

Consultation Responses

	Respondents Name	Respondents Comments	CYC Response
1.	Mr B Marshall – private hire vehicle licence proprietor and driver	<p>I notice that the council is committed to ensuring the equality in employment and service delivery. To achieve this the council is aware of its duty under the following legislations:</p> <ul style="list-style-type: none"> a) Sex Discrimination Act 1975 b) Race Relations Act 1976/2000 c) Equality Act 2010 d) Human Rights Act 1988 <p>I have a few issues with the statement:</p> <p>1. As part of the exemption for executive vehicles ‘the driver must follow a formal dress code, suit, collared shirt or tie. The suit jacket may be removed in warmer weather. Female drivers must follow the equivalent dress code but will not be required to wear a tie.</p> <p>Is this not positive discrimination on the grounds of sex?</p> <p>2. Hackney carriage vehicle licence waiting lists. In 2000 the Military covenant was brought into law, in it the Government states that:</p> <ul style="list-style-type: none"> • No disadvantage due to service in the provision and continuity of public service. • No disadvantage in dealings with wider society, e.g. in assessing commercial services, or in pursuing careers outside the Armed Forces (as spouses Reservists or Veterans). <p>As an ex member of the armed forces I believe that I and</p>	<p>The requirement to wear a tie has been removed.</p>

		<p>others like are being discriminated against by the City of York Council and in particular Taxi Licensing by ignoring this law.</p> <p>I have written to York council on this matter before and never received a reply. Is it not government policy that veterans should not be discriminated against? Yet if I leave the armed forces I must go to the bottom of a list that I am prohibited against being on by military service.</p> <p>As a member of the armed forces I could not be on the hackney drivers waiting list for example, so I am disadvantaged in my case by 22 years.</p> <p>I and the government (of which York council is part) believe that my service to this country should be recognised and not place me at a disadvantage by the system currently employed, and the new system will be worse.</p>	<p>Council officers are not aware of this letter.</p> <p>The council will accept anyone onto the waiting list.</p> <p>The current waiting list uses a complex points system, points are allocated using the following criteria:</p> <ul style="list-style-type: none">• All applicants – on point for every full month on the list.• Holders of a hackney carriage or private hire driver's licence – one extra point for every month on the list, except for licensed drivers who currently hold or have previously held a hackney carriage vehicle licence issued by one of the constituent local authority areas which make up the City of York Council area.• Holders of a hackney carriage or private driver's licence – one point for every full year in which a driver's licence has been held prior to joining the list or the list being established. <p>The proposed new waiting list will be simplified and not operated on a points</p>
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		<p>By Over limiting the amount of hackney cars problems are being created at taxi ranks all over York, every weekend there are massive queues at the taxi ranks, which are hotbeds for trouble, while the hackney drivers illegally rank outside clubs then to go to the ranks later.</p> <p>Try to find a hackney at the station on race days you can't because there is more money to be made at the races.</p> <p>This whole section needs to be re-assessed. As hackney plates not the property of the council, if so then why permit the sale of plates (turning a blind eye) if I sold a council house no doubt you would complain and say it is illegal to sell council property. This should be stopped so that when somebody retires his plate goes to the next person in line not the next person with £40,000. Some of whom I am lead to believe have never driven or will never drive a taxi.</p> <p>This list should be accessible online so you can monitor your progress.</p> <p>One final point Uber is coming to York (sooner or later), if the hackney situation is not sorted out it will be finished for all.</p>	<p>system and will be refreshed every 5 years.</p> <p>As the council restricts the number of hackney carriage vehicle licences issued an unmet demand survey is carried out once every three years.</p> <p>This would require a change in legislation. Current legislation permits the transfer of vehicle licences.</p> <p>The list cannot be published as it contains personal information.</p>
2.	Mr W Brolly – hackney carriage vehicle licence proprietor and driver	<p>In respect of the draft policy, I would suggest that, if it were possible, to make the licenses 3 years, and to be given the choice to do it annually, if not, it would mean a lot of expense to many drivers.</p> <p>As for Euro 5 and especially Euro 6, can wheelchair accessible</p>	<p>It is a requirement of the Deregulation Act 2015 that driver licences are issued for a period of three years, or for such a lesser period as the district council think appropriate in the circumstances of the case.</p> <p>The council understands the concerns,</p>

		<p>vehicle be made exempt from this as the cost for one of these vehicles is, as at this time, £60,000 including finance, there is no way we can afford that capital outlay especially when a saloon costs in the region of £8,000.</p>	<p>the policy has been amended in relation to wheelchair accessible vehicles to permit Euro 5 diesel on change of vehicles.</p>
3.	Mr D Thornton – hackney carriage vehicle licence proprietor and driver	<p>48.4 (now 50.4) For hackney carriages the fare cannot exceed the table of fares. It should then say, <u>but only for journeys within the controlled district.</u></p> <p>48.5 (now 50.5) When a journey ends..... It should say when a journey ends <u>or starts</u>, outside of the councils area. (a private hire booking undertaken by a hackney).</p> <p>19. Tinted windows. (rearward of the driver) this goes against the Best Practice Guidance from the Government. Why is this condition necessary? How does it improve public safety? most councils allow this, including London.</p> <p>24. 'his desire to engage by time'. What would we charge per hour? Is that up to the driver to decide? In fare charts a long time ago a table of hourly rates was shown. Either this option of a 'by time only' element in this byelaw wants removing, or a table of hourly rates should be included in the fare chart.</p>	<p>This is covered within paragraph 48.5 (now 50.5) of the policy.</p> <p>The legislation does not allow this.</p> <p>This requirement is in place for public safety reasons to enable clear view into all areas of the vehicle.</p> <p>The hackney carriage byelaws have not been changed. Fare rates are calculated on a combination of distance and time.</p>
4.	Mr M Heaney – hackney carriage and private hire vehicle licence proprietor and driver, and private hire operator	<p>I would like to pass my opinions and dislike of your new proposal to make nay diesel car after June 2017 euro 6 only, take my case for instance I started Executive Cars York about 14 months ago, at that time I put about £30,000 into the business buying the Mercedes S class, making a very nice website, promoting the website, advertising etc, in total about £32,000. I now find that if I wish to change my car after June next year a current Euro 6 Mercedes S class in the specifications I currently have will be about £74,000, how the hell you think I am going to afford to buy this is beyond me.</p> <p>Euro 6 only came out in September 2015 and most</p>	<p>The policy does not propose to make all diesel cars Euro 6 after June 2017. It proposes that at the point of change of vehicle, new vehicles should meet either Euro 5 petrol or Euro 6 diesel. The prices of Mercedes S class vehicles have not significantly changed from Euro 5 to Euro 6. Since Mr Heaney bought all his cars relatively recently, he is unlikely to wish to change these in the near future so will not be affected by the emissions policy</p>

		<p>manufacturers have struggled to meet this because of this there are no vehicles to buy. On top of this I have just bought a taxi plate for £40,000, at the same time I bought a London taxi and completely reconditioned this vehicle at a cost of £6,000 plus the purchase price of £4,000, if I had to change this vehicle to Euro 6 this would be £43,000.</p> <p>I have already made a significant investment in our taxi trade in York, I think I am quite an ambassador for the trade in York all my cars are absolutely immaculate but the job just doesn't justify the amount of money you are asking us to invest in vehicles, I am currently deciding whether to sell everything and move out of the trade in York and maybe move to another city where I could carry on the profession I love and still make a profit.</p> <p>I think you will drive the industry further into the hands of non taxi drivers looking for an outlet for dirty money, I think the future for the trade is bleak. In the future drivers will be forced to rent a drive at an unaffordable rent from the criminal fraternity. I hope you see sense and reverse this proposal before the last remaining few professional taxi drivers get out of the York taxi industry, I understand it is all about emissions and I agree with that, but taxis currently account for about 0.1 percent of all emissions in the city, can I just ask are York City Council changing their entire fleet over to Euro 6, I don't think so, are you as employees of York City Council changing all your cars for Euro 6, I don't think so, every day I sit in the traffic in the centre of York following year 2001 buses spewing crap out everywhere, and as for the tour buses oh my god how they pass a test is beyond me, anyway I hope you read this and not just confine it to the bin.</p>	<p>until this point.</p> <p>Euro 6 vehicles have been available since 2013. Vehicle type approval was necessary to all manufactures from Sept 2014. From Sept 2015 it became compulsory for any remaining manufacturers which had not already achieved Euro 6 emission standards to achieve this for all new vehicles sales.</p> <p>Unfortunately cars which are clean and well maintained can still create diesel exhaust emissions resulting in air pollution.</p> <p>Other taxi licensing areas such as Harrogate BC have far tighter restrictions that are being proposed in the York, with a 5 year age limit on change of vehicle.</p> <p>Taxis are a major source of emissions resulting in pollution in York, comprising 7-10% of roadside NOx ambient levels.</p> <p>Taxis also aggregate where exposure to human health is increased which amplifies the health impact.</p> <p>Regarding the Council's use of vehicles, the majority of council pool car journeys in York are hybrid or electric, so already far cleaner than Euro 6 diesel. As vehicles are changed, the cleanest standard is chosen.</p>
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			City of York Council is converting the City Sight Seeing buses to zero emission electric drive. The prototype vehicle is already on the road.
5.	Mr J Alexander – hackney carriage driver	<p>Deregulation, I would point out that this was done albeit a long time ago, it turned out that lots of people took up the option and it proved to be a big mistake, as most of the people who took the option of a plate had full time jobs already, and it proved to be a mistake, in the fact that there were a lot of accidents, owing to working their fulltime jobs then going cabbing they were just over tired, so the council took control of plates when they were given back they were limited to 100 which was just to few so increased to 110.</p> <p>As to 3 or 5 years licence this would be a problem to licence holders like me who will be retiring next year and would it be a question of would I be willing to pay for 3 years or enter into what I would only deem enforced retirement of which I cannot really afford. I think it would be advisable to give drivers the option of a yearly renewal, as I am sure other drivers must be in a similar position to be.</p>	<p>It is believed that Mr Alexander has miss understood the mention of ‘Deregulation’ within the policy. This relates to the changes in legislation following the Deregulation Act 2015. It does not relate to the deregulation of the number of hackney carriage vehicles licences issued by the council.</p> <p>It is a requirement of the Deregulation Act 2015 that driver licences are issued for a period of three years, or for such a lesser period as the district council think appropriate in the circumstances of the case.</p>
6.	Jim Kerr, representative for Unite, Member of the Independent Taxi Association and hackney carriage driver	<p>I have been in communication with our Branch Secretary of Unite in Leeds. We at Unite would also lend our weight so to speak to voice our objections to the following:</p> <p>1. We object most strongly to the alteration to the private hire operator’s licence condition, removing the need for a phone number and stating a website as an acceptable alternative. We are fully aware why this has been done to as it has occurred exactly the same in other authorities. We question whether anyone else coming along and asking for a licence but with alterations to current licence conditions would have even been considered. We do not see it as a ‘minor change’ as suggested at our last meeting. We also see it as a safety issue as there is quite a bit of evidence already about passengers</p>	<p>This was done in accordance with the council’s constitution, by way of an ‘officer decision’ in consultation with the Director of Communities and Neighbourhoods, and the Chair of Gambling, Licensing and Regulatory Committee.</p> <p>It was agreed that the condition needs to the requirements of changes in</p>

	<p>urgently requiring to contact a company which does not display a phone number and having great difficulty. It is all very well to say modern way to book by app but there is more to running a proper and safe operation than just booking. We would ask that you consider reversing this decision.</p> <p>2. We are greatly concerned about the 'emission's ruling. This is in effect an age rule for 'new' vehicles to be plated. In particular the ruling on diesels. This would mean a new or change of vehicle would require a car registered not earlier than 2014. This will put an added financial strain on a situation where drivers already struggle even more to make a decent living. Also this will particularly affect both the traditional 'London cab' style taxi, which is a great tool but new/nearly new ones are very expensive, and also the wheelchair minibuses utilised for school runs, as only diesel version are available.</p> <p>What we see in effect is drivers hanging on to older cars longer, especially those with minibuses carrying school kids. For the normal driver it looks like many will revert to older petrol cars. Not only are these less fuel efficient, making his costs rise, but also these engines are, as a rule, less resilient than diesels, meaning he may have to change cars more often, again adding to costs. Finally we somewhat object to the taxi trade, as the only one totally regulated by the City of York Council, being forced into complying with emissions targets when the average motorist will not.</p> <p>3. Whilst advised at another time, we would also like to take</p>	<p>technology.</p> <p>The proposed policy is not an age limit. Vehicles would only need to comply at change of vehicle which is dependent on when the driver/owner chooses to change the vehicle.</p> <p>We would suggest that the changes would improve fuel consumption and reduce running costs, not increase these. Please see point 2 above regarding wheelchair accessible vehicles.</p> <p>Taxis, in particular diesel taxis, create far more emissions leading to harmful air pollution than the average motorist does and do so without any contribution to the health damage costs that result. City of York Council is introducing a city wide emission standard 'Clean Air Zone' which will effect frequent buses.</p> <p>The taxi emissions policy (together with the recent taxi incentive scheme, which we would like to continue if there is funding), forms part of the holistic low emission strategy to reduce emissions from all types of vehicles.</p> <p>Fee levels did not form part of the</p>
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		<p>this opportunity to express our deep disappointment at the new rates for three year driver badge. This appears be to around the normal one year times three. On the other hand, surely issuing a three year badge means less costs to CYC and we would have thought that a lesser cost in general terms that that formula could have been reached. In addition we are dismayed by the insistence by yourselves that no refund will be made if a driver, for any reason, relinquishes his badge prior to the three years being up. We could understand this on one year badges but really think it needs revisiting on the possibility of a non refund policy on a three year one.</p>	<p>policy consultation. In relation to refunds, the policy has been amended to state:</p> <p>‘No refund will be given in respect of an unused portion of a licence, unless the council believes there are appropriate circumstances, this will be determined on a case by case basis.’</p>
7.	<p>Vicky Japes, City of York Council, Health Improvement Manager (Lifestyles and Sport)</p>	<p>We are supportive of the Health and Safety and air quality elements of the policy.</p> <p>We are strongly supportive of the principle of having one combined policy and welcome the references to the benefits of taxi access to those with disabilities in para 2.3.</p> <p>We would like to see this section strengthened to highlight the difficulties experienced by those with a range of impairments, including: mental health conditions, sensory impairments and dementia as well as physical disabilities, in accessing services, communicating and travelling independently. We would welcome reference to the value of a high quality experience and impact it could have on the confidence of passengers and their ability to carry out daily activities.</p> <p>In para 34 (now 35) there is reference to drivers having sexual exploitation training. We would like this to be broadened to include a range of training requirements. This could include Equalities training and disability awareness training (there are online CYC courses). There is also free ‘dementia friends’ training that the service could access etc.</p>	<p>We welcome the support of Public Health for the policy, especially as poor air quality is the cause of more premature deaths than any other public health factor except smoking.</p> <p>The wording in the policy has been amended as requested.</p> <p>The completion of disability awareness training is already a requirement of the application process, in addition all drivers of wheelchair accessible vehicles must complete further training, DVSA advance wheelchair exercise.</p>

			A section has been included within the policy relating to optional training, section 38.
8.	Mr David Jackson – hackney carriage driver	<p>My concern is the issuing of hackney carriage drivers licence for a period lasting three years.</p> <p>My main concern is what would the procedure be if someone wanted to retire within that three year period? I myself will be retiring at the end of 2016, would I be entitled to a rebate?</p> <p>I'm sure there will be others who may wish to finish before the end of a three year period for retirement, ill health, change of occupation, etc.</p>	<p>It is a requirement of the Deregulation Act 2015 that driver licences are issued for a period of three years, or for such a lesser period as the district council think appropriate in the circumstances of the case.</p> <p>The policy has been amended to state:</p> <p>'No refund will be given in respect of an unused portion of a licence, unless the council believes there are appropriate circumstances, this will be determined on a case by case basis.'</p>
9.	Mr Stephen Butt – hackney carriage and private hire vehicle licence proprietor and driver	<p>I would like to comment on the new taxi licensing proposals and I would hope that my comments will be taken into account because it is a very serious matter. specifically I would like to draw your attention to clause 22 (now 23) 'environmental considerations'.</p> <p>22.5 only the following Euro standards will be accepted for new private hire applicants form 1 Nov 2016 and all replacement vehicles for both taxi and private hire from 1 June 2017 for taxis and 1 Nov 2017 for private hire vehicles petrol – Euro 6 petrol diesel – Euro 6 diesel ultra low emissions defined as 75g/km co2 and under e.g. petrol/hybrid fully electric vehicles.</p> <p>This is all quite unacceptable see bullet points:</p> <p>1) There is not currently petrol/hybrid car with emissions this low even the latest available Toyota Auris brand new registered 2016 is currently 92g/km co2 emissions which is</p>	<p>1) There are dozens of makes/models of vehicles available which emit 75g/km or less.</p> <p>2) Eligible Euro 5 petrol cars will be up to 9 years old when the policy takes effect as these have been available since 2008.</p> <p>3) Euro 6 diesels have been compulsory for type approval since Sept 2014 and have been compulsory for new registrations since Sept 2015 thus are widely on sale and readily available. There is already a used car market for Euro 6 diesel vehicles. By 2017 there will</p>

	<p>above the current proposal. The earlier Toyota Prius which is just about affordable to a taxi driver is 104g/km co2 emissions and currently exempt from the congestion zone charge in London city centre.</p> <ol style="list-style-type: none">2) Petrol Euro 5 are only just becoming available now registered 2016 we cannot all afford to buy new cars.3) Diesel Euro 6 these are not widely for sale yet even brand new so this will be impossible. <p>We as taxi drivers cannot afford to purchase the suggested vehicles based on these proposals it is utterly ridiculous that York council should force such 'unreasonable' demands on our trade.</p> <p>May I suggest 104g/km co2 and under emissions for petrol/hybrid vehicles at least this will allow us a chance to purchase one of these.</p> <p>May I suggest Euro 4 petrol.</p> <p>May I suggest Euro 5 diesel.</p> <p>This may give drivers a chance to source a suitable vehicle for the job in hand of being a taxi driver or private hire driver.</p> <p>Let us not forget vehicle manufacturers have been found guilty of manipulating emissions values to gain car sales in recent time which means taxi drivers will have grounds for a court case to overturn these ridiculous demands we simply do not charge enough and we do not have the customer base to afford these cars based on the job we do. If we charge more money for our services the customer base would surely shrink even further because the public does not take kindly to being ripped off and overpaying for simple services, some people rely on taxi as their main means of independence and getting about.</p>	<p>be a wide range of new and used Euro 6 diesel vehicles, as well as a wide range of Euro 5 and 6 petrol vehicles.</p> <p>Euro 4 and 5 standards for diesel are known to have failed to meet the emission targets. These emission levels worsen as the vehicle ages, as abatement equipment degrades and blocks up.</p>
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10.	<p>Caroline Robertson York Blind and Partially Sighted Society</p>	<p>Thank you for inviting York Blind and Partially Sighted Society to take part in this consultation. This is of particular interest for a couple of reasons:</p> <ul style="list-style-type: none"> • Our visually impaired members often use taxis as a preferred method of transport due to their accessibility. • We are currently involved in a project which looks at raising the awareness of eye health and encouraging regular eye examinations. <p>Having read your draft policy, I would like to highlight a particular concern around the monitoring and enforcement of objective 3.1.</p> <p>3.1 This authority shall seek to promote the following objectives:</p> <p>a) Protect the interests of the travelling public by:</p> <ol style="list-style-type: none"> i) The establishment of professional and respected hackney carriage and private hire trade. By ensuring that safe, clean, reliable and accessible vehicles are available for all who requires them. ii) Ensuring that drivers of such vehicles and private hire operators are 'fit and proper' persons. <p>The policy states that in order to ensure the driver is fit and proper person you will undertake checks and ask for medical certificates to ensure the driver is fit to drive.</p> <p>My concern is with whether the driver is medically fit. In particular relation to how well they can see. I am aware that a visual acuity test is required as part of the DVLA Group 2 medical standards. However your policy states that this will only be required on application and then at the following intervals,</p> <p>30.4 (now 31.4) Licensed hackney carriage and private hire drivers shall submit a medical certificate at the age of 45, 50,</p>	<p>The Council's policy with regards to the frequency of medicals, which include eye examinations, is in line with Department for Transport Best Practice Guidance, that drivers must complete a medical to DVLA Group 2 Standards.</p> <p>If required the council can also request that a driver has additional Group 2 standard medicals or further medical assessments.</p>
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55, 60 and 65. Annual medical certificates are required for all drivers over the age of 65. Drivers failing to have their medical within the required timeframe will have their licence suspended or revoked.

This raises some concern as ophthalmologist recommendations for the general public for eye sight tests as published on the NHS website are:

- Every 2 years for those under 70 years of age
- Annually for people age 70+
- Annually for anyone 40+ with a history of Glaucoma in their family or you have diabetes

After a test you are issued with an optical statement or prescription to say that:

- You don't need glasses
- Your current glasses don't need changing
- You have been given a new or changed prescription
- You are being referred to your GP or an eye clinic

To evidence the importance of regular eye examinations and as part of our Optimeyes project, we recently carried out some work with a taxi company in the Sheffield area where we offered to go along and carry out basic vision screening tests with their drivers using the Thomas Pocklington Eye Right Toolkit, which tests near and distance vision as well as contrast vision.

We provided information on eye health and spoke to them about the particular needs of customers with visual impairment. We carried out 8 vision screen test all male. 7 out of 8 tests carried out resulted in a referral to an optician as they did not meet the pass standard of the test. 4 of the drivers told us that they had never had a full eye sight test in their lives, 1 had not had a test for 11 years and only 2 had had a test in the last

		<p>year. Even then 2 that had had a test in the last year one still needs to be seen by an optician based on the results of our test.</p> <p>So in summary even though your policy states that medical examination certificates will be required every 5 years between the ages of 45 and 65, based on our findings and the national recommendations for regular eye examinations I do not feel this goes far enough.</p> <p>I would suggest that eye sight checks should be carried out at intervals reflecting the ophthalmologists national recommendations, otherwise how can you be sure that drivers have the required level of visual equity to meet DVLA driving standards as set out in the Group 2 medical standards during the 5 year gap between the requirements to provide a medical examination certificate.</p> <p>As an optical statement is issued after an eye examinations by an optician, could this be evidence required as part of the taxi licensing policy between full medical examinations?</p>	
11.	Mr A J Davies Chairman Independent Taxi Association – York	<p>The ITA represents over 60 hackney carriage owners and drivers in York.</p> <p>Our responses are as follows:</p> <p><u>Para 7.5 Vehicle Specifications, CYC will not licence 'write offs'</u></p> <p>This is a new proposal and could cause problems for licence holders as there are several categories of 'write off', with categories C and D being nothing to do with safety, but where the vehicle is uneconomical for the insurance company to repair. This is not just repair cost as against vehicle value, as insurance companies also take account of storage and administration costs.</p>	<p>The policy has been amended to state:</p> <p>'A vehicle will not normally be granted a licence if it has sustained accident damage resulting in structural distortion beyond the accepted limits of the vehicle manufacturer, or has been disposed of under insurance salvage agreement, categories A and B, with</p>

		<p>A vehicle with a value of £1,500 could be written off for a minor accident, e.g. in a car park, costing £800 to repair. The consequence of this is a vehicle, e.g. a taxi, with a higher mileage thus being a lower 'value' could be written off for relatively minor damage which is not safety related and could be easily repaired. Then the council would refuse to licence a perfectly safe vehicle.</p> <p>We object to this proposal.</p> <p><u>Section 22 (now 23) 'Environmental Considerations'</u></p> <p>The council is proposing to introduce Euro Emission limits to taxis.</p> <p>22.3 The DfT states '.... bearing in mind the need to ensure that benefits outweigh costs (in whatever form)....'</p> <p>22.4 York has over 60 low emission taxis, which is voluntary and uses incentives. This scheme works, and we approve of this.</p> <p>22.5 From the dates given CYC are proposing only to licence replacement vehicles conforming to the limits below.</p> <p>From 01.06.17 (HC) and from 01.11.17 (PH)</p> <ul style="list-style-type: none"> • Euro V (petrol) – vehicles 2009 on • Euro VI (diesel) – vehicles 2014 on <p>This proposal will:</p> <ol style="list-style-type: none"> a) Discriminate against wheelchair vehicles and minibuses because they are all diesel and expensive (London cab c.£40K new). b) Increase costs for owners of diesel vehicles, or increase fuel costs for those switching to petrol vehicles. 	<p>regards to categories C and D, it will be dependent on the level of damage.</p> <p>We welcome the support for the council's taxi incentive scheme which has contributed to the adoption of over 70 low emission taxi in York. We are currently seeking funding to continue the incentives, but the cheaper running costs (e.g. 65mpg) for low emission vehicles are an incentive in themselves.</p> <p>We understand the concerns, the policy has been amended in relation to wheelchair accessible vehicles to permit Euro 5 diesel on change of</p>
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		<p>committee and there was no consultation with the HC or PH trade.</p> <p>We object to this change and it should be reversed. Furthermore we propose that in future all changes affecting the HC and PH trades are discussed by the licensing committee, so councillors and the trade can consider them properly and democratically.</p>	<p>Director of Communities and Neighbourhoods, and the Chair of Gambling, Licensing and Regulatory Committee.</p> <p>It was agreed that the condition needs to meet the requirements of changes in technology.</p>
12.	Mr Saf Din – hackney carriage vehicle licence proprietor and driver	<p>HC door crests must be available in both stick on and magnetic as-</p> <ul style="list-style-type: none"> a) the trade has a choice b) as the trade is improving and providing better newer and luxury vehicles for the public such as Mercedes, we do not want to cause damage to paint work upon change of vehicles c) vehicles are polished and the paint work is of different shade when the stick on crests are removed for change of use d) provides a revenue for the department upon replacement order e) there has been a recent increase in taxis having windows broken into, if we have magnetic crest we can remove whilst parked in street overnight or car parks as not to draw attention 	<p>The following is a condition of a hackney carriage vehicle licence:</p> <p>‘The licensed vehicle will be supplied with the official coat of arms decal which must be displayed at all times on each front door panel.’</p> <p>When this condition was first introduced vehicle licence proprietors were given the option of adhesive or magnetic crests, it was found that magnetic crests were not being displayed, therefore the council determined that only adhesive crests would be permitted. Magnetic crests can also be removed easily and therefore could be attached to an unlicensed vehicle.</p>
13.	York & Ebor Cars – licensed private hire operator	<p>We would wish the council to consider making the following proposals and amendments to the proposed taxi licensing policy.</p> <p>7.5 vehicles declared insurance write off will not be licensed.</p> <p>We would see to exclude cat D write offs. As this category tends in the main to be stolen and recovered with panel damage</p>	<p>The policy has been amended to state:</p> <p>‘A vehicle will not normally be granted a licence if it has sustained accident damage resulting in structural distortion</p>

	<p>only. They should be licensed subject to an independent engineers report as to road worthiness.</p> <p>22.5 (now 23.5) Euro Standards</p> <p>We would seek an amendment seeking Euro 5 emissions for both petrol and diesel vehicles from 1 Nov 2016 we would also propose that all replacement vehicles are under 4 years old from 1 Nov 2017 and that all existing licensed vehicles be replaced once they become 8 years old excluding wheelchair and zero emission vehicles which should be replaced at 12 years allowing proprietors a greater length of time to recoup costs. We would further propose that the practises employed by Darlington and Hartlepool councils are used for proprietors wishing to extend a vehicles life beyond the age limit, i.e. that the vehicle is in show room condition and have been exceptionally well maintained throughout its life as a licensed vehicle.</p> <p>This would result in all new vehicles being Euro 6 from Sept 2018 with all other vehicles excluding wheelchair friendly Euro 5 or zero emissions. We believe that should the council not impose as age limit proprietors will extend the life of existing vehicles undermining their intensions or reducing emission levels.</p> <p>27.1 (now 28.1) knowledge test</p> <p>We would wish to propose that the knowledge test pass rate is reduced from the present 86% to a more realistic 60%. Questions should only be those that are applicable to a driver and not proprietors or private hire operators, i.e. what is the</p>	<p>beyond the accepted limits of the vehicle manufacturer, or has been disposed of under insurance salvage agreement, categories A and B, with regards to categories C and D, it will be dependent on the level of damage.</p> <p>The proposed stringent age limit of 4 years for new vehicles by York & Ebor would accelerate the uptake of vehicles with higher Euro standards however would make adoption difficult of a significant proportion of the taxi trade. As well as improving emissions standards, we also need to consider the affordability for all.</p> <p>The policy proposes to permit Euro 5 petrol vehicles, which will be up to 9 years old at time of proposed policy implementation to make allowance for traders who are unwilling to purchase a car of under 4 years old.</p> <p>The knowledge test has 30 questions, the pass mark is 26. A high pass mark is required as it is imperative that driver applicants have an understanding of the legislation relating to taxi licensing, the Council's Byelaws and conditions,</p>
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	<p>minimum distance between the rear seat and the back of the front seat? We further propose that the licensing process is speeded up by allowing prospective drivers to obtain required tests and necessary checks in any order. Presently a DSA driving test must be obtained before an application can start and a DBS check started. Both presently have awaiting time of approx 6 weeks. It presently takes on average 6 months to obtain a licence and has a 50% drop out rate. The adoption of the above would speed up the application process without reducing public safety. Furthermore we would propose that all forms required for a driver application and vehicle licensing are made available in a downloadable format from the council's website.</p> <p>Private hire vehicle licence conditions</p> <p>iii) For estate-type vehicles the windows overlooking the luggage space can be of any manufacturer's tint providing it is not opaque.</p> <p>We would like the above amending to read. For estate and hatchback vehicles that any window to the rear of passengers and those over looking luggage space can be of any manufacturer's tint.</p>	<p>and the Highway code, and are aware of issues relating specifically to York, e.g. the pedestrianisation scheme and due to the historical nature of the city and the number of visitors the importance of knowing relevant locations and routes. Due to the high number of people who failed the knowledge test it was revised from the 1 January 2014, since this revision took place the number of people who pass the test on the 1st or 2nd attempt has increased.</p> <p>It is currently a requirement that the DVSA driving assessment is passed prior to submitting an application for a drivers licence. From the 1 May 2016 this assessment will be completed as part of the application process, but must be completed and passed before the licence is granted.</p> <p>Application form, guidance notes, etc are available on the Council's website.</p> <p>This condition is in place on public safety grounds. The tinting level requirement was amended within the draft policy that went out for consultation.</p>
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14.	York Green Party	<p>The York Green Party is responding to the Taxi Licensing consultation and the consolidated draft hackney carriage and private hire licensing policy of 2015. Our comments and suggested amendments are below-</p> <p><u>Section 22 (now 23) – Environmental Considerations</u></p> <p>Whilst the YGP recognises the achievements following the adoption of the Low Emission Strategy in Oct 2012, the roll-out of the LES measures in the Third Air Quality Action Plan (Dec 2015), we recommend the following amendments to the proposed taxi licensing policy:-</p> <ul style="list-style-type: none"> • Adopt a Taxi Emissions policy (22.1): e.g. council emissions policies elsewhere such as http://www.plymouth.gov.uk/vehicleemissionspolicy ; Salford – introduced new emissions standards for all vehicles, 2015- https://www.salford.gov.uk/taxis.htm; Rotherham- introducing vehicle emissions standards into licensing policy; Durham- has transitional arrangement policy for vehicles to meet Euro 4 and 5 emission standards. • Amend 22.7 by requiring taxis to cut idling when stationary. This could be achieved by signage requiring turn off of engines in congested areas e.g. Railway station, Rougier St, and Gillygate/theatre area. Best practice is exemplified by Brighton and Hove City Council where ‘drivers are observing no engine idling policies whilst stationary at taxi ranks.’ https://www.brighton-hove.gov.uk/content/parking-and-travel/travel-transport-and-road-safety/low-emission-zone • There are some 60 low emission taxis in York so far, out of approx 800 vehicles therefore we strongly support your bid for Ultra Low Emission Taxi incentive funding (22.9) to support the wider adoption in the York Fleet and recommend you continue to offer discounted licenses to 	<p>We do not support the policy of Plymouth City Council as it allows Euro 4 and even some Euro 3 vehicles which would increase emissions in York.</p> <p>Neither can we support Salford’s over complicated Euro 5 emissions standard (and less than 4 years old) from 2013, which allows grandfather rights, no emission standards for ‘exceptional vehicles’ and vehicles to be up to 10 years old.</p> <p>Rotherham has a 5 year age limit and a Euro 5 emission standard from 2015 for new taxis and all new taxi licensed to be Euro 6 by 2020 and a 10 year age limit for all vehicles except those that are wheelchair accessible.</p> <p>Durham has a Euro 4 based standard from 2014, but require Euro 3 or Euro 4 for renewals of Euro 2 vehicles (i.e. currently allowing 16 and 11 year old vehicles).</p> <p>Whilst there is some merit in Rotherham’s policy the other council’s policies would not improve air quality and could even make it worse.</p>
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		<p>those who take this on board, best practice.</p> <p><u>Complaints</u></p> <p>We do not feel that a complaint against operators has been adequately addressed and this may reflect on the city's future reputation with tourists/visitors. References made in the draft document at 4.1e and 4.2d only deal with record keeping and investigation of any complaints. We would recommend that a complaints procedure is established with operators and that a penalty points system adopted to enable monitoring and sanctions to be used within the licensing process see http://www.rother.gov.uk/article/10685/Penalty-Points-Scheme as an example of a system used.</p>	<p>The new policy introduces more stringent requirements for private hire operators with regards to recording, keeping and logging complaints. A penalty system is not required at this time.</p> <p>The Council has a complaints procedure in place.</p>
15.	Mr Bernie Flanagan – private hire vehicle licence proprietor and driver	<p>In general the policy is aimed at drivers/operators who are licensed by City of York. However there is clear evidence that operators from outside the City of York area can be actively plying for trade (race meetings are a prime example). The policy should consider how this practice can be brought under control.</p> <p>There are a number of changes happening in this sector through technical innovation and different ownership/proprietor models. The policy should consider these changes and how they can be safely utilised for the public benefit. For example:</p> <p>Do the technical innovations still ensure that the public when they travel will know who the driver is, that they are fit and proper people with safe, insured vehicles. Also who is the proprietor and how they can be contacted.</p> <p>Do the proprietor models ensure clear clarity of ownership and accountability for the travelling public and licensing authority, ensuring that ownership is by 'fit and proper persons' including</p>	<p>At this time the Council is working with the West Yorkshire and York Combined Authorities with regards to cross border enforcement. A report will be brought to committee with regards to this in the near future.</p> <p>The Deregulation Action 2015 allows the ability for a private hire operator to sub-contract bookings to another legitimate private hire operator who may be outside the boundary of the City of York Council authority area and therefore licensed by another authority. This is a concern for licensing authority in relation to increased and more complex enforcement.</p>

	<p>any history of litigation against the proprietors.</p> <p>S1.11 Suggests that the purpose ‘to protect the public’ is made very explicit and that includes explicit commitment to uphold ‘highest standards for drivers, operators and vehicles’. At a time when there is pressure for de-regulation. It is vital that the council set out its commitment to the ongoing safety of the public through the tried and trusted regulatory framework.</p> <p>S12.2 When are the government likely to publish guidelines on a wheelchair accessible vehicle quota. While welcoming such a move there must be consultation about implementation to ensure equity across all drivers/operators.</p> <p>S13.1 Insurance suggest strengthening ‘appropriate to the vehicle’ to include ‘and the task of operating that vehicles for private hire’. This is a vital area for passenger safety.</p> <p>S22 (new 23) Environmental Considerations</p> <p>While supporting any moves to benefit the city’s environment. The following points need to be taken into account.</p> <p>Are these same standards for taxis/private hire being applied across the fleets, particularly those in the council/public domain?</p> <p>At time of writing it is impossible to obtain a ultra-low emission vehicle that can provide wheelchair access or can carry up to 8 passengers. Realistically these activities are going to be dependent on diesel vehicles for some time to come.</p> <p>Environmental impact is not just about emissions per car- larger vehicles have a positive impact on the environment because:</p> <ul style="list-style-type: none"> • Emissions per passenger journey. A vehicle carrying 8 	<p>This is not knows.</p> <p>Regarding the Councils use of vehicles, the majority of council pool car journeys in York are hybrid or electric, so already far cleaner than Euro 6 diesel. As vehicles are changed, the cleanest standard is chosen.</p> <p>Taxis, in particular diesel taxis, create far more emissions leading to harmful air pollution than the average motorist does and do so without any contribution to the health damage costs that result. City of York Council is introducing a city</p>
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		<p>passengers can be better for the environment than 2 vehicles carrying 4 passengers each.</p> <ul style="list-style-type: none"> • Congestion – 8 seater cars can reduce the number of cars on the city’s roads. <p>The standards set out for diesel vehicles (Euro VI) came into force in 2014. The standards (Euro V) set out for petrol vehicles 2011. Clearly there are higher standards being imposed for diesels vehicles. Is this equitable?</p> <p>S22.5 states new standards will be implemented over 2016/17 – this will mean that diesel vehicles will need to be less than 3 years old, while a petrol vehicle could be 5 years old. This anomaly needs to be rectified.</p> <p>There is potential that these measures will mean an unintended reduction in the provision of WAV and choice for customers.</p>	<p>wide emission standard ‘Clean Air Zone’ which will effect frequent buses. The taxi emissions policy (together with the recent taxi incentive scheme, which we would like to continue if there is funding), forms part of the holistic low emission strategy to reduce emissions from all types of vehicles.</p> <p>The policy offers 3 means to meet the emissions criteria:</p> <ol style="list-style-type: none"> 1) Euro 5 petrol 2) Euro 6 diesel 3) Ultra low emission (75g and under CO2) <p>All vehicle types are able to achieve one of these standards.</p> <p>Regarding the comment on eight seater vehicles, in the scenario given, 2 petrol cars would have significantly lower emissions than 1 eight seater diesel vehicle not the other way round.</p> <p>Regarding the question of equitable diesel standards, diesel has failed to achieve the standards whereas petrol vehicles have performed much better. As such the policy has reflected that Euro 5 petrol has low emissions.</p> <p>Note – Euro 5 vehicles have been available to buy since 2008, not 2011 as Mr Flanagan comments.</p>
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		<p>27 (now 28) Locality Test</p> <p>The 'knowledge test' is paper based. Should there (under the equality act) be provision for an option for a more practical knowledge test.</p> <p>28 (now 29) DBS Check</p> <p>28.7 sets out the grounds for suspending or revoking a licence – should the grounds for initial refusal of licence also be clearly set out.</p> <p>Suspension of licence – can the process in regard to suspension and re-instatement be made clearer.</p> <p>Private Hire Operators:</p> <p>It should be clear to the public at the time of booking who is the operator of the vehicle hired. Traditionally this has been self-evident in the booking procedure. It is an important safety and accountability feature of the licensing system. However in the future the use of 'apps' (as intermediaries, sampling a number of operators) could potentially leave the public in doubt about the operator of their vehicle.</p> <p>Appendix 1 Private Hire Vehicle Conditions</p> <p>14 – only one two way radio – communication between operators and vehicles can now be achieved via phones/hand-held devices. Consideration of this and its implications should be included in this policy.</p> <p>Appendix 2</p> <p>This section is badly worded. As section 2 points out there are many reason way a person may wish to travel in a luxury</p>	<p>If required assistance is given with the knowledge test and different means of completing it are available.</p> <p>Appendix 8 relates to the 'Rehabilitation of Offenders Act 1974' this relates to driver applicants.</p> <p>This is not a requirement of the Deregulation Act 2015.</p> <p>This policy does not prevent the use of other devices.</p> <p>This exemption policy relates to vehicles undertaking executive work,</p>
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		vehicle with the attendant extra cost and administration involved. But to say that the service is limited to just one group of people as set out in point 9 is dubious and potentially at odds with the Equality Act.	not routine private hire work.
16.	Lucy Pearson York Teaching Hospitals NHS Foundation Trust	The Trust recognises the health impact that poor air quality has in urban areas and so writes to support and encourage the work that the City of York Council is developing as part of its commitment to sustainability and clear air through its taxi policy. I understand that the City of York Council will include low CO2 and low air pollution criteria by incentivising petrol/hybrid or electric vehicles, sub 100g CO2/km and taxi manufactured post Sept 2009 (Euro 5 or better) and this is something which we are hoping to also encourage through the Trust's own use of taxis in future contracts.	We welcome the comments by York Hospital and will work with them to reduce pollution and admissions to hospitals as a result of poor air quality.
17.	Mr Dave Holeksa Chairman York Private Hire Association	Below are our comments on the proposed policy and points we would like to make a presentation on. 7.5 – insurance write offs: Cat D write off, could be considered unusable. 22.5 (now 23.5) emissions Diesel new stringent standards 28.6 (now 29.6) – DBS checks	The policy has been amended to state: 'A vehicle will not normally be granted a licence if it has sustained accident damage resulting in structural distortion beyond the accepted limits of the vehicle manufacturer, or has been disposed of under insurance salvage agreement, categories A and B, with regards to categories C and D, it will be dependent on the level of damage. The new diesel standards require Euro 6 however only at change of vehicle after 2017. Euro 5 petrol vehicles or ultra low emission vehicles are also eligible.

		<p>Streamlining the process</p> <p>36.1 (now 37.1) – new 3 year drivers licence fee</p> <p>Is this the most cost effective way forward?</p> <p>42.2 (now 44.2), appendix 10 item 11 drivers/vehicle details</p> <p>Clarification on the length of time to keep records.</p> <p>45.2 (now 47.2) – side plate's</p> <p>Size of letters and wording</p> <p>53.2 (now 55.2) – notification's on proposals</p> <p>In the day of email's is this the way forward</p> <p>19.1 – tinted window</p>	<p>DBS checks cannot be share between council sections due to the 'workforce' requirement. A section can only view the information that they are entitled to.</p> <p>A cost breakdown was carried out when the fees were set.</p> <p>It is believed that these are appropriate lengths of time to keep relevant records, which may assist the operator, council and other agencies such as the police if relevant information is required.</p> <p>The condition states 'suitable lettering at least 50mm (2") but not more than 100mm (4") high'.</p> <p>It is a requirement of the legislation that notices must be placed in the local newspaper.</p>
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