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| <p>I have quickly read through the document for Executive Hire Vehicles.</p> <p>Can I suggest that item 41 is looked at in regards to “in the Lichfield area” as is the case for my vehicle the testers are in Tamworth. I understand that they (CR MOT) may well become additional testers for Lichfield DC and if so item 41 may need amending.</p> | <p>Executive Hire Conditions</p> <p>The Proprietor must present the vehicle for inspection and testing, to an Authorised Officer, at any time and place within the District of Lichfield as specified in a notice, provided that the Council shall not under the provisions of this condition require the Proprietor to present the vehicle for inspection and testing on more than three separate occasions during any period of twelve months.</p> | <p>The legislation stipulates that the authorised testing station must be in the local authorities area.</p> <p>The current contract for the authorised testing station expires on 31st March 2021. A review of these arrangements is currently being undertaken. The Licensing Team have written to all eligible MOT garages for them to express their interest.</p> |
| <p>The National Union of Rail, Maritime and Transport Workers (RMT) members response</p> <p>Full responses attached at appendix A to this document.</p> <p><u>Consultation.</u></p> <p>This document has been compiled following limited consultation with members since receiving the consultation documents from Lichfield District Council, over a period of several weeks because of the impact of the various restrictions and guidance issued nationally by the Government due to the “Coronavirus Pandemic”.</p> <p><u>Recommendation.</u></p> <p>That Lichfield District Council suspend the current round of consultation on the proposed amendments to current policy and to review the position in three months when hopefully we may</p> | | <p>Clarification has been sought in relation to which Licensed Drivers the RMT are representing. Therefore members need to decide how much weight they give to the feedback received.</p> <p>Due to the introduction of the Statutory Standards by the Department for Transport in July 2020, Lichfield District Council feel that a further delay wouldn’t be reasonable. The team will facilitate regular trade meetings as soon as they are able to.</p> |

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| <p>be better placed with the lifting of some of the lockdown restrictions which will allow for a more genuine and meaningful consultation to take place and for interested parties to provide more detailed and formal responses for consideration and decision.</p> <p><u>Responses.</u></p> <p>P1. Amendment agreed.</p> <p>P8. All Amendments agreed.</p> <p>P11. All Amendments agreed.</p> <p>P12. All Amendments agreed.</p> <p>P14. All Amendments agreed.</p> <p>P18. All Amendments agreed.</p> <p>P21. We believe this proposed amendment needs more clarity and further in depth discussion relating to “exceptional condition”, particularly as additional fees will be applied. Discussion should be held beforehand.</p> <p>P22. As above.</p> <p>P32. All Amendments accepted.</p> <p>P33. Amendment agreed.</p> <p>P35. Amendment agreed.</p> <p>P41. All Amendments agreed.</p> <p>P45. Amendment agreed.</p> <p>P48. A decision to refuse or revoke a licence on public safety grounds will be referred to the Police. Such decisions will only be taken where such evidence proves on the</p> | | <p>P 48. Agreed to expand wording as suggested</p> |

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| <p>balance of probabilities and subject to appeal, in the interests of natural justice.</p> <p>P50. Amendment agreed.</p> <p>P51 a. Amendment agreed.</p> <p>P51 b. Amendment rejected. Ideally seek to retain 7 days as a maximum. As a compromise can live with 72hours.</p> <p>P57. Amendment agreed.</p> <p>P59. All Amendments agreed.</p> | <p>P 51 b. -The applicant is required to inform the Licensing Authority of any charges, warnings, cautions, convictions etc during the period the licence is held. This must be as soon as practicably possible. Failure to do so within 7 days of having been charged, warned, cautioned, convicted etc could result in the licence being reviewed</p> | <p>P 51b. Statutory Standards stipulate 48 hours.</p> |
| <p>P60. Amendment rejected. Ideally at least 7 years have passed since the completion of sentence and/or licence period.</p> | <p>P 60. A Licence ,will not normally be granted where the applicant has a conviction or caution for an offence or similar offence(s) which replace the offences below and at least 3 years have passed since the completion of any sentence and/or licence period:-</p> | <p>P 60. Statutory Standards state 10 years in relation to offences involving violence against a person.</p> |
| <p>P61. Amendments agreed.</p> | | |
| <p>P62 a. Amendment rejected. Ideally at least 7 years have passed since the completion of sentence and/or licence period.</p> | <p>P 62 a. A licence will not normally be granted where the applicant has more than one conviction or caution for offences related to the supply of drugs and has not been free of conviction for 10 years.</p> | <p>P 62a. Statutory Standards stipulate 10 years</p> |
| <p>P62 b. Amendment rejected. Ideally at least 7 years have passed since the completion of sentence and/or licence period.</p> | <p>P 62 b. - A licence will not normally be granted where the applicant has more than one conviction or caution for offences related to the possession of drugs and has not been free of conviction for 5 years.</p> | <p>P 62b. IOL Suitability guidance and Statutory Standards recommends 5 years, therefore no justification to increase this to 7 years as requested..</p> |

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| <p>P62 c. Amendment agreed with the insertion of “not” in 2nd line following will and before be.</p> <p>P63. All Amendments agreed.</p> | | <p>P62c. Agreed and amended to read:-Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.</p> |
| <p>P64. Amendment rejected. Ideally a period of 3 years.</p> <p>P71. Amendment agreed.</p> <p>P73. Amendment agreed.</p> | <p>P64. not in policy currently proposed to Insert: Where an applicant has a conviction for using a held-hand mobile telephone or a hand-held device whilst driving, a licence will not be granted until at least five years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later</p> | <p>P64. Wording taken from statutory standards.</p> |
| <p>P74. Amendment rejected. Ideally seek to retain 7 days as a maximum. As a compromise can live with 72hours.</p> <p>P75. Amendment agreed.</p> <p>P76. All Amendments agreed.</p> <p>P79. Amendment agreed.</p> | <p>P 74. The Driver must within 14 days of received a Fixed Penalty Notice, of being bailed, arrested, cautioned, reprimanded, or are involved in an investigation, charged with or convicted of any criminal offence and interviewed under caution at a police station for any offence which you are suspected of having committed give full details of it to the Council in writing.</p> | <p>P74. Statutory Standards stipulate 48 hours.</p> |
| <p>P80. Amendment rejected. Ideally seek to consistently retain 7 days as a maximum. As a compromise can live with 72hours.</p> <p>P81. Amendment agreed.</p> <p>P82. All Amendments agreed.</p> | <p>P 80. - The proprietor of a Hackney Carriage and Private Hire Vehicle must within 14 days of receiving a Fixed Penalty Notice, of being bailed, arrested, cautioned, reprimanded, or are involved in an investigation, charged with or convicted of any criminal offence and interviewed under caution at a police station for</p> | <p>P80. Statutory Standards stipulate 48 hours.</p> |

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| <p>P111. All Amendments agreed.</p> <p>P113. Amendment rejected. Ideally seek to consistently retain 7 days as a maximum. As a compromise can live with 72hours.</p> <p>P114. Amendment agreed.</p> <p><u>Other Points of Concern to RMT members.</u></p> | <p>any offence which you are suspected of having committed disclose to the council in writing.</p> <p>P 113. - The operator shall inform the Council in writing and within 14 days of Him/Her having received a Fixed Penalty Notice, of been bailed, arrested, cautioned, reprimanded, or is involved in an investigation, charged with or convicted of any criminal offence and interviewed under caution at a police station for any offence which you are suspected of having committed.</p> | <p>P113. Statutory Standards stipulate 48 hours.</p> |
| <p>AGE & SPECIFICATION OF VEHICLES</p> <p>Our members being professional drivers providing a necessary public transport service believe that the age restriction for licenced vehicles should be increased to a maximum of 10 years following the regulatory periodic inspections. This will allow our members the opportunity to recoup the capital expenditure and associated running costs taking into consideration the fair wear and tear on vehicles. Vehicle manufacturers design and build to much higher and stringent requirements of vehicle strength and integrity along with lower exhaust emissions – which are often accompanied with inflated on the road costs.</p> | | <p>The age restriction we feel has been dealt with together with points at P 21 & P 22 by the proposed easing of the restriction on obtaining an engineer’s report. 6 extensions have been granted due to exceptional condition since April 2019.</p> |

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| <p>Vehicles that fall within the category “exceptional condition” we believe requires further discussion and clarity.</p> <p>Our members remain concerned that such vehicles would require a costly independent Automobile engineer report that the vehicle is in immaculate condition. Furthermore, the Current policy fails to explain what exactly that report would be required to cover rather than a confirmation that a vehicle is in immaculate condition. RMT therefore respectfully suggest that further discussion is held with the trade representatives as soon as practical in the circumstances.</p> <p>TAXI RANKS</p> <p>Our members consistently report their concerns in respect of the taxi rank provided in town which due to the lack of monitoring has become a serious issue of them being used as “free” public parking and people leaving their vehicle after the permitted hours at the rank. The warning signage that says it is a designated taxi rank and a fine of up to £1000 for parking there is totally disregarded. We have evidence that confirms that our members have reported this to Lichfield District Council on several occasions with regrettably no visible action being pursued against offenders.</p> | | <p>The point raised about ranks falls outside this consultation.</p> |

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| <p>As our members have a litany of other reports relating to rank access, road closures, external un-booked licenced vehicles “pirating” for trade, etc., we believe should be addressed at a regular Trade liaison meeting as soon as practical in the circumstances.</p> <p>Our members have also provided a list of issues that they perceive have not been addressed in any genuine or meaningful way which we list below and accordingly would seek to convene a meeting in order to resolve such matters.</p> <ul style="list-style-type: none"> • Introduction of WAITING TIME on to fare tariffs • Review of all tariffs • Driver Penalty Point scheme • Table of Tariff – point 60 • Table of Tariff – point 32 • Table of Tariff – point 3 | | <p>The Taxi Tariff was reviewed last year and waiting time was incorporated.</p> |
| <p>Paul Grimley Driver/Operator PG Travel</p> <p>Online applications is an improvement since implementation of the Licensing Policy.</p> | <p>Executive Hire Conditions:-</p> <p>The Driver must ensure that before the vehicle is used, copies of the Certificate of Insurance, Log Book and vehicle licence are available within the vehicle, so as to be available to an Authorised Officer upon request.</p> | <p>Clarification sought that non-smoking stickers are still required in exemption vehicles.</p> <p>Conditions to now read:-</p> <p>Executive Hire Conditions:-</p> <p>The Driver must ensure that before the vehicle is used, copies (either physical or electronic) of the Certificate of Insurance, Log Book and vehicle</p> |

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| <p>Too busy in 2019 and not busy enough in 2020 to judge what has not worked so well since the implementation of the Policy.</p> <p>Clarification on key documents V5 Log book etc can be held electronically on a mobile.</p> <p>Clarification re: executive travel – non-smoking stickers.</p> <p>Suggestions for amendments – copy of medical certificate to be held electronically on a mobile as well as V5 extract and DBS certificate.</p> | <p>The Proprietor/Driver of a licensed vehicle must ensure that:</p> <p>There is no smoking of electronic cigarettes/vaping equipment within the vehicle at all times. This applies to both drivers and passengers; and</p> <p>No smoking signs are displayed within the vehicle.</p> | <p>licence are available within the vehicle, so as to be available to an Authorised Officer upon request.</p> <p>The Driver must carry a copy (either physical or electronic) of these conditions within the vehicle and make them available for inspection by the hirer or any passenger, or Authorised Officer upon request, and be familiar with the conditions of the Hackney Carriage & Private Hire (Combined) Driver licence, and of the Enforcement Procedures as detailed in the Councils Policy on the Relevance of Warnings, Offences, Cautions and Convictions.</p> <p>Driver Conditions</p> <p>The Driver must ensure that before the vehicle is used, that copies (either physical or electronic) of the Certificate of Insurance, Log Book and vehicle licence are available within the vehicle, so as to be available to an Authorised Officer upon request.</p> <p>The Driver must carry a copy (either physical or electronic) of these conditions within the vehicle and make them available for inspection by the hirer or any passenger, or Authorised Officer upon request, and be familiar with the conditions of the Hackney Carriage & Private Hire (Combined) Driver licence, and of the Enforcement Procedures as detailed in the</p> |

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| | | <p>Councils Policy on the Relevance of Warnings, Offences, Cautions and Convictions.</p> <p>Hackney Carriage & Private Hire Vehicle Conditions</p> <p>The Proprietor of a licensed vehicle shall ensure that copies (either physical or electronic) of the following documents are kept in the vehicle at all times whilst it carries out licensable duties, and that all Drivers are aware of the documents are located, should they be asked to produce it to an Authorised Officer: Vehicle Log Book Valid Certificate of Insurance Vehicle Licence</p> <p>The proprietor of a Hackney Carriage or Private Hire vehicle must ensure that a copy (either physical or electronic) of these conditions are retained within the vehicle and made available for inspection by the hirer or any passenger, or Authorised Officer upon request.</p> <p>Any other reference to copies will be amended to read physical or electronic)</p> |