

## Appendix 2

I have just been reading the licensing policy review to having changes made you have missed one thing out. Door signs on all taxis & private hire must be displayed with the company they work for while working. Because there is some round town that don't display them so when they pull up you don't know if they are working or not.

### CCTV

I do agree with it, it is needed but we also have dash cams. To have CCTV inside the car you need a camera that can do that but it's a very big cost. Some dash cams have 2 cameras one for the front of the car facing out into the road and a camera for the back end of the car facing in the opposite direction behind you.

If manufacturers did a CCTV for inside the car it wouldn't be a problem

It needs to be looked at more if you do some research see what manufacturers do that. Then you could recommend what is suitable, or talk to a manufacturer to say hello I'm from Colchester Borough Council and I'm after some prices for CCTV for inside taxis & private hire.

One last thing is Uber going to be aloud to operate in the borough because I know Uber operates in East Anglia which we are part of.

Antony Charman

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I welcome the new policy and especially the training that will be given to taxi drivers.

As we are a Borough of Sanctuary, I would like to see this reflected in the policy, both in pointing out the role taxi drivers often have in helping people reach where they want or need to go and as a specific part of the training. Taxi drivers should be trained and tasked to ensure safe access to people seeking sanctuary such as refugees and asylum seekers.

Councillor Scott

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With regard to paragraph as below

3.5 The installation of CCTV has proved to be an essential tool for drivers in protecting themselves against allegations of misconduct and in helping to identify culprits in where problems have occurred. The Council has therefore determined that with effect from 1 January 2019 all newly licensed vehicles must be fitted with

CCTV and existing vehicles must be fitted with CCTV within a year of the renewal of their licence.

I am fully supportive of this measure

Could I ask if CBC can do a investigation into bulk buy of CCTV to try to get the objective met with a CBC purchase that's gets discount for large amounts

Secondly, no mention is made of Quality in this paragraph, as CCTV is as only as good as the image produced

HD is a minimum and in colour and would urge that a type that gives easy down load to CBC via transfer either WIFI or memory stick

Councillor Harris

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could you give me an explanation why things are not being delt with in Colchester one thing that needs to be looked at is the high st rank when its busy u get people crossing on the rank as cars are coming in sooner or later there will be an accident the only way to stop this a barrier,2 many drivers on the high st an station are taking fares without using the meter an charging crazy prices 3 mini cabs parked all round high st specking to make life easier for your staff u should work alongside a reputable taxi driver for information 4 head st rank cannot be excessed on a weekend due to private cars parked there,wouldnt it be good if the high st was closed the on weekends for private cars ive been working here for 16 years an the standards have really dropped the best enforcement we have had here was Rod curtiss you never knew when he would be out,if u were a mini cab you had to have a booking to be on the high st outhewise u were moved out an if he caught same night you be suspended also there are many drivers on high st who refuse to do long jobs on weekends,only short.

Mr Wiles

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I hope that Colchester Borough Council is not going to regulate taxi providers too stringently by cutting down on the numbers too severely. I usually use minicabs as they are much cheaper as they work out the fares based on postcode areas crossed. I find the Hackney cabs very expensive. I am very grateful to find them waiting at the station until the last train has come in, regardless of whether the trains are delayed, but I do find them expensive. On the other hand I do not want to walk home to Highwoods in the dark as I am disabled and it would take me hours, even assuming I could manage to do so.

I know at one time the Council was thinking of making the taxi drivers wear suits, so I hope that idea has not resurfaced. It would be impractical to expect the drivers to sit

around, often for hours, waiting for fares, whilst wearing a suit. It would be very uncomfortable.

E Knowlson

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Thank you for the attached information.

Only comment I have is regarding the non use of bus lane for the park and ride north Colchester. I cant really understand why taxis can use every other bus lane but not this one. A big part of attached document refers to Ambassadors for the Borough. Sitting in 30 mins of traffic in rush hours from the lights on mile End Road to the Football stadium does not look great to visitors to our town.

Mr Hazelwood

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I have read through the proposed HC and PH Licensing Policy and would like to make the following comments.

**1.10:**

The Council may wish to consider publishing any surplus/ deficit to the Trade, annually.

**3.5: CCTV.**

As the Licensing Team is no doubt aware a number of drivers already have “dash cam” cameras fitted as a matter of course. In a lot of cases this helps reduce insurance premiums which for hire and reward purposes is extremely expensive. It also gives the driver evidence of fault for his/her insurance company if the vehicle is involved in an accident. I have had a very quick look on line and incorporated dash cam and interior CCTV cameras seem to be available They are however costing in excess of £500.00.

When this was first looked at back in the day, the Licensing Team at the time approached various companies with a view to getting substantial discounts from the suppliers and a preferential rate for fitting. It was very successful. Does the Council intend to do this once again to help offset some of the cost to drivers?

**4.7; Training.**

Obviously at the moment I can only comment on the proposed Safeguarding training. It is unclear at the moment whether this is to be by seminar or on line. If you believe that seminar training is the way forward can I please request that consideration is given to school runs when timings of courses are arranged. Depending on where the school is, drivers may not get back into Town before 10.00 and would have to leave for the afternoon pick up by around 14.00 and sometimes even earlier.

Also a number of Retirees, like myself, have come to the trade from Public Sector and Private Sector jobs, where Safeguarding training was the norm. From memory I completed at least three sessions of Safeguarding training whilst at CBC which would be easily verifiable by way of HR. Do you propose any exemptions on these grounds?

Mr M Stevens

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Some observations and comments to Hackney Carriage and Private Hire Licensing Policy.

Thank you,

K Naish

**6.3** If you are suffering from a known and notifiable medical disorder or are over the age of 65, you will be required to undergo a medical examination to Group 2 standard annually. The certificate of examination must be submitted to the Council. This examination must be carried out at the Surgery with whom you are registered and will be at the driver's expense.

**Should read: or over the age of 67, Reason being 67 is now the retirement age (will you be asking all Council employees to take a medical examination over the age of 65)**

#### **Appendix 1, 3.1**

**Bullet point 7.** The area recorded by the camera must not extend outside of the vehicle. This does not make sense or are you meant to have two cameras one for outside recording accidents and such??

**Code of conduct for working with vulnerable person.**

#### **You must not**

- Carry the vulnerable person in the front seat of the vehicle.

Please could you look at this one again? As for example: Four customers been out drinking alcohol, you would have to leave one behind as they must sit in the rear seats. A vulnerable person "that" wants to sit in the front and has done in the past and everyone is happy for them to do so. Vulnerability has many levels and to have a blanket ban on them sitting in the front seat is denying their right of choice.

**The cost of CCTV, Training, Medicals, Taxi License and Taxi badge may well put off new drivers coming forward.**

**The safety and health of drivers:**

While the Policy states what is expected from the Drivers it does not state what the Drivers can expect from the CBC for example if driver is assaulted or false accusations are made!

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- Failure to provide a specimen of breath should be a 12, these are professional drivers and should comply with requests from law enforcement
- Using a defective tyre – 3 – seems low – should there not be a requirement upon them as professional drivers to ensure that their tyres are to the required standard by law – do they not conduct vehicle checks?
- Having no licence and insurance again is low – professional drivers should be complying with the law. Failure to notify us of the driver again is the same
- I see that for any violence related offences they have been given a 12 – but for battery which is an assault they have been given 5,4,3 – you may wish to review this to ensure consistency

2.2 should include **out of court disposals** for the same offences (Cautions etc) there are a number of reasons why a matter may not go to court but does not diminish the fact that the matter in question has occurred.

2.7 perhaps include something that copies of DBS certificates will be retained securely etc etc

Annex 5 conviction policy fail to provide a sample should be the same penalty as drink driving etc ...otherwise it gives a driver a “get out” and this is bad enough in terms of alcohol licensing with fail to provide not being a relevant offence

10.1 Should include released under investigation (RUI) as well as bail. Bail is used very much less now but RUI is very common and not including it could cause issues in terms of enforcement.

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Many thanks for forwarding your policy revision and asking ECC Passenger Transport for comments, I have briefly scanned the 127 pages and comments are:-.

Policy

Driver Safety page 10 - 3.5 The installation of CCTV has proved to be an essential tool for drivers in protecting themselves against allegations of misconduct and in helping to identify culprits in where problems have occurred. The Council has therefore determined that with effect from 1 January 2019 all newly licensed vehicles must be fitted with CCTV and existing vehicles must be fitted with CCTV within a year of the renewal of their licence.

I feel that the addition of CCTV will be beneficial to all drivers and passengers and is a very positive step.

### Query

1. Driver safety page 10 -. 3.2 The Council's mandatory safeguarding training and its Code of Conduct for working with Vulnerable Persons is designed not only to ensure that drivers are aware of the issues around safeguarding but also to ensure that they are aware of the steps they need to take to protect themselves from possible allegations of misconduct.

I would be interested to know what Safeguarding Training you refer to in the policy, is it carried out by yourselves/does it have to meet your criteria?

2. Page Code of conduct for working with vulnerable persons 124 - Report any safeguarding concerns to the relevant authority using the mechanisms outlined below.

Has nothing below outlining the mechanisms for reporting.

### Suggestions

1. There is no mention of trafficking in your policy, given that this offence has been recorded in Essex and is something that all taxi/PH drivers should be aware of I should think it worth a mention. (see attached poster)
2. Annex 2 Page 33 - 9.3 Tinted windows are not permitted nor shall the vehicle be fitted with any form of additional film to darken or tint the glass on any part of the vehicle.

I believe that there is also some merit in regulating vehicles with factory fitted darkened windows at the back and I note that your guidance only covers front window glazing and the application of tinted film.

**Denise Joy | Passenger Transport Analyst**

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Dear Sirs

With regards to the above i would like to register the following comments for your consideration:

1. The installation of CCTV and audio recording equipment section 3.1

Whilst i support in principle this proposal in the interests of both the Public and Driver Safety i object to this being implemented where Private Hire Operators / Drivers are contracted by Companies to provide an Executive Chauffeur Service for their Staff and Clients and where a discretionary exemption has been granted by the Council to display Licence Plates and for the wearing of drivers badges.

My business does NOT involve transporting general members of the Public as I only carry out Corporate work contracted by specific companies. I represent those companies on each occasion in the same way as a direct employee and discretion and confidentiality are key requirements of the service that i provide.

Having discussed this proposal with some of my Clients they are not at all comfortable with the possibility that their Business discussions or negotiations which frequently occur during very long journeys may be recorded. Indeed i would be able to provide written confirmation from Clients to substantiate this. Furthermore if imposed this would be likely to result in loss of business as a consequence.

I therefore propose that this requirement be omitted / removed where a discretionary exemption has been granted.

2. The Convictions Policy Annexe 5 - Level 3

It would appear from the table produced in your document that if a driver were to incur 2 or more speeding offences in a 12 month period then the Drivers Badge could be either suspended or revoked and that also on the accumulation system proposed this would last for a period of 4/5 years. eg If a driver were to incur 3 speeding convictions ie SP30 / 40/50 within a period of 4/5 years the Council may revoke or suspend the Drivers Badge?

This is directly at variance with the National Convictions Law in that a driver may incur 9 points without his driving Licence being suspended and each conviction / points would not be counted after 3 years when considered as "spent".

As stated i can produce supporting documentation in respect of 3.1 CCTV or i would welcome the opportunity to discuss these points with you.

Mr Sayer

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I refer to your emails dated 5th and 11th October 2017 and your letter dated 20th October 2017 requesting comments on the above draft Policy. We have the following comments:-

Page 17 - 6.4 - Requiring drivers to switch off their engines, when stationary. We understand the need for this, but feel it should not apply in very cold weather when drivers can wait for up to 2 hours for a job. Customers would also complain if they get into a freezing cold car.

Page 19 - 1 - The age of the driver to be allowed at 18 years of age with 3 years holding a DVLA licence. This is impossible as the minimum could be 20 years of age with a 17 year old start. However, we also think this is too young, as drivers need much more experience to deal with all that they have to deal with. Insurance at that age would be very difficult to find, if not impossible.

Page 19 - 4 - Medicals required every 5 years. We appreciate that you may be trying to make the timespan the same as coach and bus drivers. However, we think this is too long a gap and the current 3 year gap is more appropriate. Bus and coach drivers hours are controlled by tachographs, etc. but taxi drivers tend to have to work much longer hours and, therefore, together with a lack of exercise can have a detrimental effect on their health

Page 30 - Notes in blue - Driving by spouses, etc. Surely the recent Deregulation Act has overturned this, although we whole heartedly believe other drivers should not be allowed to drive. However, we would like the Council to include permission for mechanics, who are road testing a vehicle to be permitted to drive. (They would be covered by their garage's insurance.)

Page 32 - 6.1 - Refers to lefthand drive vehicles. We think all should be righthand drive vehicles, as lefthand is too dangerous in current road conditions. This would also cause big problems on taxi ranks.

Page 62 - 1.1 - Not sure what DBS Scotland has to do with this!

Page 121 - Allocation of hackney carriage plates to be wheelchair accessible. Please clarify does this refer to any NEW plates, which are on offer, or does it refer to plates, which have been reclaimed by the Council or where ownership is transferred, or where the vehicle is replaced either due to its age, or due to accident damage? Also, 2.1 on this page conflicts with 6.2 on page 123.

We applaud your intention to combine all the rules and regulations into one document, but feel it could have been done more simply by combining where private hire and public hire rules and regulations are the same to make a much shorter document. But more importantly, none of this will improve the standards unless you have frequent enforcement out on the street and actually see what happens in Colchester town centre at say 0400 hours on the High Street on a Sunday morning!!

We would appreciate some feedback on our comments, especially in connection with page 121.



