

NORWICH CITY COUNCIL

Report for Resolution

Report To Licensing Committee
31 March 2011

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Report of Head of Citywide Services

Subject Request to restrict hackney carriage vehicle licences

Purpose

This report invites members to consider a request from a hackney carriage proprietor and driver to restrict the number of hackney carriage vehicle licences issued by the council.

Recommendation

1. That members resolve not to pursue a policy of restricting the issue of hackney carriage vehicle licences by determining a maximum number of licences that should be granted.
2. That members consider amending conditions 3 and 4 of the hackney carriage vehicle licence conditions relating to age of vehicles.
3. That members consider amending the hackney carriage vehicle specification to incorporate a policy on exhaust emission levels.

Financial Consequences

If members resolve to pursue a policy of restricting the issue of hackney carriage vehicle licences by determining a maximum number of licences that should be granted, then this may require a survey to be carried out to ascertain whether there is no significant unmet demand for taxi services. Such a survey would need to be carried out by a specialist consultant for which currently there is no financial provision.

Corporate Objective/Service Plan Priority

The report helps to achieve the service plan priority of protecting the interests of the public through the administration of the licensing function.

Contact Officers

Ian Streeter

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Background Documents

Background

1. At the meeting of the Licensing committee on 30 September 2010 members received a petition from Mr Ian Clodd and Mr Steve Royal requesting that the council review the current policy in relation to the granting of hackney carriage vehicle licences. A copy of the relevant minute is attached at Appendix A.

2. The matter was further discussed at the meeting of the Licensing committee on 11 November 2010 and a copy of the relevant minute is attached at Appendix B. Unfortunately, it has not been possible to bring back a further report on the matter any earlier due to the resources of the licensing section being reduced by the long term absence of one of the three licensing staff. Additionally, the original committee meeting date earlier in March had to be re-scheduled because of the unavailability of the Senior Licensing Officer due to sickness.

3. Following the meeting of the committee last year, Mr Clodd has produced further information as requested and this is attached at Appendix C to the report.

Legislation

4. By virtue of Section 16 of the Transport Act 1985, a district council may refuse an application for a hackney carriage vehicle licence in order to limit numbers only if they are satisfied that there is no significant unmet demand for taxi services in that area. This does not mean that district councils must limit hackney carriage vehicle numbers if they are satisfied that demand in their area is totally met, but acts to forbid district councils from restricting numbers for any other reason.

5. A Licensing Authority is not obliged to give reasons for not limiting taxi numbers, nor does it need to conduct a demand survey before deciding to cease limiting numbers if such a restriction is in place. If a limit is in operation, the local authority is required to periodically re-assess whether or not there is unmet demand for taxi services.

6. Councils may not limit the number of private hire vehicles operating in their area.

Department for Transport Best Practice Guidance

7. The Department for Transport (Dft) first issued Best Practice Guidance in October 2006 to assist those local authorities in England and Wales that have responsibility for the regulation of the taxi and private hire vehicle (PHV) trades. The most recent edition of the guidance was published in February 2010.

8. The issue of quantity restrictions in relation to hackney carriage vehicle licensing outside London is contained in paragraphs 45 -51 of the latest guidance, which are reproduced below.

45. The present legal provision on quantity restrictions for taxis outside London is set out in section 16 of the Transport Act 1985. This provides that the grant of a taxi licence may be refused, for the purpose of limiting the number of licensed taxis 'if, but only if, the [local licensing authority] is satisfied that there is no

significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet'.

46. Local licensing authorities will be aware that, in the event of a challenge to a decision to refuse a licence, the local authority concerned would have to establish that it had, reasonably, been satisfied that there was no significant unmet demand.

47. Most local licensing authorities do not impose quantity restrictions; the Department regards that as best practice. Where restrictions are imposed, the Department would urge that the matter should be regularly reconsidered. The Department further urges that the issue to be addressed first in each reconsideration is whether the restrictions should continue at all. It is suggested that the matter should be approached in terms of the interests of the travelling public - that is to say, the people who use taxi services. What benefits or disadvantages arise for them as a result of the continuation of controls; and what benefits or disadvantages would result for the public if the controls were removed? Is there evidence that removal of the controls would result in a deterioration in the amount or quality of taxi service provision?

48. In most cases where quantity restrictions are imposed, vehicle licence plates command a premium, often of tens of thousands of pounds. This indicates that there are people who want to enter the taxi market and provide a service to the public, but who are being prevented from doing so by the quantity restrictions. This seems very hard to justify.

49. If a local authority does nonetheless take the view that a quantity restriction can be justified in principle, there remains the question of the level at which it should be set, bearing in mind the need to demonstrate that there is no significant unmet demand. This issue is usually addressed by means of a survey; it will be necessary for the local licensing authority to carry out a survey sufficiently frequently to be able to respond to any challenge to the satisfaction of a court. An interval of three years is commonly regarded as the maximum reasonable period between surveys.

50. As to the conduct of the survey, the Department's letter of 16 June 2004 set out a range of considerations. But key points are:

the length of time that would-be customers have to wait at ranks. However, this alone is an inadequate indicator of demand; also taken into account should be...

waiting times for street hailings and for telephone bookings. But waiting times at ranks or elsewhere do not in themselves satisfactorily resolve the question of unmet demand. It is also desirable to address...

latent demand, for example people who have responded to long waiting times by not even trying to travel by taxi. This can be assessed by surveys of people who do not use taxis, perhaps using stated preference survey techniques.

peaked demand. It is sometimes argued that delays associated only with peaks in demand (such as morning and evening rush hours, or pub closing times) are not 'significant' for the purpose of the Transport Act 1985. The Department does

not share that view. Since the peaks in demand are by definition the most popular times for consumers to use taxis, it can be strongly argued that unmet demand at these times should not be ignored. Local authorities might wish to consider when the peaks occur and who is being disadvantaged through restrictions on provision of taxi services.

consultation. *As well as statistical surveys, assessment of quantity restrictions should include consultation with all those concerned, including user groups (which should include groups representing people with disabilities, and people such as students or women), the police, hoteliers, operators of pubs and clubs and visitor attractions, and providers of other transport modes (such as train operators, who want taxis available to take passengers to and from stations);*

publication. *All the evidence gathered in a survey should be published, together with an explanation of what conclusions have been drawn from it and why. If quantity restrictions are to be continued, their benefits to consumers and the reason for the particular level at which the number is set should be set out.*

financing of surveys. *It is not good practice for surveys to be paid for by the local taxi trade (except through general revenues from licence fees). To do so can call in question the impartiality and objectivity of the survey process.*

51. Quite apart from the requirement of the 1985 Act, the Department's letter of 16 June 2004 asked all local licensing authorities that operate quantity restrictions to review their policy and justify it publicly by 31 March 2005 and at least every three years thereafter. The Department also expects the justification for any policy of quantity restrictions to be included in the Local Transport Plan process. A recommended list of questions for local authorities to address when considering quantity controls was attached to the Department's letter.

9. Members will note from paragraph 47 of the Dft guidance that the Department regards as best practice those licensing authorities who do not impose quantity restrictions.

Hackney carriage vehicle specification

10. As members are aware, the council has adopted a specification in respect of hackney carriage vehicle licensing and a copy of the current specification is attached at Appendix D to the report.

11. The specification was amended in November 2009 to allow the Peugeot E7 vehicle to be licensed as a hackney carriage.

Hackney carriage vehicle licence conditions

12. Two of the conditions attached to all hackney carriage vehicle licences are related to the age of the vehicle, firstly regarding initial licensing and secondly in respect of how long the vehicle can be licensed. These conditions are:

3. On initial licensing the age of the vehicle shall not exceed 5 years unless passed by the Director of Regeneration and Development as in exceptionally good condition.

4. The age of the vehicle shall not exceed 10 years unless passed by the Director of Regeneration and Development as in exceptionally good condition.

Petition submissions

13. In his submission to the committee, Mr Clodd has requested that a restriction be placed on the licensing of further hackney carriages by the city council and has asked for the following matters to be considered:-

- The ratio of hackney carriages per head of population;
- The proportion of other licensing authorities who restrict the number of hackney carriage vehicle licences they issue;
- The hours hackney carriage drivers work; and
- Air pollution and congestion.

14. The number of licensed hackney carriages in Norwich at the time of writing the report is 225. The figure supplied to Mr Clodd by the licensing section is unfortunately incorrect as an error in the licensing software has subsequently been discovered which had resulted in expired licences being included in the total given to Mr Clodd.

15. Figures obtained from the council's policy team show that the population of the city council boundary area to be approximately 140,000. However, a mid 2009 estimate for the 'Norwich built up area' (incorporating Costessey, Cringleford, Drayton, Hellesdon, Norwich (unparished), Old Catton, Sprowston, Taverham, Thorpe St Andrew, Trowse with Newton (parishes) was 216,000. A figure was also supplied for an area termed "Greater Norwich". This went out a little wider (additionally including Great and Little Plumstead, Horsford, St Faiths, Postwick with Witton, Rackheath, Spixworth & Beeston, Bawburgh, Bixley, Caistor st Edmund, Colney, Keswick and Kirby Bedon) and had an estimated population of 227,000 (mid 2008).

16. I have been unable to trace the Dft guidelines Mr Clodd quotes in relation to the generally agreed ratio of 1.1 taxis per 1000 head of population. However, using the correct hackney carriage vehicle licence number and the 'Norwich built up area' population estimate the ratio is 1.0 taxis per 1000 head of population.

17. In a survey carried out by the National Private Hire Association in October 2010, out of 342 licensing authorities surveyed, 82 (or 24%) restricted the number of hackney carriage vehicle licences they issued.

18. Section 10 of the hackney carriage vehicle specification attached at Appendix D relating to exhaust systems reads:

10. All exhaust systems must comply with the requirements of C & U Regulation 54.

The specification does not contain standards relating to exhaust emissions, however members may be aware of EC directives in respect of 'normal' cars which required all new vehicles to be compliant with the relevant Euro standard by a certain date (see table below).

| | |
|---------------------|----------------------------------|
| Euro I technology | mandatory for new cars from 1992 |
| Euro II technology | mandatory for new cars from 1996 |
| Euro III technology | mandatory for new cars from 2000 |
| Euro IV technology | mandatory for new cars from 2005 |
| Euro V technology | Mandatory for new cars from 2011 |

Consultation

19. A letter was sent to all existing hackney carriage vehicle licence holders detailing Mr Clodd's submissions at Appendix C and comments were sought on his proposals and possible solutions. The responses received are attached at Appendix E.

20. A press release and short survey requesting the views of the public have also been published, the headline results of which are attached at Appendix F.

Options

21. In his submissions Mr Clodd has put forward two solutions:-

- Place a cap on the number of hackney licence issued which could be reviewed after a period of time; and
- Hackney carriage vehicle licences will only be issued to first registered vehicles i.e. new vehicles, but any existing licence can be transferred to another vehicle.

22. The Dft Best Practice Guidance considers not applying number limitations as being best practice. Before a limit could be imposed the council would have to be satisfied that there was no significant unmet demand for taxi services in the area. Research has shown that councils who have imposed a limit employ specialist external bodies to carry out a survey to ascertain the statutory test and that the cost of these surveys can be between £40,000 to £60,000.

23. The current hackney carriage vehicle licence condition 3 (as set out in paragraph 12 of the report) permits vehicles up to 5 years to be initially licensed and, in some cases, those vehicles older than 5 years, providing they are in exceptionally good condition. To implement Mr Clodd's second solution would require an amendment to this condition and members would need to be clear on the basis for change and give reasons for setting a different age requirement.

24. Another option to address the concerns that have been raised would be to consider amending the hackney carriage vehicle specification and introduce an exhaust emissions standard. Information obtained from Transport for London shows that since 30 June 2008, the Public Carriage Office have only issued licences to hackney carriages that meet the Euro 3 standards as set out in paragraph 18 above. Conversion kits have been approved for those existing licensed vehicles that were not compliant to enable them to meet the new standard.

APPENDIX A

Licensing Committee: 30 September 2010

1. PETITION

Mr Ian Clodd and Mr Steve Royal introduced and presented the following petition:-

"We the undersigned believe that the Norwich city council has a responsibility to cab drivers to ensure that they are able to earn a reasonable living. Due the council's deregulation of license plates, the situation has passed saturation point, and we ask them to review their policy, to enable both drivers and customers to have a better standard of service."

Mr Clodd added that the recommendation from the Department of Transport was that there should be a minimum of 1.1 cabs and a maximum of 2.2 cabs per 1000 people. He said Norwich had 2.5 cabs per 1000 people. Mr Royal referred to the amount of taxi ranks available in the City. The senior licensing officer said there were currently a minimum of 28 full time and 57 part time spaces excluding the ones at the railway station and airport which was private land. He said the licensing committee did not have the authority to address the issue and that the matter should be referred to the Norwich highways agency committee (NHAC).

Councillor Adrian Ramsay, vice chair responded to the petition as follows:-

"Thank you, Mr Clodd and Mr Royal, for presenting this petition to the licensing committee. As vice chair of the committee I will give an initial response on the issue. The council's current policy of not placing a restriction on the number of hackney carriage licenses in the city is based on national Government guidance from the Department of Transport. However, this issue has not been considered by councillors on the current licensing committee. Having spoken to the Chair of this committee, I have asked council officers to prepare a report on the issue for our next meeting, when councillors can consider whether the policy should be changed. Councillors will need to consider the interests of existing and potential hackney drivers and of the generic public. I have asked officers to seek views and evidence in writing in advance of the meeting from representatives of drivers and of consumer interests. 'You and other representatives of interest groups will also be very welcome to attend that meeting and address the committee. The meeting will take place on Thursday 11 November at 4:30pm at City Hall and will be open to the public.'"

RESOLVED to:-

(1) agree that a report on the matter be prepared in consultation with Mr Clodd, Mr Royal, the Chair and vice-chair of the Committee, the council's legal department and council officers to be brought back to committee for further consideration on 11 November 2010;

(2) ask Mr Clodd and Mr Royal to provide further information and evidence to the senior licensing officer by Wednesday 27 October 2010;

(3) ask the committee officer to provide Mr Clodd and Mr Royal with the date of the next NHAC meeting for the issue of allocation of taxi rank spaces.



LICENSING COMMITTEE

4.30 p.m. - 5 p.m.

11 November 2010

Present: Councillors Driver (chair), Ramsay (vice-chair), Altman, Blower, Dylan, Gihawi, Hooke, Jeraj, Lay, Stephenson and Thomas

Apologies: Councillors Banham and George

1. MINUTES

The senior licensing officer updated members regarding a petition submitted at the previous meeting on the issue of the allocation of taxi rank spaces. He stated that Mr Clodd had been unable to provide the information required in time for the council to hold an effective consultation. Further work would need to take place including confirmation of the population data available and a comprehensive consultation on the issues raised. It was suggested that members receive a report in January 2011.

RESOLVED to agree the accuracy of the minutes of the meeting held on 30 September 2010.

2. LICENSING POLICY REVIEW

The senior licensing officer presented the report and circulated some additional wording for inclusion in the policy. The draft policy had been available on the website and interested parties and bodies (both internal and external to the council) had been consulted during August to October 2010. He took members through the table of responses following the public consultation.

The council had recently responded to a wider 'fees' consultation for premises licenses which was currently charged at a flat fee and did not vary depending on the size of the premises. The council would support an approach for fees to reflect the actual cost of each individual case and to take into account enforcement by police etc.

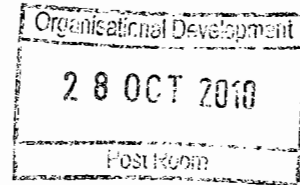
In response to members' questions, he explained that due to the fire safety order 2006, any issues relating to fire safety, for example capacity issues, would not fall within the remit of the licensing authority. He also confirmed that it was a standard condition for premises to inform the licensing authority before temporary decorations were used.

APPENDIX C

SUBMISSION to LICENSING COMMITTEE - NORWICH CITY COUNCIL

(for discussion at the Licensing Meeting of 11th November 2010)

By Ian Clodd.



REQUEST TO RESTRICT HACKNEY CAB NUMBERS

The Norwich Hackney cab drivers are deeply concerned with ever increasing number of Hackney taxi cabs being licensed by Norwich City Council. Our concern centres around the fact that the number of Hackney Cabs currently operating around the streets of Norwich is having a severely detrimental effect on the ability of existing taxi drivers to earn a reasonable living. It is therefore requested that a solution be found that restricts the number of new licenses granted to a minimum for a period of time. Such action should allow the Hackney trade the opportunity to recover from the stagnation currently experienced.

CURRENT EARNINGS SITUATION.

It is not uncommon at the moment for cabs working from any of the Norwich ranks to wait 60 minutes plus before being requisitioned. Whilst it is accepted that the minimum wage does not apply to self employed workers it is however a fact that many drivers currently work at less than the Minimum Wage rate. **Take home earnings of £60 per day* (full time working) is not uncommon at the moment.**

*It should be noted that an average of 50% of a Hackney Cab drivers earnings is taken up by overheads and running costs.

To earn a living wage the option for Hackney Cab drivers is stark, longer hours must be worked. This is achieved by working 6 or 7 day a week and up to 12 – 14 hours per days.

Hackney drivers with aspirations to save for retirement must work even more hours.

Obviously, the recent Government announcement regarding expenditure cuts will only exacerbate the current situation and the cutbacks start to take affect and job losses materialise.

FACTS TO CONSIDER

The Council's Licensing department confirms **310** licensed hackney cabs in Norwich all of which have wheelchair accessibility (WAVs). This figure may have increased in recent weeks up to **315**.

Norwich City Councils area population is recorded as circa **137,300**.

Department of Transport guidelines indicate a generally agreed ratio of **1.1 taxis per 1000** head of population. However our calculations show the current Norwich City ratio is in excess of **2.25 taxis per 1000** head of population.

It is a fact that **88** Licensing Authorities in England and Wales restrict Hackney cab numbers. These include: Birmingham, Bournemouth, Cardiff, Colchester, Leeds, Leicester, Sheffield & Southampton. In fact **Birmingham** Council have only recently agreed to extend the moratorium until 2013.

The long hours Cab drivers are compelled to work cannot be good for the individuals themselves or the total safety of travelling public.

Another obvious drawback of having so many hackney cabs is the air pollution and the extra congestion caused (mainly in the city centre).

Taking account the aforementioned information it is therefore requested that the Licensing Committee of the Norwich City Council support the City hackney trade by placing a restriction on the registration of further Hackney cabs in Norwich.

POSSIBLE SOLUTIONS

1.....One solution would be to simply place a cap on the number of hackney licenses authorised. Such a cap could be reviewed after a period of time to be determined by the Licensing Committee.

2.....An alternative solution may be achieved by simply adopting a licensing "rule" along the lines of :
"New hackney plates will only be issued to first registered vehicles i.e. new vehicles, but any existing plate can be transferred to another vehicle."

(This proposal, if acceptable, will not deny anyone the opportunity of purchasing a cab to be used in Norwich, at the same time there will be ongoing benefits to the environment as newer, more environmentally friendly cabs are introduced).

We are led to believe this "rule" or a similar rule may already have adopted by the Great Yarmouth Licensing Authority.

We would be grateful for your consideration of the matter.

Ian Clodd Plate No. 1338
55 Cozens Hardy Road,
Sprowston
Norwich
NR7 8QG



APPENDIX D

SPECIFICATION

Relating to the

CONSTRUCTION AND LICENSING

Of

HACKNEY CARRIAGES IN NORWICH.

Part 1 – Conditions of Fitness

Part 2 – Directions

NOTES

- (i) the word approved in the Conditions of Fitness refers to approval by Norwich City Council

PART 1

CONDITIONS OF FITNESS

General Construction

1. (i) Every vehicle must comply in all respects with the requirements of The Motor Vehicle (Type Approval) Regulations 1980 and The Motor Vehicle (Type Approval) Regulations (Great Britain) 1984, and in use must comply with the Road Vehicles (Construction and Use) Regulations 1986 (C & U). These Regulations are amended from time to time and from 1st January 1993 cover the requirements for EC Whole Vehicle Type Approval (ECWVTA)
- (ii) Vehicles must be so constructed as to facilitate the carriage of disabled persons and must be capable of accommodating a disabled person in a wheelchair in the passenger compartment, provided the wheelchair fits within the dimensions specified in paragraph 12.
- (iii) No fittings, other than those approved, may be attached to or carried on the inside or outside of the vehicle.

Steering

2. (i) The steering wheel must be on the offside of the vehicle.
- (ii) The steering mechanism must comply with the requirements of C & U Regulation 29.

Turning Circle

3. (i) The vehicle must be capable of being turned on either lock so as to proceed in the opposite direction without reversing between two vertical parallel planes not more than 12.6 metres apart.
- (ii) The wheel turning circle, kerb to kerb, on either lock must not be less than 7.62 metres in diameter.

Tyres

4. (i) All tyres must comply with the requirement of C & U Regulation 24-27. Retread tyres must also comply with the British Standards Institution requirements BS.AU144C.
- (ii) All tyres must have an effective circumference of not less than the size marked on the taximeter and will undergo rolling circumference tests to determine their compatibility.

Brakes

5. All braking systems must comply with the requirement of C & U Regulation 15 – 18.

Interior Lighting

6. Adequate lighting must be provided for the driver and passengers. Separate lighting controls for both passenger and driver must be provided. In the case of the passenger compartment, an illuminated control switch must be fitted in an approved position. Lighting must also be provided at floor level to each passenger door and be actuated by the opening of the doors.

Electrical Equipment

7. An additional electrical installation to the original equipment must be adequately insulated and be protected by suitable fuses.

Fire Appliances

8. An appliance for extinguishing fire must be carried in such a position as to be readily available for use and such appliances must be independently certified that they are manufactured to meet the requirements of BS EN3 1996 and have a minimum fire rating of 5a and 34b. Any Norwich City Council approved appliance which meets BS 5423 1987 may continue to be carried until its expiry date has elapsed.

Fuel Systems

9. A device must be provided whereby the supply of fuel to the engine may be immediately cut off. Its situation, together with the means of operation and "OFF" position must be clearly marked on the outside of the vehicle. In the case of an engine powered by LPG or petrol the device must be visible and readily accessible at all times from outside the vehicle.

Exhaust Systems

10. All exhaust systems must comply with the requirements of C & U Regulation 54.

Body

11. The body must be of the fixed head type with a partially glazed partition separating the passenger from the driver.

The overall width of the vehicle exclusive of driving mirrors must not exceed 1.90 metres.

The overall length must not exceed 5.135 metres.

Wheelchair facilities

12. (i) Approved anchorages must be provided for the wheelchair and chairborn disabled person. These anchorages must be either chassis or floor linked and be capable of withstanding stresses to a dynamic deceleration test of 15g peak at 20 mph. Restraints for wheelchair and occupant must be independent of each other. Anchorages must also be provided for the safe storage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment. All anchorages and restraints must be so designed that they do not cause any danger to other passengers.

(ii) The door and doorway must be so constructed as to permit an unrestricted opening across the doorway of at least 75 centimetres. The minimum angle of the door, when opened, must be 90 degrees.

(iii) The clear height of the doorway must not be less than 120 centimetres.

(iv) Grab handles must be placed at door entrances to assist the elderly and disabled.

(v) The top of the tread for any entrance must be at floor level of the passenger compartment and must not exceed 38 centimetres above ground level when the vehicle is unladen. The outer edge of the floor at each entrance must be fitted with non-slip treads. Where the top tread for the entrance exceeds 38 centimetres then a moveable intermediate step must be provided. The intermediate step must be encased beneath the vehicle when not in use. The step must be covered with a suitable non-slip surface with the edges of the step highlighted in yellow.

(vi) The vertical distance between the highest part of the floor and the roof in the passenger compartment must not be less than 1.3 metres.

(vii) Where seats are placed facing each other there must be a minimum space of 42.5 centimetres between any part of the front of a seat and any part of any other seat which faces it provided adequate foot room is maintained at floor level. Where all seats are

placed facing to the front of the vehicle there must be a clear space of at least 66 centimetres in front of every part of each seat squab.

(viii) A ramp or ramps for the loading of a wheelchair and occupant must be available at all times for use at the rear nearside passenger door. An adequate locating device must be fitted to ensure that the ramp/ramps do not slip or tilt when in use. Provision must be made for the ramps to be stowed safely when not in use.

Passenger capacity

13. (i) The occasional seats must be at least 40cm in width and the minimum distance from the back of the upholstery to the front edge of the seat must be 35.5cm.
- (ii) The occasional seats must be so arranged as to rise automatically when not in use. They must be symmetrically placed and at least 4 cm apart. When not in use, front seats must not obstruct doorways.
- (iii) A seat of an approved type may be provided in the nearside forward position of the vehicle, subject to the approval of Norwich City Council.
- (iv) The rear seat dimensions must be adequate to carry two or three adult passengers comfortably.
- (v) Suitable means must be provided to assist persons to rise from the rear seats with particular attention to the needs of the disabled.

Driver's compartment

14. (i) The driver's compartment must be so designed that the driver has adequate room, can easily reach and quickly operate the controls and give hand signals on the offside of the vehicle.
- (ii) The controls must be so placed as to allow reasonable access to the driver's seat and, when centrally placed, must be properly protected from contact with luggage.
- (iii) A serviceable device for demisting the windscreen must be fitted.
- (iv) Every vehicle must be provided with an approved means of communication between the passenger and driver. When a sliding window is fitted on the glazed partition, the maximum width of the opening must not exceed 11.5 cm.

Windows

15. (i) Windows must be provided at the sides and rear.
- (ii) Passenger door windows must be capable of being opened easily by passengers when seated. The control for opening a door window must be clearly identified to prevent being mistaken for any other control.

Heating and Ventilation

16. An adequate heating and ventilation system must be provided for the driver and passengers and means provided for independent control by the drivers and passengers.

Door fittings

17. An approved type of automatic door locking device must be fitted to passenger doors. When the vehicle is stationary, the passenger doors must be capable of being readily opened from the inside and outside of the vehicle by one operation of the latch mechanism. The interior door handle must be clearly identified to prevent being mistaken for any other control.

Fare table and number plate

18. A frame must be provided for the fare table and interior numberplate and fitted in an approved position. The words "The number of this cab is" are to be shown above the position of the plate.

Floor covering

19. The flooring of the passengers' compartment must be covered in non-slip material which can easily be cleaned.

Luggage

20. Provision must be made for the carrying of luggage.

Taximeter

21. A taximeter of an approved type must be fitted in an approved position.

"Taxi" signs

A "Taxi" sign of approved pattern, clearly visible both by day and night when the cab is available for hire, must be fitted.

Radio apparatus

22. (1) Where apparatus for the operation of a two-way radio system is fitted to a cab, no part of the apparatus may be fixed in the passengers' compartment or in the rear boot compartment if LPG tanks or equipment are situated therein.

(2) Any other radio equipment, either in the passenger or driver compartment must be approved.

Maintenance

23. Vehicles, including all fittings, advertisements etc. must be well maintained, clean and in good working order. Vehicles will at all times be subject to test and inspection and should it be found that the vehicle is not being properly maintained or that any part or fitting is not in good working order, a notice will be served on the owner prohibiting him from using the vehicle until the defect has been remedied

PART 2

DIRECTIONS

25. (i) Suitable advertisements may be allowed on the exterior or interior of the cab subject to the approval of the Norwich City Council. [See paragraph 25 (vi) below]

(ii) Exterior Advertising

Advertising on the exterior of the cab can be either full livery i.e. use of the complete exterior body shell, except the boot lid, as the advertising medium; or the lower panels of the front and rear doors only; or on the bottom of the rear screen; on the upper most part of the front screen but no wider than 3"; or on the lower half of the rear quarter passenger compartment windows only.

(iii) Interior Advertising

Advertisements may only be displayed within the passenger compartment on the base of the occasional seats and on the bulkhead above the passenger/driver partition.

Occasional seat advertisements must be encapsulated in clear non-flammable plastic and bulkhead advertisements must be manufactured in an approved material. [see paragraph 25 (iv)].

No material may be placed on the passenger/driver partition other than notices which may be approved from time to time. [see paragraph 25 (vi)].

(iv) Advertisements must be of a form that does not become easily soiled or detached.

(v) All materials used in the manufacture of, and for the purposes of affixing, advertisements to the cab must be approved (see note (i) on page 1).

(vi) Applications for approval of advertisements must be made, in writing, to the Director of Support Services, Norwich City Council, City Hall, Norwich.

Badges/Emblems

26. (i) In addition to advertisements displayed in accordance with paragraph 25 above, the official badge or emblem of a motoring organisation which provides genuine round the clock emergency vehicle and recovery services may be affixed to the radiator grill. Only one such badge or emblem may be so displayed.

(ii) No advertisement, badge or emblem, including the stick on type, is to be exhibited, other than is provided for in the direction contained in this paragraph or paragraph 25.

APPENDIX

Fuller, Maxine

From: 21 February 2011 13:00
Sent: Licensing
To: Reply to Restriction of hackney carriage vehicle licences.
Subject:

Hi Ian,

Having been a committee member with the hackney trade association I have attended many meetings referring the points raised in your letter. My opinion is that some sort of restriction with the issue of plates is certainly required.

My ideas are as follows:-

Option 1) For any new plate to be issued, the vehicle has to be under the age of 3yrs old. Existing plates can be transferred to another vehicle. The 'unless in exceptional condition' rule should no longer apply to vehicles over 3yrs old.

Option 2) Introduce and phase in over a 3yr period an age limit to a vehicle ie to 12yrs old.

Option 3) Introduce exhaust emissions phased in over a 3yr period.

In summary

Option 1) This could restrict the amount of new plates issued, but doesn't create a total stop of the issue of plates.

Option 2) This restricts the vehicles life span hence keeping the city with a good up to date fleet of hackney carriages and stops ageing vehicles being plated in Norwich for the first time.

Option 3) This also does as above but there are loopholes ie conversion kits to make older vehicles comply with emissions test. This method won't help Norwich keep an up to date fleet of hackney carriages.

I feel option 1 along with either option 2 or 3 would help the hackney trade recover from its current position.

Yours Faithfully

Jason Lemmon
Hackney Carriage Proprietor/Driver.

Sent from my iPhone



Unit 1, 50 Paddock Street, Norwich NR2 4TW

Bookings: Office:
www.abctaxisnorwich.co.uk

23rd February 2011

Dear Ian

Re: Restricting Hackney Vehicle Licenses

Although i sympathise with the author of the letter you received , i feel that the Hackney trade has brought many of the problems it is complaining about upon itself.

By allowing vehicles older than five years old to be brought into the city for initial plating and allowing the new Peugeot taxis has created a glut of older vehicles which has not only encouraged new hackney drivers in a time of recession but reduced the customer base due to the bad image.

By now restricting new plates would not only encourage the owners of these "old" vehicles to keep them on the road longer but also give them a boost in value. In cities where such restrictions apply many thousands of pounds change hands for vehicles worth no more than a few hundred, just for the new owner to obtain a license plate. I am sure you remember this also occurred in Norwich when the old Saloon hackneys were being phased out.

The answer is therefore to strictly enforce issuance of new Hackney plates to new or nearly new vehicles but also to place a strict age limit to rid the streets of the oldest models however well kept they are.

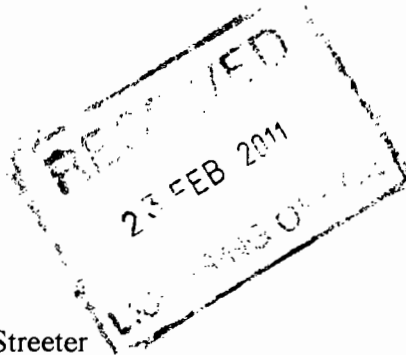
I admit that this will not be an instant solution but will hopefully create an equilibrium over a longer time period.

Yours sincerely .



Simon Callender

Director ABC Taxis Ltd.



Mr Andrew Vandrahe
Nortax Taxis
28 Percival Close
Norwich
Norfolk
NR4 7EA.

Mr Ian Streeter
Public Protection (Licensing)
City Hall
St Peters Street
Norwich
NR12 1NH

Date: 21st February 2011.

Re: Restriction of hackney Carriage Vehicle Licenses

Dear Licensing Committee,

I wish to disagree with the request for restricted numbers of hackney carriage licenses. I have three points which I would like to bring to the committees attention.

Firstly; Norwich is unique and unlike other Cities where hackney carriage vehicles are run on a double shifted system. One cab but two driver's, one on day shift and the other on night's. These vehicles are cheaper to rent for the drivers but also make more money for the owner.

The down side of this system is a vehicle that has a massive annual mileage of approximately 80 to 100 thousand miles per year. The age of the vehicle and the amount of MOT's it has each year would be an irrelevance, as these vehicles suffer continuous high maintenance and repairs.

Norwich has the single, one driver one vehicle system. If the restriction of hackney carriage licenses were implemented the owners and drivers would be forced to employ the double shifted system already established throughout the UK.

The restriction of hackney carriage licenses would therefore have no benefits whatsoever. There would instead be one major disadvantage:

- Public Safety

Secondly; Restriction of hackney carriage license numbers will create a monopoly. Currently when a driver has finished with their vehicle license, he or she will hand the license back to Norwich City Council. If license numbers are restricted, drivers would

merely change the name on the license to another licensed driver who is on the waiting list, so creating a monopoly. Monopolies are common practice in many other Cities where they carry a very high value. This value is measured in many thousands of pounds for each carriage license. I do not believe it is fair that any hackney carriage license owner should make large amounts of money through such underhanded means.

My third point: I have been a hackney driver working in Norwich for five years. During that time I have worked endlessly to create extra work for myself and other hackney carriage drivers via social services, primarily working with special needs and disabled customers. I also service care/retirement homes, hospitals and other disabled organizations.

Over the past five years I have struggled continuously to recruit hackney carriage drivers to cover this work. I still turn away many thousands of pounds worth of work each year. Sadly this is due to drivers who are clearly prejudice against the old and disabled. I receive many calls each month requesting us to send a driver to taxi ranks such as Gaol Hill as the drivers on the rank either refuse to carry the customer or make the customer feel that they are a major burden. Restricting hackney carriage license numbers will only add to the already established neglect of the neediest throughout the Norwich area.

I do not believe there is an excess of hackney carriage licenses in Norwich. The licenses that are out there are simply not being used to their full potential.

Yours sincerely

**Andrew Vanderahe
Nortax Taxis**

Fuller, Maxine

From: andrew mills [
Sent: 24 February 2011 12:20
To: Licensing
Subject: licese restriction

Andrew Mills,
2 St Lawrence Cottages,
South Walsham,
Norwich,
NR13 6DN.

With regards to the letter I received about restricting licenses, I do think that over the past 4 years the amount of hackney drivers has severely increased and the amount of fares available to us has decreased so the options I put forward are:

That any new plate that is applied for must be put on a vehicle that is no older than 5 years and a transferred plate cannot be put on a vehicle no older than 7 years and the exceptional condition rule be scrapped completely and the euro 3 emissions brought in by April 2014, also that no Hackney Carriage be allowed to operate in the city older than 12 years.

This will be a lot better for the trade and for the city of Norwich and be a better way than restricting licenses

Fuller, Maxine

From: melvern bryant [mailto:melvyn.bryant@norwich.gov.uk]
Sent: 24 February 2011 21:00
To: Licensing
Subject: comments re restriction of Hackney carriage vehicle Licences .

Dear Mr Ian Streeter

From Mr M T Bryant - Badge no 4308 - Plate number 1297

I believe that solution 1. is the most viable option i.e. to cap the number of licences authorised.

- I don't believe hiring consultants to carry out an expensive survey is cost effective and will only add to the burden on taxi drivers already if the costs have to be recouped in their licence fees, hence the comments made to the Licensing Committee in the first place that it hard enough to make a living now.
- The problem is quite simple, the Council need to be proactive and make a helpful and possible decision without the need for expensive and unnecessary surveys. The Council needs to look after the taxi trade which is part of the transport system in the City.
- The Council are keen for taxi drivers to be "ambassadors" for Norwich, but with increasing numbers competing to use the limited space allowed on the taxi ranks now, how can the Council even consider issuing more licences.

Fuller, Maxine

From: Norwich []
Sent: 25 February 2011 15:18
To: Licensing
Subject: Re: Restriction of Hackney carriage vehicle licences

Dear Sir/Madam

I agree that there are too many hackney cabs licensed in Norwich to give drivers a reasonable living, but disagree with a total cap for the following reason:

- Hackney plates and or vehicles will then be sold to highest bidder or vehicles sold for a much higher price than their worth.(This happened in the eighties before limiting of plates)

I also disagree with New hackney plates only being issued to new vehicles for the following reason:

- New drivers may not be able to afford a new Taxi but could afford a second hand one.

My proposals would be:

- To bring Hackney carriage licensing in line with Private Hire, i.e any Taxi new to the city must be 5 years old or newer
- Definite age restriction for end of life of a Taxi(London is 15 years but you could set it at say 12 or 13, but still have 6 monthly MOT's for 10 years and over),this would then do away with the word Exceptional(as there are 3 MOT stations at present one persons exceptional may not be anothers)

I would like to think my proposals would not stop new drivers taking up the job but would give the City of Norwich a better and newer fleet of Hackney Carriage Taxis.

Yours Sincerely

Teresa Adams
Badge no 1493

25/02/2011

Streeter, Ian

From: Bob Marti
Sent: 19 March 2011 13:50
To: Streeter, Ian
Subject: Hackney Cab Numbers

Dear Ian,

I have recently completed the survey ref The number of black cabs etc..and I thought I would mail my response to you directly.

I believe it to have been ex postman Steve Royal (not my representative as I am not in the Association) who sent you a missive referring to there being too many black cabs in the city..

I also note that emissions are being mentioned again and it seems this may well be your preferred route..

If Steve Royal can not earn enough money then perhaps he shouldnt have bought a new E7 at £500 per month,although he is correct insomuch as the trade is diluted and the increase in fuel and insurance costs are making life more difficult out here on the ranks.

Rank space is yet another issue.

If my 11year old Metrocab is taken off the road due to emissions say,then I have two viable options,I either buy a newer vehicle or I rent one.Either way it will cost me more and I would have to work longer hours to compensate this expense as would the other 50 or so other drivers in my position-this would affect Mr Royals income even more-he really hasnt thought this through.

I think the cheapest,simplest and most popular course of action would be to stiffen up the Knowledge test and prevent these"Cheat Sheets" being of any assistance to prospective drivers.

I personally would be very suspicious of anyone taking and passing the Hackney test when they had not held a private here licence.....

This is my personal perspective on events,thankyou for taking the time to read it.

Yours Sincerely,

Bob Marti.

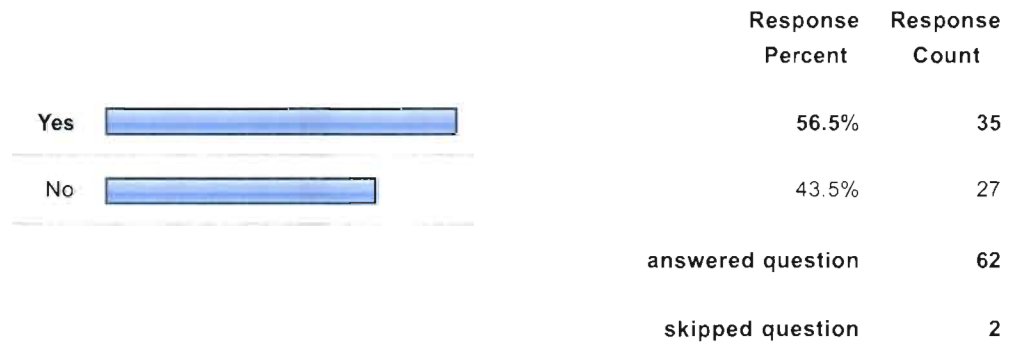
Hackney Badge 4200.

APPENDIX F

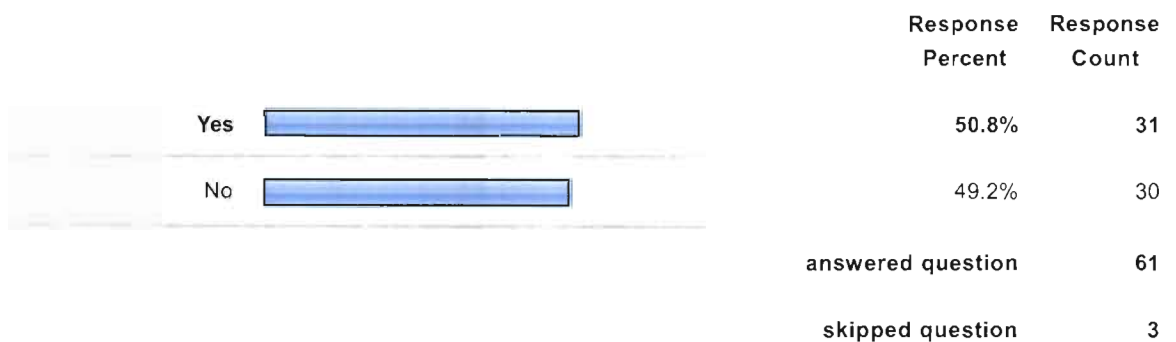


The future of black cab licences

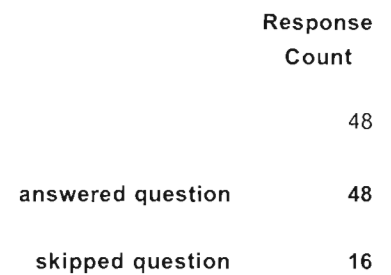
1. Should Norwich City Council restrict the number of hackney carriage (black cab) licences it issues?



2. If Norwich City Council restricts the number of black cab licences it issues, and consultation work is required to assess this, should it be paid for by the taxi trade?



3. What would be the advantages of imposing a limit on the number of black cabs?



4. What would be the disadvantages of imposing a limit on the number of black cabs?

| | Response Count |
|-------------------|----------------|
| | 49 |
| answered question | 49 |
| skipped question | 15 |

5. As an alternative to restricting the number of black cab licences, should the council consider introducing additional licensing requirements? eg higher standards in respect of exhaust emissions.

| | | Response Percent | Response Count |
|-----|--|-------------------|----------------|
| Yes |  | 73.0% | 46 |
| No |  | 27.0% | 17 |
| | | answered question | 63 |
| | | skipped question | 1 |

6. Please add any other comments.

| | Response Count |
|-------------------|----------------|
| | 41 |
| answered question | 41 |
| skipped question | 23 |

| What would be the advantages of imposing a limit on the number of black cabs? | What would be the disadvantages of imposing a limit on the number of black cabs? | Please add any other comments. |
|---|---|--|
| black cabs would be able to pick up more fares. therefore making it a possibility to reduce the price of journeys. | none | it is a very good idea |
| There will not be so many cabs hanging around Guildhall Hill, etc. blocking other road users when they park on the street because the rank is full. | As cabbies retire, move, change job, etc. the number of cabs may drop below the acceptable level if people have stopped applying for licences as they believe the council are no longer issuing them. | Restrictions/ requirements should not be so onerous as to put people off completely. |
| The drivers are not vetted. I was attacked by a man & years later found he was driving my black cab in Norwich! I am very reluctant to use black cabs from now on & prefer private companies who keep an eye on the behaviour of their employees. Whilst I was in the car the same man threw what can only be called a temper tantrum - needless to say I got out quickly & lied about my address & hope he didn't recognise me. | None | Drivers of all black cabs should be vetted & their behaviour monitored. There's no current feedback system for behaviour of black cab drivers. |
| Less of them waiting around (e.g. near the Guildhall) causing obstruction & using foul language. | None I can see. | Higher standards should be introduced as well as restricting numbers. |
| the drivers could then make a fair living. | drivers may not be able to progress from private hire to hackney cabs | doing this would increase the standard of cabs in the city. |
| There are too many black cabs on the road in Norwich at present. If the Council restricted the numbers of cabs and made the standard of cabs better the drivers would earn more as there are less of them fighting for fares, also it would give a better impression of Norwich from the airport and station arrivals to have a more modern fleet of vehicles in use instead of the old bangers currently running around > it costs the same if I travel in an old FX4 or a brand new one how can that be so am I getting the same value for money, looks to me as the older cabs should be cheaper on the rates than the newer ones. Would you pay the same to hire a 15 year old car as a new one?? | There may possibly be some shortage of cabs on Saturday nights but taking into account the number of private hire vehicles that come into the city from Broadland, and south Norfolk it would hardly be an issue we need to clean up the cabs in Norwich and make Norwich presentable to people who use cabs at the moment it's a free for all. | Maybe reduce the licensing fee a little for modern green cabs, has the council researched bio diesel perhaps, I understand your waste contractors are looking into this maybe you should think about this. |
| Cuts the number of vehicles on the road. Vehicles could be shared by drivers to get full use. Would prevent jams and poor parking by taxis. | Less job opportunities. Fewer taxis at peak times | The number of mini cabs should also be looked at. The evening rank on Red Lion St is never used. Should it be free parking in the evening or Sundays or a P&D bay? The taxis on Tomland should park correctly and not on the yellow lines. |
| the existing drivers, although still too many,, may be busier? | | |
| It might benefit the current hackney drivers but not the city as a whole having less | would be unfair to Private Hire drivers wishing to go for Hackney licences. Sometimes see the taxi rank on Gaoil Hill empty at moment with people waiting so obviously a need for more if anything. Rank on Tomland only ever has about 2 or 3 Hackneys which means waiting at weekends. Black cabs better for disabled access, disabled people might find it more difficult to get a cab | replace elderly metro cabs with newer E7's / TX models by only licensing vehicles under 5 years old or similar |
| none | there is already a shortage of available taxis, particularly at peak times | |
| Current drivers would retain no. of customers, rather than losing out to new drivers. | May be more difficult to get a cab. Doesn't allow any new prospective cabbies to have a chance in the industry. | |
| better quality of taxi | less taxi cabs | Inner city areas are high in air pollution. Reducing NOx should be an aspiration of all forms of transport. |
| | Less frequent cabs potentially higher fares | |
| No obvious benefits | Lack of competition; still no taxis available when you want one; prices would be even higher | It's always surprising to arrive back in Norwich and see the dreadful state of our black cabs compared to most other cities I travel to. The cabs are often old and dirty, and the quality of driving and customer service is way below what I would expect from a licensed hackney cab. I always think whatever must visit to our city think when they see this as their first impression. Imposing much higher quality requirements would be far more beneficial to the service, and may be a natural restriction on the number of license applications. |
| A fair wage for the driver | More private hire | You have to restrict private hire as well |
| It would help the trade in a uncertain time of rising costs by guaranteeing that no further cabs be licenced and encroach on the diminishing amount of work there is available on the city ranks . | There would be very little affect as most of the licenced cabs are now working extended hours to make ends meet . | If the council in their wisdom approached the question of how to obtain a hackney licence and stiffened up the test and questionnaire procedure so it would only allow drivers who know the city off by heart and not being able to use a cheat sheet in order to pass the hackney test as all of the questions are known by hackney cab renters to ensure they get an income and never ending supply of new drivers none of the above would probably be necessary |
| less pollution and less traffic. | more pollution and more traffic. | I think the taxi drivers in our city look very scruffy and not very professional. |

| | | |
|---|--|--|
| It would reduce the pollution coming from them with all the black smoke they discharge out of the exhaust. | As long as there are sufficient numbers to cater for the wheelchair user and the elderly I can see none. | Black cabs need to be replaced when they reach a certain age i.e. 10 years. Regular road side tests should be introduced to stop the practice of turning up the fuel pumps after the taxi test, a method used by some black cab drivers to pass the test. |
| Can see no advantage, it would encourage more private hire firms and cabs who do not have the same vehicle criteria or driver commitment to customers needs, particularly disabled. | As above more private hire vehicles, with non standard vehicles and often in poor repair with unskilled drivers. At least with Black Cab vehicles you can be pretty certain they are insured. | The above would be discrimination against one section of community. Greater checks should be carried out on private hire drivers/vehicles. |
| None | Let the market determine who drives a cab. Service would improve and prices be held or even go down. The council is being meddlesome with both employment seekers and the travelling public. | Stay out of what does not concern you. |
| less cabs, less emissions | waiting longer for can | |
| | Free market restriction | Taxis will naturally limit themselves over time by virtue of there only being a certain level of demand. |
| there wouldn't be an advantage | it would effect black taxi drivers jobs | |
| | need to pay for survey - however cost is covered the user will eventually pay; why limit job opportunities? | thanks for opportunity of survey. lets have more of them. and can we have results published |
| Less cabs | None | More enforcement needed |
| Advantages for taxi drivers in that the customer base is shared among restricted numbers. | Disadvantage for the customers in that the supply limit could force prices to rise. The survey requirements and increased licence fees will also be passed on to the customer. | Consideration of emissions restrictions must be phased in over a reasonable time, it cannot be such as to force existing vehicles off the road early nor should it create an unfair playing field between existing licence holders and new ones. Anything which raises the cost of licenses to the drivers will not be in the public interest since all additional costs will be recouped through fares. |
| None, if you do not back it up with regular checks and big fines for those taxis without a license. Taxi driver's might then be encouraged not to park blocking roads, might stop using mobile phones while driving, might check their cabs are in working order, lights, etc, might stop driving erratically as though they own the road, might stop speeding, etc, etc. | None | I was nearly hit by a taxi about a year ago, it must have been going 50 in a 30 mph zone, the driver was using a mobile phone. I left my cycle in the road and jumped away from it, the taxi hit my cycle. The driver did not give a care, just drove off. I see taxi's with one brake light, or headlight driving around, often see erratic driving, going over red lights, they park anywhere they want too, etc, etc, and feel that there is obviously no control of these drivers. Taxi drivers are putting other peoples lives at risk and there should be much higher road standard to which they must respect. Only a week ago a taxi completely blocked a zebra crossing passing on to the the crossing itself after the lights had changed to red, stopping all the people from crossing. He just laughed. You need to bet tough with these people. |
| None as far as I can see. | Limiting income for the Council through licensing. Poorer/reduced service for taxi users. | Surely this is a simple issue of supply and demand? If there is insufficient trade for the taxi drivers their numbers will not increase. With poor evening bus services and expensive fares we rely upon black cabs to take us home following an evening in Norwich. There is a current need for a better taxi service at the airport. We had to wait for 35 minutes for a taxi on our return to Norwich Airport last week. Please do not waste council tax payers money on a consultants survey on this subject. |
| It would not be an advantage as people such as my self who is a wheelchair user would find it even harder to find a cab that takes wheelchairs on board | it would take away even more taxis to be available for wheelchair users, as you cannot always find a cab that is adaptable for wheelchairs, and a lot of the ones that are do not operate at night, or you have to book in advance, which you cannot always do | I tried to get a (black cab) from the railway station recently, but the driver said he was not licenced to carry wheelchairs, this i find hard to believe, as that is what they are designed for |
| Ensure a decent trade for existing cab drivers | | No engine running whilst waiting restriction. Especially on Guildhall Hill. |
| It would give drivers a proper job with good earnings. | None | Restrictions should also apply to private hire aswell. The drivers would have a good job and earnings. |
| Traditionally there were horse and carts (as taxis) and black cabs have had the monopoly ever since. There is a local company trying to get electric and pedal powered rickshaw type taxis operating from City Centre. We should encourage it. think of the positive Norwich city publicity by the media. Additionally, the massive polluting black cab queue at the Guildhall is very difficult for a pedestrian to negotiate. | The type of taxis available would vary and the amount of passengers available in each pick up would vary by the size of the non-black cab taxi. | Many taxi drivers are openly smoking in their vehicles when not carrying passengers and they think it is ok because they have the window open. The smell prevails and is not welcome by non-smoking passengers. The penalties should be harsher i.e. invoke licence! |
| n/a | not enough taxi for people to go home in evening | electric car for taxi would be good. |
| I have no idea | It's hard enough to find a taxi as it is! | |
| Areas currently used for taxis waiting to collect fares would not be as congested. Better levels of service would be offered and owners/drivers would be more respectful of the customers they carry | The possibility of a price embargo may become prevalent. Fewer taxis could mean higher charges. | By reducing the number of licenced taxis, more hackney carriages could be introduced. |