private Hire/Hackney carriages are a matter for the Licensing Committee to determine. The guidelines forwarded to me would appear to set a clear and unambiguous criteria for the standards expected of a Private Hire or Hackney Carriage Vehicle. I have no issues or concerns to bring to the attention of the Licensing Committee in respect of these proposals.