

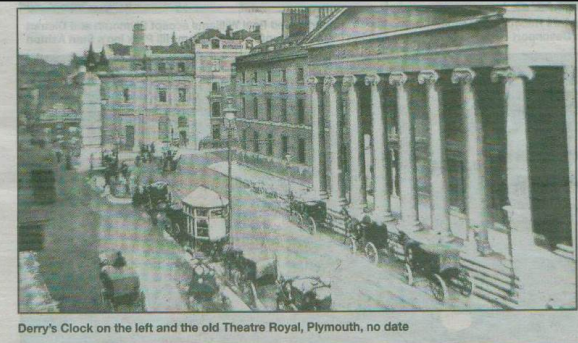
APPENDIX C

Draft Taxi and Private Hire Licensing Policy Consultation Response Sheet

Chapter One – Statement of Policy

Page	Para.	Comments	Response
2		Foreward ...the Lead up to 2020... is irrelevant, this will be a permanent policy and requires to be looked at in the longer term.	It is agreed that this will be the permanent policy in place, however there are a number of changes within the policy that will help contribute to the success of the celebrations and increased economic activity such as the ambassador training.
3	1.1	<i>“The Council’s Hackney Carriage...”</i> In order to differentiate between the two trades that the LA licences the LA should adhere to SI 1994 No. 1519 (Appendix 1)	The maximum agreed licences are 360 which were agreed by the Taxi Licensing Committee. This will be reviewed again to ensure it reflects the latest Unmet Demand Survey.
	1.3	<i>“The Council currently licences 357 hackney carriages (360 maximum),...”</i> 357 should now be the maximum with further reductions when possible.	
	1.3	<i>“...Private hire numbers are subject to a degree of fluctuation...”</i> For several years this Licensing Authority (LA) controlled the numbers of Private Hire Vehicles (PHVs) and should do so again. Plymouth City Council (PCC) Minutes: 02/05/1977 Min. 270 restricted the number of PHVs to 500 reducing to 450. Through efficient enforcement the number decreased until on 22.06.1993 there were 240 PHVs.	The unmet demand survey is only applicable in Plymouth to the Hackney Carriage Vehicles and this will be reviewed again in 2018. Restricting the number of Private Hire Vehicles would not be deemed necessary and the Office of Fair Trading (OFT) and DFT advice is that the presumption should be to delimit unless consumer detriment through delimiting can be shown. OFT and DFT have claimed that increased competition would reduce fares for passengers.
	1.5	<i>“Throughout this policy the word ‘taxi’ is used as a generic term in respect to both hackney carriages and private hire vehicles as the term ‘taxi’ is</i>	

	2.1	<p><i>commonly used by the general public and is used in this document in to reflect this.”</i></p> <p>We totally disagree with this statement. Please refer to Appendix 1. It is the duty of the LA to protect the public, in part, by educating them to the fact that there are two trades. The Department for Transport (DfT) Best Practice Guidance (BPG) always refers to Taxis and PHVs.</p> <p>It is noticeable that PCC as LA picks and chooses parts from the DfT BPG to the detriment of the Taxi trade and in favour of Private Hire.</p>	<p>The general public tend to use the generic term ‘taxi’ to refer to hackney carriages and private hire and this is the reason that this term is used in the document.</p>
4	4.2	<p><i>“Comfort, passenger service and access “</i></p> <ul style="list-style-type: none"> ▪ <i>“Livery”</i> will be addressed later ▪ <i>“Provision of safe and comfortable premises for customers to use “</i> <p>This can only apply to premises that are open to the public</p>	<p>The bullet point ‘Provision of safe and comfortable premises for customers to use’ has been removed.</p>
4	4.2	<ul style="list-style-type: none"> ▪ <i>“Measures to reduce noise...”</i> <p>We support the intention to introduce measure for the above.</p> <p><i>“To prevent crime and disorder and to protect drivers and consumers”</i></p> <p>We support the use of Night Time and Event Taxi Marshals who are properly trained and know their responsibilities</p>	<p>No response necessary.</p>
5	4.2	<p><i>“Provision of safe premises for driver ... use”</i></p>	<p>We appreciate that there are very few facilities for taxi drivers to be able to take a rest break and use the toilet. However unfortunately for a majority of HC drivers that are self-employed, the facilities are restricted.</p>



Derry's Clock on the left and the old Theatre Royal, Plymouth, no date

During WWII The cab shelters in Old Town Street and North Road Station were destroyed by enemy action. PCC promised to replace them after the war. The Taxi trade is still waiting.

4.2

The LA could greatly assist the Taxi trade by informing the Media of the difference between Taxis and Private Hire on each occasion that the Media reports are erroneous.

“To encourage environmental sustainability”

- *“...age requirements...”*

Provided mechanical fitness requirements are met there should be no age policy.

- *“...Conversion systems”*

4.4

TFL in London permit LPG conversions.

“...the Council will have regard to;...”

The Town Police Clauses Act 1847 S66 and The Fraud Act 2006 S11 to assist licensed drivers.

We will continue to educate the public; however the generic term commonly used is the word ‘taxi’.

This will be addressed in future policies when the age and emissions policy is reviewed.

The Town and Police Clauses Act 1847 is already listed and covers its entirety where relevant.

Section 11 of the Fraud Act 2006 is regarding obtaining services dishonestly and would be used by the Police if a criminal offence has been committed by a customer for example failing to pay for their taxi journey. This does not need to be added to this list.

Chapter Two – Drivers

Page	Para.	Comments	Response
6	6.1 7.4	<p><i>“...Para B of Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000...”</i></p> <p>We cannot find Para B but do not believe that this applies to Plymouth.</p> <p><i>“...discriminate against disabled users...”</i></p> <p>The policy of the LA to have 100% WAV fleet discriminates against a large number of disabled persons and prevents the Taxi trade from realising its economic potential.</p>	<p>The Council has delegated this function in the Constitution as is set out in the end sentence (i.e. “The method of delegation to Taxi Licensing Committee and to Officers is set out in the Council’s Constitution which may be updated from time to time”).</p> <p>A 100% accessible fleet cannot be seen to discriminate against disabled persons. The law allows for exemption certificates to be applied for by drivers. The Council will consider applications to deviate from the vehicle specifications if the vehicle can take larger electric wheelchairs.</p>
8	1.5 1.6	<p><i>“...spoken and written English...”</i></p> <p>We cannot agree that written English is required apart from writing receipts for passengers. Some drivers suffer from dyslexia. Numeracy should be included.</p> <p><i>“These requirements apply to ... existing licence holders.”</i></p> <p>Taxi Drivers who have completed twelve months should not be subjected to these requirements.</p>	<p>New applicants must be able to undertake knowledge of Plymouth tests and the VRQ examination. Therefore spoken and written English is a requirement. Drivers must be able to have a reasonable conversation with their passengers. Numeracy is included in the driver’s test.</p> <p>If issues are raised as to any aspect of a person’s ‘fit and proper status’ any of the matters included in 1.5 will be reviewed. Drivers who return to the trade within 12 months will not have to complete the pre-requisite tests.</p>
9	4.1 4.3	<p><i>“d) Driving Standard’s Test (DST), “</i></p> <p>The application procedure is a considerable cost, we submit that an applicant should do the Driving Test first to avoid any further expense through failure.</p> <p><i>“The Council reserve the right...”</i></p>	<p>We recommend that the DBS is completed first before any expense is incurred. The Knowledge of Plymouth test is also recommended to be undertaken prior to the Driving Standards Test to ensure the driver has a good understanding of the Plymouth area and the driving standards test includes some of the routes which are included in the KOP test. However applicants can complete the pre-requisites in any order that they wish.</p>

		Does the LA have the right ?	The Committee can require anything that they deem necessary to ensure a person remains 'fit and proper'. Any decision can be appealed to the Magistrates Court.
11	4.4	<p>"• <i>Safeguarding – at time of renewal or by 1st April 2018, whichever comes first</i>"</p> <p>This is too short a time scale.</p>	It is agreed that this is too short a timescale and this will be amended to 1 st April 2019.
12	4.6	<p>"...required to retake any pre-requisite test."</p> <p>Such persons should be barred for 3 years rehabilitation.</p>	The applicant would have to go to Committee so that they can decide whether the person is 'fit and proper' following any serious misconduct.
13	6.1	<p>"...enhanced DBS disclosure check..."</p> <p>This association has repeatedly requested that the last two boxes are ticked and do so again in order to better protect the young and adult vulnerable when journeys are undertaken from the Street or at Taxi Ranks.</p>	<p>The Council cannot require lawfully request this information.</p> <p>Enhanced DBS including barred list checks are for 'regulated roles' identified within the Safeguarding Vulnerable Groups Act (amended by the Protection of Freedoms Act 2012).</p> <p>Under this legislation we are not lawfully allowed to request this information and we can only request the Enhanced DBS Check excluding barred list checks to comply with the Safeguarding Vulnerable Groups Act 2006.</p> <p>Please see further information at http://dbsdirect.co.uk/types-of-checks-and-who-they-are-for.php</p>
15	9.1	<p>"A restricted driver licence may be issued for specific driving situations..."</p> <p>Hospital Car Drivers and any person providing a 1 to 8 seat passenger vehicle for financial gain should hold a restricted PH Operator, PH Vehicle and PH Driver licence.</p>	The law exempts voluntary car schemes such as Hospital cars from licensing provided certain requirements are met.
16	13.4	<p>"If a licence holder accumulates 12 points or more within a rolling period of 36 months then their licence will be subject to a review by the Taxi</p>	The penalty points system is designed to improve drivers' standards and ensure that these standards are maintained. It is intended that the scheme works in a similar way to the DVLA points system where points

		<i>Licensing Committee.”</i> This appears onerous and should be reduced to 12 points within 12 rolling months.	will not be spent until after 3 years.
		Missing: There is nothing about the rights of Taxi Drivers to refuse a potential passenger. Taxi Drivers should be able to refuse intending passengers who: <ul style="list-style-type: none"> ▪ cannot give a clear destination. ▪ is excessively inebriated. ▪ has dirty clothing that will affect the seats. ▪ foul odours. ▪ unsecured food and drink. 	It is agreed that all of the reasons that are mentioned in your response are valid reasonable excuses not to take a passenger. There is no need to list these in the policy as this defence is included in the legislation.

Chapter 3 – Vehicles

Page	Para.	Comments	Response
17	1.1	“...Disclosure Scotland...” We are puzzled as to why Disclosure Scotland is involved in Plymouth ??	It is not possible to obtain an enhanced DBS for vehicle proprietors as the Rehabilitation of Offenders Act 1974 (Exemptions) (Amendment) Order 2002 does not cover hackney carriage or private hire vehicle proprietors. However, the applicant or licensee on renewal can be asked to obtain a Basic Disclosure from Disclosure Scotland.
	2.2	“...a distinct and recognisable difference is maintained between licensed hackney carriage and private hire vehicles....” Plymouth Crown Court Case No: A19990007 21.09.1999	This is not relevant to the licensing policy that we are consulting on.

Key Cabs Ltd
and
Plymouth City Council
Appellant
Respondent

Page 2

Para 2

“...in 1976/77 the Council required all hackney carriages to bear a lighted roof sign indicating “Taxi”. Secondly, in 1978 the Council required that with effect from 1 January 1979 all licensed hackney carriages must be of the FX4 type. ...”

Para 2

“...One of the conditions applicable to PHV’s, minuted by resolution 268 of the Public Transport Sub Committee (the sub-committee) dated 8 March 1982, was a prohibition on the display of roof signs.”

Page 3

Para 6

“...the evidence we heard from council officers and councillors ... it was desirable that PHVs be prohibited from displaying any kind of roof sign.”

Page 4

Para 3

“...When cross-examined he {Mr. Shepherd} accepted that the sub-committee had not in fact considered whether the ban on advertising on the roof was “reasonably necessary” and said that aspect had not been considered.”

Page 5

Para 1

“...In the light of some of the evidence adduced before the Magistrates Key Cabs informed PCC on 15 January 1999 that it had changed it’s trading name from “TaxiFast” to “TF Value Cars” and wished to use the legend “Advance Bookings Only” on the side rear panels of its licensed PHVs. ...”



		<p>The above photograph was taken on 03.11.2017. Why is PCC as LA failing to enforce PHV Specifications and Conditions of Licence ?</p> <p>DfT Best Practice Guidance Paragraph 38:</p> <p><i>Another approach, possibly in conjunction with the previous option, is a requirement for a roof-mounted, permanently illuminated sign with words such as 'pre-booked only'. But it can be argued that any roof-mounted sign, however unambiguous its words, is liable to create confusion with a taxi. So roof-mounted signs on PHVs are not seen as best practice.</i></p> <p>For all of the above Roof Signs and the word Taxi should be removed from all Private Hire Vehicles licensed by Plymouth City Council.</p> <p style="text-align: center;"><i>Queens Bench Division - Administrative Court - Thursday, 8th November, 2007</i></p> <p style="text-align: center;"><i>KEY CABS LIMITED T/A TAXIFAST APPELLANT</i> <i>-V-</i> <i>PLYMOUTH CITY COUNCIL RESPONDENT</i></p> <p><i>Criticism was made by Mr. Justice Mitting in the High Court in London on Thursday about the way in which Plymouth City Council had responded to an application by Key Cabs Limited for 30 hackney carriage licences.</i></p> <p><i>He said he had "great sympathy for anyone dealing with the Council", commenting that if the submission being put forward by Counsel on behalf [of the] City Council were put forward on instructions, he considered the approach of the Council, acting as a regulatory authority, left "much to be desired".</i></p> <p>This shows that it is not only this association that has problems with our Licensing Authority.</p>	<p>This is not relevant to the taxi policy consultation.</p>
17	2.2	<p>From 1976 this LA imposed conditions of identity upon PHV's through Minutes 02.05.1977 Minute 283 and 13.06.1977 Minute 24. These were discreet and restrictive so that PHVs were not confused with Hackney Carriages. These conditions have been gradually eroded ever since with acceleration during the Taxifast litigation period.</p>	<p>There is no bias between either trade and we have always worked closely with the two trades.</p>

		It is the opinion of many within the City of Plymouth Taxi trade that the LA is biased towards the PH trade and it is this that has caused the problem of differentiation between the two trades.	
18	4.1	<ul style="list-style-type: none"> ▪ <i>Volunteers</i> <p>it is believed that hospital car drivers receive a greater financial reward than taxi drivers. Should this be so they should be licensed.</p>	There is no requirement for hospital car drivers to be licensed. See previous comments.
	4.3	<p><i>“...Where a licensed vehicle is used in connection with a wedding ceremony...”</i></p> <p>Traditional Colours of wedding “Taxis”, mostly as follow up vehicles since the imposition of the FX4, are white, silver and pale blue. Should the LA impose white and green vehicles upon the Taxi trade this will result in a loss of income for those Proprietors/Drivers who provide the service.</p>	In light of the comments received, there needs to be further consideration of taxi livery and therefore this is not included within the current recommended taxi licensing policy changes.
19	6.4	<p><i>“...Existing licensed private hire vehicles cannot remove the licence plate and door stickers as issued by the Council for the purposes of executive hire.”</i></p> <p>This is not being enforced resulting in cases of abuse.</p>	Please forward details of these cases so that these can be investigated.
20	8.4	<p><i>“...passing compliance test at four monthly intervals.”</i></p> <p>A Test every 4 months is onerous</p>	This is already in the current policy and is required for specialist vehicles such as limousines which require regularly testing.
	9.1	<p><i>“...private hire vehicles to clearly indicate...”</i></p>	
	9.2	<p><i>“...hackney carriage and private hire vehicles must be distinguishable...”</i></p> <p>Where a PHV bears a roof sign that leads the public to believe that it is for hire it contravenes the PCC Act S6(1).</p> <p><i>Department for Transport Best Practice Guidance March 2010</i></p> <p><i>Vehicle Identification</i></p>	

	9.3	<p><i>Another approach, possibly in conjunction with the previous option, is a requirement for a roof-mounted, permanently illuminated sign with words such as 'pre-booked only'. But it can be argued that any roof-mounted sign, however unambiguous its words, is liable to create confusion with a taxi. So roof-mounted signs on PHVs are not seen as best practice.</i></p> <ul style="list-style-type: none"> ▪ <i>“Permitted dimensions, location and wording of roof signs used on private hire vehicles.”</i> <p>Remove Roof Signs from PHV’s</p>	
21	10.1	<p><i>“...painted white and the bonnet and boot lid (rear door) is painted Green to colour code RAL – 6037...”</i></p> <p>What is the White colour code ? Brand new vehicles will be immediately devalued.</p> <p>We object to having the proposed livery imposed upon the Taxi trade in Plymouth. Livery does not protect the public, mechanical fitness of the vehicle and the professionalism of the driver protects the public.</p> <p><i>“... “wrapped” in 3M Scotchcal Vinyl or equivalent vinyl...”</i></p> <p>“Wrapping”, we have learned, negates the perforation warranty and fades. It is therefore most likely that vehicles will be sprayed so we are not pursuing this matter.</p> <p><i>“...Council issued door signs and door number showing the vehicle plate number with the PCC logo foremost on the front doors and plate number to the rear doors. ...”</i></p> <p>We object to having the proposed door signs, door number and PCC Logo on our front doors. The rear Plate and Roof Sign are quite sufficient.</p> <p><i>“...A single telephone number or the name of the operator may be shown on the front doors below the Council logo and shall not exceed the logo in length. ...”</i></p> <p>We object to the proposed restriction upon company and Proprietor advertising</p>	<p>In light of the comments received, there needs to be further consideration of taxi livery and therefore this is not included within the current recommended taxi licensing policy changes.</p>

on our privately owned vehicles.



A bus stop in Plymouth so why should Taxis be White and Green

21	<p>10.1</p> <p>and</p> <p>10.2</p>	<p>Livery: a recent survey of 348 LAs by Private Hire and Taxi Monthly shows that only 101 (or 29%) impose livery with only three being the same. We are totally opposed to having livery imposed upon the Taxi trade until such time as there is a national colour preferably linked to another country.</p> <p>Livery does not protect the public; mechanical fitness of the vehicle and the professionalism of the driver protects the public.</p> <p>There are 357 Taxis licensed in Plymouth but according to PCC as LA there are 835 'saloon taxis'; what plans are there for the saloon taxis to be white and green as obviously the greater numbers would have a more visible impact upon visitors to, and citizens of, Plymouth.</p> <p>Respray Cost: Rough Estimate - £4,500.00</p> <p>Time off Work: 10 days</p> <p>Leasing: There may be implications regarding leasing and changing the</p>	<p>In light of the comments received, there needs to be further consideration of taxi livery and therefore this is not included within the current recommended taxi licensing policy changes.</p>
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	<p>colour.</p> <p>Effect on Warranty: We are informed that in order to maintain Perforation Warranty resprays will have to be undertaken by Manufacturers approved Repair centres.</p> <p>Replacement Vehicles: There will be additional cost when purchasing a second hand vehicle as it will have to be completely resprayed. There will be less income when selling a second hand vehicle as it will have to be completely resprayed.</p> <p>Criminal Investigations: all vehicles being identical will make criminal investigations by the Police and LA staff more difficult.</p> <p>Costs: Annual: £4,800; Insurance £1,272; Test and Licence £250 plus fuel, maintenance and depreciation. (this only an outline)</p> <p>Based on a 40 hour week this is £3.00 per hour. It is only through working longer hours that proprietor/drivers reduce the hourly cost. Taxi drivers struggle to meet the new minimum working wage of £8.75 per hour with many Taxi Drivers receiving Working Tax Credit</p> <p>Accident Replacement Vehicles: Taxi Proprietors will be unable to “borrow” a replacement vehicle in the event of a non-fault accident which will cause financial hardship.</p> <p>Retrospective: There should be no retrospective Conditions or Specifications upon Taxi Vehicles, Proprietors or Drivers.</p>	
	<p>Social and Domestic: Taxi Proprietors and Drivers are entitled to use their vehicles for social and domestic purposes. Livered vehicles have the following consequences: when travelling they are liable to be attacked if in their home town Football Colours. They are also more probable to attack by mindless supporters of visiting football teams when parked at home. Due to these scenarios insurance premiums are higher.</p> <p>Unintended Consequencies</p> <p>There are several Minutes during the period from 1977 to 1980 during which</p>	

		<p>London Type Taxis were considered, rejected, then resurrected resulting on 28.04.1980 Minute 403 that all hackney Carriage Proprietors had to apply by 01.01.1982 for an FX4 licence with the last saloon car being removed during August 1982. The imposition of the FX4 by the LA was unlawful as confirmed by the European Commission however the then president of the EC Jacques Delors compounded this illegality when he opted to “let sleeping dogs lie” as the numbers were few which is contrary to European Law.</p> <p>It is believed that a Taxi Proprietor in Plymouth was the first in the country to have a wheelchair conversion carried out on his FX4 which led to LTI producing the FX4W followed by the Fairway.</p> <p>Until recent times the LA has persistently attempted to prevent the Plymouth Taxi trade from introducing new styles of vehicles with the Metrocab and early people carriers being examples.</p>	This is not relevant to this consultation.
21	10.2	<p>The Proposed Policy is not Compatible with the <i>EU Charter of Fundamental Rights of the European Union (2000/C 364/01) Article 17 Right to property.</i></p> <p>We believe that the proposed policy is not in the <i>public interest</i> and that there is no mention of <i>fair compensation being paid in good time for their loss.</i></p> <p>Legislative and Regulatory Reform Act 2006</p> <p>The proposed Conditions of Licence are contrary to the purpose of the above Act which is intended to reduce burdens and promote regulatory principles.</p> <p>Regulators</p> <p>The proposed conditions are contrary to (2)(a) proportionate and transparent</p> <p>Also; (2)(b) regulatory activities should be targeted only at cases in which action is needed. There is no need only a whim.</p>	In light of the comments received, there needs to be further consideration of taxi livery and therefore this is not included within the current recommended taxi licensing policy changes.
21	11.1	<p><i>“Subject to approval from the Director of Public Health advertising is permitted on the tip up seats of wheelchair accessible vehicles and any</i></p>	Reference to minutes from 1979 is not relevant to this consultation.

		<p><i>advertisement displayed conforms to the council's guidance for licensed vehicles."</i></p> <p>There are several Minutes permitting advertising on Taxis. These started on 30.07.1979 Minute 105 permitting Taxis to advertise on their doors. This was requested and granted to offset some of the cost of using FX4's. Through several years additional advertising rights were granted.</p> <p>11.2 <i>"Advertising is permitted on the rear wing of the vehicles (as decided by the Director of Public Health) provided the vehicle is not exempt from displaying the council's livery and any advertisement displayed conforms to the council's guidance for licensed vehicles. The advertisement must be applied directly to the rear wings of the vehicle. Removable, temporary methods of display such as magnetic or similar applications are not acceptable."</i></p> <p>11.3 <i>"The standards to be applied are set out in the Council's Advertising & Signage Guidelines"</i></p> <p>We object to livery and restrictions on advertising as this may cause some Taxi Proprietors to lose £1,000.00 per year. Civic Pride has no place in the commercial marketplace of Taxi businesses.</p>	<p>In light of the comments received, there needs to be further consideration of taxi livery and therefore this is not included within the current recommended taxi licensing policy changes.</p>
21	12.0	<p>There should be no tinted windows in public carrying vehicles – for public safety</p>	<p>12.0 - This has been reviewed during the consultation and will be altered to:</p>
22	13.1	<p>1. <i>"...LPG conversions will not be accepted after this date."</i></p> <p>LPG conversions are accepted in London and should be accepted in Plymouth.</p> <p>2. <i>"The Council may approve conversions or adaptation systems for vehicles to comply with the requirements of the Council emissions standards. ..."</i></p> <p>LPG conversions are accepted in London and should be accepted in Plymouth. (LPG conversions were in use in Plymouth in the early 1980's)</p>	<p>The minimum light transmission for glass in front of, and to the side of, the driver is 70%, except windscreens which shall have a minimum light transmission value of 75%. Vehicles may be manufactured with glass that is darker than this fitted to windows only in the rearward windows of the driver. Mirrored tints will not be permitted.</p> <p>13.1 - This is a requirement under the current policy and the vehicle</p>

		<p>4. <i>“These provisions do not apply to Special Event Vehicles.”</i></p> <p>The same specifications should apply to all Taxi and Private Hire Vehicles.</p>	emissions/age policy will be reviewed in a separate consultation.
22	<p>13.2</p> <p>14.1</p> <p>15.1</p> <p>15.2</p>	<p><i>“The Council will apply either an emissions policy or vehicle age policy in order to maintain modern standards of vehicle and reduce vehicle emissions.”</i></p> <p>PCC through road humps is increasing emission pollution: lower gears = higher engine revolutions, braking = dust from disc pads, accelerating = more emissions, braking and accelerating increase tyre wear. This increases PM2.5 deposits which are hazardous to young lungs and respiratory affected elderly.</p> <p><i>“...vehicle age policy...”</i></p> <p>There should be no Age limit on Licensed Vehicles. Mechanical Fitness should be the only requirement.</p> <p>14.1 <i>“...will consider alternative fuels...”</i></p> <p>Contradicts 13.1- 1.</p> <p>Disability Access</p> <p>15.1 <i>“...must be wheelchair accessible...”</i></p> <p>This requirement contravenes the DfT Best Practice Guidance Paragraph 27.</p> <p>The current LA Policy is preventing the largest Taxi company from fully realising its potential by forcing it to give away profitable journeys to Private Hire Operators.</p> <p>Consideration should be given to exonerating Taxi Drivers who are loading, unloading or assisting Wheel Chair confined passengers to and from premises.</p>	<p>13.2 - As above- this will be subject to a separate consultation.</p> <p>This has been a requirement since the current policy was introduced in 2008.</p>

23	15.3	<p><i>“...must be able to load and unload wheelchair users...”</i></p> <p>Rear loading should be an additional, not alternative, option.</p> <p><i>“...a distinctive recognisable difference is maintained...”</i></p> <p>Remove roof signs and the word “Taxi” from all PHVs.</p>	<p>Rear loading is not practical and would involve pushing people into the road and would require a 3m gap between each vehicle on ranks.</p>
23	16.1 16.3	<p><i>“...at any location...”</i></p> <p>any location within Plymouth City Boundary to comply with the 1975 Act.</p> <p><i>“...issue a licence of shorter duration...”</i></p> <p>Should this be implemented it will be onerous.</p>	<p>16.1 - The proprietor of the vehicle may wish to take their vehicle somewhere outside of Plymouth e.g. Ivybridge, Saltash. Therefore this does not need to be altered.</p> <p>16.3 - There may be occasions when the Council may wish to issue a licence of a shorter duration.</p>
24	17.4 18.3	<p><i>“...should abide by the Council’s terms...”</i></p> <p>The word used should be “shall”.</p> <p><i>“The Council will review fare scales at regular intervals having regard to:”</i></p> <p>Booking Fee, Soiling, MOD; Station and Tolls should also be reviewed.</p> <p><i>“...goods carried”</i></p> <p>Many persons, especially the socially deprived and students use taxis to move “House”.</p>	<p>17.4 - Agreed – this has been amended to ‘shall’.</p> <p>18.3 – An additional bullet point has been added to encompass all of these types of additional charges. ‘Other reasonable charges’.</p>
26	23.1 24.2	<p><i>“...foldaway child seats located in the boot...”</i></p> <p>Vehicles cannot carry more passengers than is shown on the licence plate. This will also negate the vehicle insurance.</p> <p><i>“The Council will not licence horse-drawn vehicles as hackney carriages...”</i></p> <p>Such vehicles are used for weddings and funerals and if licensed should</p>	<p>23.1 Each application will be considered on its own merits. The vehicle will only be able to carry what is permitted on the licence plate. It is considered that foldaway child seats located in the boot compartment should not generally be licensed as passenger seating for private hire services, on the grounds of suitability, passenger safety, comfort and reasonable leg room. However, there may be grounds to licence these seats for restricted operations, such as seaside and moorland tours, where the</p>

	24.3	<p>be licensed as Private Hire as they are pre-booked.</p> <p><i>“...license rickshaws or similar vehicles...”</i></p> <p>It has been proved in London that such vehicles are dangerous and impossible to enforce.</p>	<p>seating requirements can be discussed in advance.</p> <p>24.2 - Horse drawn carriages are non-motorised transport and falls outside the private hire licensing regime.</p> <p>24.3 Agreed. This is reflected in the policy.</p>
<p>At the time of writing there are Taxis in Plymouth that are only weeks old. The Livery Policy will have an adverse effect upon such vehicles and their proprietors by increasing costs and decreasing their value.</p> <p>The PLTA is totally opposed to the intentions of Plymouth City Council as Licensing Authority to retrospectively introduce specifications and conditions.</p> <p>We submit that no Retrospective Specifications should be introduced upon any currently Licensed Vehicle for the duration of its economic life.</p> <p>It is therefore desirable that any change in vehicle policy should take place over a period of fifteen years.</p>		<p>In light of the comments received, there needs to be further consideration of taxi livery and therefore this is not included within the current recommended taxi licensing policy changes.</p>	

Chapter Four – Private Hire Operators

Page	Para.	Comments	Response
27	<p>1.2</p> <p>1.3</p> <p>2.1</p>	<p><i>“...all companies that operate under the umbrella of the operator’s licence...”</i></p> <p>Each company “under an umbrella” must have its own licence.</p> <p><i>“The Council will issue a licence for a period of up to 5 years.”</i></p> <p>The first licence should be for one year as a probationary period.</p> <p><i>“...Private hire operators are required to provide a Basic DBS disclosure certificate...”</i></p>	<p>There have been situations where larger operators have purchased smaller companies which operate under one operator but have kept their individual company names for advertising purposes. This is what is meant by ‘all companies that operate under the umbrella of the operator’s licence’.</p> <p>1.3 –There is no need for a probationary licence as you are either fit to have a licence or you are not.</p> <p>2.1 – the fit and proper test can only be applied to the Operator. The</p>

28	<p>3.1</p> <p>4.1</p> <p>7.1</p>	<p>Private Hire Operators (PHOs), Dispatchers and Office Staff should all have enhanced DBS checks to protect the public.</p> <p><i>“...The Council will impose such conditions on an operator’s licence as it considers necessary. ...”</i></p> <p>PHOs should not be permitted to use the word taxi on their buildings, stationery, advertising and vehicles unless fifty one per cent of their vehicles are Licenced Taxis.</p> <p><i>“...Name of the driver, ...”</i></p> <p>This is onerous as the office knows the call sign. It may be good customer relations but that is not the concern of the LA.</p> <p><i>“...The records must be in an approved electronic format...”</i></p> <p>This is not necessary for a start-up company and should be taken into consideration.</p> <p><i>“...Any person providing the services of an airport transfer company... must hold a private hire operator’s licence...”</i></p> <p>Several Taxi Proprietors/Drivers provide such services and do not require a PHO Licence.</p>	<p>Council only licence the operator and therefore cannot require their staff to undertake DBS checks. The Operator is not required to have an enhanced DBS check as the Rehabilitation of Offenders Act 1974 (Exemptions) (amendment) Order 2002 does not cover operators.</p> <p>3.1 The word taxi could be part of the name of the business.</p> <p>4.1 - The name of the driver is required by the licensing authority. However, this can be recorded by way of a call sign as long as it can identify the driver.</p> <p>Page 28 - This is clarified in the paragraph in 4.1 which follows the bullet points and states The records must be in an approved electronic format unless otherwise agreed by the Council. Factors to be considered in deciding whether an operator does not have to comply with this requirement are size of business, number of vehicles operated, compliance and cost effectiveness.</p> <p>7.1 – this is referring to Airport/seaport transfers only. Hackney carriages do not require a private hire operator’s licence.</p>
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Chapter Five Administrative & Enforcement Procedures

Page	Para.	Comments	Response
29	1.1	<p><i>“The Council endorses the principles of good enforcement...”</i></p> <p>We support these principles but fail to see action on the ground.</p>	<p>The Council has a robust regime for investigation and enforcement. Please discuss this with us separately.</p>
31	6.1	<p><i>“The Council will have regard to the ...DfT Best Practice Guidance. ...”</i></p>	<p>The Council has regard to the Best Practice Guidance but the Council does not have to adhere to it in its entirety.</p>

		<p>Department for Transport Best Practice Guidance March 2010</p> <p>Specification Of Vehicle Types That May Be Licensed</p> <p><i>27. Normally, the best practice is for local licensing authorities to adopt the principle of specifying as many different types of vehicle as possible. Indeed, local authorities might usefully set down a range of general criteria, leaving it open to the taxi and PHV trades to put forward vehicles of their own choice which can be shown to meet those criteria. In that way there can be flexibility for new vehicle types to be readily taken into account.</i></p> <p>Vehicle Identification</p> <p><i>38. Another approach, possibly in conjunction with the previous option, is a requirement for a roof-mounted, permanently illuminated sign with words such as ‘pre-booked only’. But it can be argued that any roof-mounted sign, however unambiguous its words, is liable to create confusion with a taxi. So roof-mounted signs on PHVs are not seen as best practice.</i></p> <p>Lack of adherence to the above Guidance is having a detrimental effect upon the Taxi trade in Plymouth.</p> <p>It is also noticeable that throughout the DfT Best Practice Guidance there are two separate trades – Taxi and Private Hire. PCC should be adhering to this principle to enhance both trades and educate the media for correct reporting and the public for their safety.</p>	<p>A mixed fleet can be considered for future policies.</p>
33	12.2	<p><i>“Refunds will not be paid where the licence holder has been banned from driving, ...”</i></p> <p>While being banned from driving is not condoned the person concerned has not committed an offence against Taxi Law. The Licensing Authority does not have the power to fine which we submit this is.</p>	<p>This is not deemed to be a fine. Refunds do not have to be given at all and the costs of the licence covers the grant and administration of the licence. It is deemed that a refund should only be granted where someone has a genuine reason to leave the trade or transfer between trades.</p>

Code of Good Conduct for Licensed Drivers

Page	Para.	Comments	Response
1	Para 3	<p><i>"...smart in appearance. ..."</i></p> <p>Smart in appearance should be first as the driver and vehicle are the first contact.</p> <p><i>" For the purposes of this code the 'trade' refers to both the hackney carriage and private hire trades."</i></p> <p>Should read "Taxi and Private Hire Trades."</p> <p>Responsibility of the Council</p> <ul style="list-style-type: none"> ▪ <i>"Provide support and assistance to the trade wherever possible; "</i> <p>The Council as the Licensing Authority is failing dismally in its duty to provide support and assistance to the Taxi trade in Plymouth. Priority to the Land Train, failure to provide Taxi Ranks in appropriate places, lack of Intermodal Transport Provision, Bus Lane restrictions. There are two distinct trades and PCC fails to protect the public through education of the Media and ignoring the advice of the DfT.</p> <p>PCC has failed the Taxi trade in favour of Private Hire and is attempting to further penalise the Taxi trade to cover PCCs own incompetence.</p>	<p>The wording has been altered to reflect this point.</p> <p>Taxis are hackney carriages.</p> <p>The Licensing Department work closely with other departments in the Council to raise the issues with the provision of ranks and the bus lane restrictions. This is ongoing.</p> <p>The council does not see how it has failed the taxi trade and a livery would enhance the taxi trade.</p>
2	Para 3	<p><i>"...reliance on Satellite Navigation equipment..."</i></p> <p>GPS is useful at night for getting close to a house when one cannot see the numbers.</p>	<p>Agreed - this is why the words 'sole reliance' are used.</p>

3	<p><i>“Private Hire Drivers”</i></p> <p>PH Drivers should receive points for forming illegal Ranks and illegal parking in Bus Stops, Loading Bays, Single and Double yellow lines.</p> <p>There should be Drop off and Pick Up Points for PHV’s within the City Centre that can also be used by Taxis.</p> <p><i>“Footwear for all drivers shall fit around the heel of the foot.”</i></p> <p>In the interests of safety footwear should cover both the heels and toes.</p> <p><i>“Drivers should not wear...”</i></p> <p>We disagree, provided clothing is not offensive Taxi Drivers should be able to show that they support a team or are proud to be British.</p>	<p>There are penalty points for Private hire vehicles parking or waiting on a Hackney Carriage Stand. Please forward full details of any drivers that are forming illegal ranks or illegal parking and these will be investigated. This has been raised with the Council by Councillors and the Licensing Department.</p> <p>Footwear - There may be instances where drivers may wish to wear sandals.</p> <p>These are not deemed appropriate to be worn by the Council. However there are times when it is reasonable to provide community support e.g. World Cup, Olympics etc. and this is included on page 3 of the Code of Good Conduct.</p>
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Guidance on Relevance of Convictions and Conduct

Page	Para.	Comments	Responses
1	Para 2	<p><i>“...a hackney carriage or private hire drivers licence. ...”</i></p> <p>This should state “Taxi or Private Hire Drivers Licence”</p>	<p>This is as defined in the Plymouth City Council Act and it is important to differentiate between hackney carriages and private hire vehicles.</p>
4		<p><i>“...a 14 day to 3 month suspension...”</i></p> <p>Where a suspension such as three months is imposed consideration should be given to bringing this penalty into operation at the end of a persons’ PCC driving licence in order that the person is still penalised but can continue to support their family and meet financial commitments such as Court fines.</p>	<p>This is a sanction and is for the consideration of the Committee Members.</p>

5	<p>“Fixed Penalty Notices (for non-endorsable matters)”</p> <p>This appears onerous for a one off but more relevant to repeat offenders.</p>	Comments noted.
6	<p>“OFFENCES OF DISHONESTY”</p> <p><i>“...demanding more than the legal fare. ...”</i></p> <p>This an offence under the Town Police Clauses Act 1847 S54</p> <p><i>“...Drivers are expected to hand in lost property to the Police within 24 hours...”</i></p> <p>This needs to be checked as this writer believes that this has been changed.</p>	This is an expectation – not a requirement. However, we will remove this sentence from the document.
7	<p>“VIOLENCE”</p> <ul style="list-style-type: none"> ▪ <i>“Manslaughter”</i> <p>Manslaughter can be one unfortunate push for self-defence.</p> <p>10 years does appear to be an onerous length of time for some offences.</p>	As explained in the policy, each case will be taken on its on merits.
8	<ul style="list-style-type: none"> ▪ <i>“assault of a police officer”</i> <p>While not condoning an assault against any person, there are some dubious instances of assault against police officers.</p>	The Council consider the assault against a police officer to be a serious matter and one that could reflect the ability to act in a fit and proper manner. Each case will be taken on its own merits.
9	<p><i>“...any licensed driver to charge a just monetary fee for a completed journey. ...”</i></p> <p>Taxi Fares are controlled by taximeters.</p>	Agreed. The sentence which follows explains what this means. It states ‘Negotiating an alternative sexual favour as payment is not acceptable and will be grounds for revocation.
10	<p>“Minor Traffic Offences”</p> <p><i>“...within a 12 month period...”</i></p>	This will be a rolling 12 month period so it will account 12 months from the date of the latest traffic offence.

		Will this be a calendar or rolling 12 month period	
11	Para 3	<p><i>“The Council will not consider ‘exceptional hardship’ as a factor...”</i></p> <p>We submit that exceptional hardship should be considered unless a Licence is to be revoked.</p>	<p>Exceptional hardship cannot be a consideration when deciding if someone is a ‘fit and proper’ person. The Council must ensure that the person is safe and suitable and can only consider public safety. The aim of the local authority licensing of the taxi and PHV trades is ‘to protect the public’, para 8 of DfT Best Practice Guide. This is ‘public safety’ in its widest sense.</p> <p>The impact of removing/not granting a licence on the licensee/applicant and their family is not a consideration to take into account (Leeds City Council v Hussain 2003 RTR 13 Admin and Cherwell DC v Anwar 2012 RTR 15 Admin.</p> <p>It is the driver’s responsibility to bring these matters to the attention of the owner. However, vehicle proprietors are also investigated for cases involving vehicle maintenance.</p> <p>Drunkenness – Each case will be taken on its own merit. However driving or being in charge of a vehicle whilst under the influence of alcohol is considered to be an aggravation factor.</p>
	Para 4	<p><i>“...multiple tyre defects...”</i></p> <p>For LA purposes vehicle proprietors should be punished as well as drivers.</p> <p>“Drunkenness With a motor vehicle”</p> <p><i>“...a period of at least 5 years...”</i></p> <p>A period of five years appears excessive and we suggest 2 years.</p>	
12		<p>“Equality Act offences”</p> <p>While not an offence ordinary dogs are being refused.</p> <p>“Safe and Suitable test for vehicle proprietors”</p> <p>“All vehicle proprietors must obtain a Basic Disclosure from the Disclosure Scotland (every three years).”</p> <p>We believe that this is an error. How does Scotland DBS affect Plymouth</p>	<p>Please report these refusals to the council so that they can be investigated.</p> <p>Safe and Suitable Test - This is not an error. It is not possible to obtain an enhanced DBS for vehicle proprietors as the Rehabilitation of Offenders Act 1974 (Exemptions)(Amendment) Order 2002 does not cover hackney carriage or private hire vehicle proprietors.</p>

		??	However, the applicant or licensee on renewal can be asked to obtain a Basic Disclosure from Disclosure Scotland.
13		<p><i>“Drugs Offences (Licensed vehicle proprietors)”</i></p> <p><i>“...drug related offences within the last 5 years...”</i></p> <p>We feel that this should be dependent on the actual crime such as using, dealing, manufacturing and type of drug involved. For a less serious offence to be restrictive for five years appears harsh.</p>	Each case will be on its own merits, however we must ensure that the public are protected and the use of drugs whilst driving is not prohibited.

Wheelchairs and Assistance Dogs Exemption Guidelines

Page	Para.	Comments	Response
1		<p>The Hackney Carriage and Private Hire Licensing Policy states that the hackney carriage fleet will be 100% wheelchair accessible...”</p> <p>This policy is contrary to DfT BPG Paragraph 27.</p> <p><i>“Application Restrictions”</i></p> <p>Following the 1st and 2nd World Wars wounded service personnel were encouraged to become Hackney Carriage Drivers and this should be pursued to provide gainful employment.</p> <p><i>“Lifetime Exemption”</i></p> <p><i>“...already in possession of a lifetime exemption be assessed by an independent Occupational Health advisor. ...”</i></p> <p>Doctors refer their patients to Consultants or Specialists who in turn inform the Doctor. When a Doctor states that a patient is unfit to convey passengers in wheelchairs that is sufficient. There is no need to impose further expense upon drivers who are not in the best of health.</p>	<p>Application restrictions: The Council’s policy is that every Hackney Carriage will be a Wheelchair Accessible Vehicle and therefore there is an expectation that drivers of WAVS will perform those duties. It is acknowledged under the EA 2010 that there may be occasion where an exemption to those duties under the Act is granted, but should that be extended to new applicants, it would completely negate our policy on having a WAV fleet and driver’s able to perform WAV duties. The driver can still apply to become a private hire driver.</p> <p>Lifetime Exemption</p> <p>The council want to ensure the taxi trade support those that need them most. Since April, the Council have received a significant increase in applications for lifetime exemptions and this will greatly affect the</p>

Page 3	Para. 5	<p>There should be an upper age limit at which it is compulsory for Taxi Drivers to carry Wheelchair confined passengers. We suggest a person's 60th birthday.</p> <p>“Decision Making”</p> <p><i>“...The Council reserves the right to review a lifetime exemption every 3 years from the date of issue.”</i></p> <p>Doctors refer patients to Consultants and other Specialists who report back to the Doctor. A patients doctor is therefore fully aware of any patients capabilities and their word should not be questioned.</p> <p>Reviewing a lifetime exemption every three years appears to be onerous and disrespectful. It also increases costs for those less able to meet them. As persons get older they become less capable.</p> <p>“Assistance Dogs”</p> <p>Such dogs should be referred to as Service Dogs as this is the common terminology.</p> <p>As a general rule passengers with sore backs prefer WAV's; and</p> <p>As a general rule passengers with sore legs prefer saloons.</p>	<p>disabled community.</p> <p>The Wheelchair guidance has been amended following the consultation. There will be Exemption Certificates which will be short term and will be for a maximum period of 12 months. There will be Lifetime exemptions which will only be granted where a driver is suffering from a degenerative injury, illness or medical condition in which recovery is not a reasonable outcome.</p> <p>The Council does not consider an upper age limit to be necessary.</p> <p>Assistance dogs – the Act refers to ‘Assistance Dogs’ as they assist the person they are with. This will remain.</p>
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Spoken English Assessment Test Procedure

Page	Para.	Comments	Response
1	3	<i>“(a) Applicants for whom English is not their first language may be asked to provide evidence of having gained a qualification that was</i>	The test is taken over the phone to make it less costly for the applicant. It is also a good way to determine if someone can have a conversation.

	6	<p><i>taught and assessed in English.”</i></p> <p>This onerous and unjustified.</p> <p><i>“(b) difficulty understanding spoken advice on the telephone”</i></p> <p>Drivers are not required to use phones for business.</p> <p><i>“... (Examples are but not limited to, GCSE’s, ‘O Levels’ GCE, NVQ, BTEC, RFQ, City and Guilds or similar, Degree, HND, HNC etc or a qualification equivalent to any previously listed issued by a recognised examining body in an English speaking country other than the UK). ...”</i></p> <p>We submit that the majority of British Taxi Drivers would fail the proposed standards.</p> <p><i>“ If the applicant has a mobile telephone it must be switched off to avoid any interruptions. ”</i></p> <p>All electronic or mechanical devices should be switched off or collected by the invigilator prior to the examination.</p>	<p>Existing drivers would not be required to take this test. If an applicant clearly demonstrates that they can adequately speak English then they will not be required to take this assessment.</p> <p>Mobile telephones - Agreed – this is why it is mentioned in the procedure.</p>
2	11	<p><i>“...a specialist education and testing company...”</i></p> <p>Why not In House</p> <ul style="list-style-type: none"> <i>“o Answering simple questions asked over the phone.</i> <i>o Constructing sentences from fragments read to the applicant over the phone (sentences divided into 3 or 4 parts)</i> <i>o Answering open questions asked over the phone (speaking for up to 30 seconds per question).”</i> 	<p>We currently undertake this in house but we are not qualified to fully assess someone’s ability to speak English. This provides an independent assessment.</p>

	12	<p>Why use a phone when Taxi Drivers are not required to use a phone in their business.</p> <p><i>“The test is entirely automated, and questions will be asked by a variety of voices.”</i></p> <p>Perhaps this writer is too suspicious but something does not appear to be correct.</p> <p>There should be a simple and suitable numeracy test.</p>	<p>Taxi drivers often use the phone to take independent bookings or they may need to contact emergency services etc.</p> <p>The reason that they will ask in a variety of voices is to ensure they understand the travelling public from various parts of the country.</p> <p>Simple numeracy is included in the driver’s test. It can also be included in the Knowledge Test and this will be reviewed.</p>
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Penalty Points Scheme

Page	Para.	Comments	Response
1	Para. 5	<p><i>“...accumulates 12 points or more within a rolling period of 36 months...”</i></p> <p>12 points in a period of rolling 36 months appears onerous. We suggest 12 points in twelve rolling months.</p>	<p>The penalty points system is designed to improve drivers’ standards and ensure that these standards are maintained. It is intended that the scheme works in a similar way to the DVLA points system where points will not be spent until after 3 years.</p> <p>The point system will be used as an alternative to enforcement so points will not be given where formal action such as a prosecution is deemed to be more appropriate.</p>
2	H29	<p><i>“Hackney Carriage Driver Infringements”</i></p> <p>Should read Taxi Driver Infringements</p> <p>All ‘Hs’ should be ‘Ts’</p> <p><i>“HC Proprietor fail to provide info as to driver”</i></p> <p>This is more serious and should have more points.</p>	<p>The reason they are an H as it refers to Hackney Carriages.</p> <p>H29 - this has been amended to 6 points.</p>
3	P2	<p><i>“Fail to display PH plate correctly”</i></p>	<p>This does not affect the insurance.</p>

3		<p><i>“Signage for Internal Audio and Visual Recording Equipment”</i></p> <p>It is understood that there will shortly be signage designed by the Information Commissioners Office (ICO) and approved by the DfT.</p> <p><i>“The name and the contact telephone number of the Data Controller must be included on the sign.”</i></p> <p>In order to protect Proprietors/Drivers we suggest that the signage should be “PCC T987” and “PCC PH1234”. This should force complainants to go through the Licensing Office.</p> <p><i>“Operational Guidelines”</i></p> <p>Depending on the size of the data storage overwriting may occur prior to 48 hours.</p> <p><i>“...system inspected during compliance ...”</i></p>	<p>with the ICO standards and the law.</p> <p>It is not the Licensing Authorities responsibility – this is a requirement set by the ICO and is not the responsibility of the council to deal with complaints.</p>
4	Para. 1	<p>The ICO is responsible. Will the garages understand the methods of inspection for all the various systems.</p>	<p>This has been amended to ‘All vehicles fitted with CCTV will display mandatory signage as detailed in the Vehicles Compliance testing Manual’.</p>

Missing – Taxi Ranks

Page	Para	Comments	Response
		<p>Taxi Ranks are an important part of the Licensed Taxi Trade.</p> <p>Plymouth City Council as Licensing Authority is responsible for Installing; Maintaining; Altering and Removing Taxi Ranks within the City Boundary and yet there is no mention of this important issue within the Consultation Document.</p>	<p>The taxi ranks are not included in the current taxi licensing policy. The Council ensure that ranks are reviewed in consultation with the trade and that they are maintained.</p>

		<p>Taxi Rank enforcement, in our opinion, is virtually non-existent with buses, Private Hire Vehicles and ordinary motorists using Taxi Ranks for free parking.</p>	<p>Please report any issues directly to the Licensing Team so that these can be investigated.</p>
		<p>The Taxi Trade representatives gave permission for the Land Train to utilise the Guildhall Taxi Rank as it is only used on a few occasions when events are being held and is mostly for wheelchair confined passengers.</p>	<p>Noted.</p>
		<p>With redevelopment the Taxi Trade lost two important Taxi Ranks at Eastlake Street and Cornwall Street East. The taxi Trade has for many years requested the installation of a Taxi Rank in Cornwall Street East close to the entrance of the Mall and Marks and Spencer. This has always been refused although this may alter in the future.</p> <p>The Land Train has taken it upon itself to alter its route and utilise the area of Cornwall Street East for picking up and dropping off passengers around the Christmas period.</p> <p>It is abhorrent that a fully licensed Taxi Trade, vetted, inspected and trained is not permitted to utilise the space to afford a 24 hour seven day per week service to the citizens of Plymouth while a much longer, and less manoeuvrable, Land Train is afforded this privilege.</p>	<p>The Licensing Team have worked with the other Council departments to raise all of these issues and will continue to do so.</p>

ROAD TRAFFIC

The Traffic Signs Regulations and General Directions 1994

Made 26th May 1994

Laid before Parliament 22nd July 1994

Coming into force 12th August 1994

1994 No. 1519

Interpretation general

4.

"taxi" means

(a) in England and Wales, a vehicle licensed under

(i) section 37 of the Town Police Clauses Act 1847^[16]; or

(ii) section 6 of the Metropolitan Public Carriage Act 1869^[17];
or under any similar enactment; and

(b) in Scotland, a taxi licensed under section 10 of the Civic Government (Scotland) Act 1982^[18];

"taxi rank" means an area of carriageway reserved for use by taxis waiting to pick up passengers;