

TAXI NEWS

November 2016

Review of Council's Seating Policy for Multi-Purpose Vehicles (MPV's) which carry up to 8 passengers

You will recall from taxi newsletters in April and July 2016 and from consultation letters sent out in February and also articles that were printed in the local Gazette newspaper that the Council reviewed its policy on passenger seating numbers for multi-purpose vehicles (MPV's) for up to eight passenger seats.

The consultation which ran for twelve weeks from the 5 February to the 2 May 2016 asked for views on whether the Council's current seating policy for MPV's should remain in place, be withdrawn, or whether it should be amended in any way and if so how. It also specifically asked for views on Basildon Council's MPV seating policy introduced in January 2015 as a potential alternative to Tendring's MPV policy which required in most instances the removal of a passenger seat to allow unrestricted entry and exit to a vehicle for fare paying passengers.

The response to the consultation was quite disappointing to be honest, with only seven responses received back from the taxi and private hire trades and one response received back from an external consultee. Six of the taxi trade responses wished to see the policy withdrawn, one wished to retain it and the

external consultee also wished to retain it, but did express its support for the Council adopting the same MPV seating policy as Basildon as an alternative.

The Council's Licencing and Registration Committee met to consider these responses on the 28 September 2016 and to consider what if any changes it might make to the current MPV seating policy and which as you will be aware, requires the removal of a seat for many MPV vehicles in order to allow unrestricted access and exit to and from the rear of the vehicle for fare paying passengers.

One taxi proprietor attended the meeting who had responded to the consultation and who licenses an MPV in Tendring.

Full details of the covering Committee report that went to this public meeting along with the minutes and decision from it are available on the Council's website www.tendringdc.gov.uk and can be found under Council and Democracy, Meetings, agenda and minutes pages. Click on the link for the Licensing and Registration Committee.

The Licensing and Registration Committee fully discussed and considered all of the responses received and took into account the passenger safety considerations of retaining the current policy against the requests that had been received to withdraw it. The Committee wanted to find and adopt a reasonable and proportionate balance in being able to agree to requests to withdraw Tendring's MPV seating policy and therefore allowing MPV's to be licensed for the number of passenger seats indicated by the vehicle registration document and still maintain and promote passenger safety. The Committee also listened very carefully to the concerns raised by some of those that responded to the consultation that removing a seat from Tendring MPV's could put the local taxi trade at a disadvantage when it came to bidding for work such as school contract work for example and were very keen to fully assist and support local Tendring taxi businesses where it was possible to do so.

Therefore after due consideration and debate of the issues involved, particularly in regards to passenger safety and comfort and also listening to the views of the taxi proprietor who attended the public meeting, the Committee felt that adopting the same MPV seating policy as Basildon was a reasonable and proportionate option which would allow the Tendring taxi and private hire trades to licence MPV vehicles for the number of passenger seats indicated on the vehicle registration document, but still maintain and promote the safety of fare paying passengers.

The text shown below in italics which was the decision of the Committee has been entirely reproduced from the minutes of the meeting and which again are available to view or download on the Council's website www.tendringdc.gov.uk

The policy for MPV's, referred to and noted as "The Basildon Option" and adopted by Basildon Borough Council as at January 2015, and option 3 in the report, be adopted by Tendring District Council but with transitional arrangements to allow existing MPV licences to remain valid until such time as that licence expires or the vehicle is replaced, and that the policy, known as "The Basildon Option" shall come into force 18 months from today's date.

The aim of this exercise is to ensure that the safety of passengers is paramount and that each MPV has, for example, a rear door that can be opened from the inside of the vehicle.

The 'Basildon' Policy which will now be the Tendring District Council MPV seating policy is as follows:

- 1) *In respect of minibus and other MPV style vehicles a minimum of three doors to the passenger accommodation shall be provided.*
- 2) *Have proper signs on how to lift the second row of seats. The sign should be clearly visible to any persons seated in the rearmost seats providing customers with instructions on the operating mechanisms for the seat that may be required to be*

tipped/moved forward in order to gain access/egress from the vehicle.

- 3) *The operating levers to be coloured yellow/orange so that they are easily identifiable. They can be coloured by using the appropriate colour tape. Tape should remain damage free at all times and replaced when worn.*
- 4) *Have windows on the near and offside in respect of the rear row of seats and that they be free from obstruction at all times to allow access in the event of an emergency.*
- 5) *Have well positioned exit window signs (where appropriate).*
- 6) *Have an internal device for the rear hatch door to be opened from the inside. This can be by way of an emergency 'quick release' button which can be fitted to the rear hatch door which can be operated by passengers in order to allow access/egress in the event of an accident and one of the side passenger doors being inaccessible.*

Those criteria do not apply to purpose built wheelchair accessible vehicles however which are still required to ensure that the passenger compartment provides unobstructed entry and exit from the back row of seating of the compartment and which include the requirement that no persons entering or exiting the vehicle should have to remove or dismantle a seat or obstacle to climb over a person. In terms of colouring the operating levers which lift and tip seats yellow/orange, these conformed to national safety health and safety standards.

This will mean that the existing MPV seating policy remains in force and in particular paragraphs e) and f) of the current policy unless or until the work that is detailed as items 1) to 6) (shown above in italics from the minutes) are carried out by the vehicle proprietor/licence holder and that the new policy will apply 18 months from the 28 September 2016, but that if the licence

holder/proprietor does not want to carry out the work listed under items 1) to 6) then they will not have to do so until such time as they change their vehicle, or the vehicle licence expires.

For clarity and reminder, paragraphs e) and f) of the Council's MPV seating policy are as follows:

(e) The arrangements of the seats shall be such that no person has to remove, push forward or dismantle any seat or other obstacle; nor should it be necessary to climb over any person being carried in the vehicle or require any person to leave their seat to allow anyone to enter or leave the vehicle.

(f) If the seating arrangement does not allow free access to and from the vehicle as set out in condition (e) above then, in order that the vehicle may be licensed as a Hackney Carriage or Private Hire Vehicle and in the interests of public safety and comfort, the Council will require as many seats as may be deemed necessary to be removed.

For licence holders/proprietors of MPV's who do wish to take advantage of the new policy immediately in order to be able to re-instate a seat into their vehicle they can of course do so and would need to get the work done and present the vehicle by appointment to the licensing office for inspection and confirmation that the work has been done professionally by a competent person. A revised licence and licence plate would then be issued to the licence holder/proprietor that would show the revised passenger seating number to take account of the re-instated seat.

Castle point Council also have the same policy for their MPV's as Basildon and now Tendring in relation to internal exit signage, colouring of operating seat levers and an internal device for the rear hatch door to be opened from the inside.

In terms of fitting the internal rear hatch door switch, licence holders/proprietors are free to source whatever contractor they wish to do this work, but it will need to be carried

out by a professional and competent person who is able to provide an invoice or certificate as proof that the work has been carried out professionally and competently.

In the meantime we are currently aware of three contractors who definitely carry out this type of work. These are:

Graham Rayner, telephone 07745 644110 or e-mail rayner573@btinternet.com (Graham carries out this work for Basildon and Castle Point taxi trades).

Kevin Graffham, GWE Installation Services, 15 Hayes Road, Clacton on Sea. Phone 01255 - 435845 or 07772 707810 or e-mail info@gweinstalls.co.uk

Associate Vehicle Installations Ltd, 7 Five Acres, Walton on the Naze. Telephone 0845 602 6208 or e-mail john@avilttd.co.uk

Please note that the above details are for the information and assistance of MPV licence holders/proprietors only. It is not an endorsement or guarantee of the contractor or their work by Tendring District Council.

New Taxi Plates

At the public meeting of the Licensing and Registration Committee on 5 October 2016 a change in the supply and format of taxi plates to a much sharper, clearer and distinctive plate was discussed and agreed by the Committee.

Therefore as of 1st January 2017, you will receive a new bracket and plate upon your renewal over the next year, or before if you change vehicle for example.

The new brackets sit very neatly underneath a standard size number plate and you **do not** need to drill or screw the bracket into your vehicle. If anyone would like a preview of what the new holding bracket and plate design looks like you are more than welcome to see a template of one at the licensing office, or it is available to view on the taxi page of the Council's web site www.tendringdc.gov.uk

Details of the report that went to the Committee and the decision can be found on the Council's web site www.tendringdc.gov.uk by looking at the Council and Democracy, Meetings, agenda and minutes pages. Click on the link for the Licensing and Registration Committee.

Driving & Vehicle Standards Agency (DVSA) Taxi Driver Assessments

As you will be aware, as part of becoming a new taxi or private hire driver, new applicants are required to pass a DVSA Taxi Drivers Assessment. The DVSA has recently notified all Local Authorities that they are withdrawing these assessments with effect from 31 December 2016 because they have a significant backlog of persons waiting to take ordinary car tests and so they are switching all of their examiners to concentrate on car tests only, in order to reduce waiting times. Unfortunately this means that they are sacrificing taxi driver assessments to reduce their stats.

At the Licensing and Registration Committee on 5 October 2016 it was also discussed and agreed by the Committee that all **new applicants** applying for a taxi drivers licence will need to continue to take and pass a taxi drivers assessment through an accredited provider which is equivalent to the standard requirements of the DVSA taxi drivers assessment. Details of the report that went to the Committee and the decision can be found on the Council's web site www.tendringdc.gov.uk by looking at the Council and Democracy, Meetings, agenda and minutes pages. Click on the link for the Licensing and Registration Committee.

TDC are advising new applicants of the following companies/organisations that are accredited with the DVSA to carry out Taxi Driver Assessments. We do not endorse any particular company or organisation. They are:

Institute of Advanced Motorists
www.iamroadsmart.com

Royal Society for the Prevention of Accidents
(RoSPA)

www.roadar.org.uk

AA Drive Tech
www.theaa.com

Driving Instructors Association
www.driving.org

Diamond
www.advancedmotoring.co.uk

The Blue Lamp Trust
www.bluelamptrust.org.uk

The list and details of these companies/organisations are also available on the taxi page of the Council's website and they may be added to at a later date.

Costs range between approximately £86 to £96 including VAT depending on whether the applicant books the assessment to take place on a weekday or an evening or weekend. The fee is paid direct to the company/organisation. The examiner will usually travel to a local area to undertake the assessment.

Disclosure and Barring Service Certificates (Previously CRB)

Can we remind everyone again please that all drivers applying for the renewal of their Hackney Carriage/Private Hire driver licences should be aware **that it is essential they bring into us the DBS/CRB certificate they received back through the post as the Council no longer receives copies of these directly. This has been the situation for several years now**, but we still get applicants who appear/claim to be unaware that this is the case. Failure to do so within a reasonable timescale may result in the applicant having to re-submit their DBS/CRB enquiry form again which will include a further £44 fee to the DBS. The certificates must be up to date when the licence is issued and we will not accept any certificate over 3 months old from the date of their issue by the DBS.

Licensing Office Move on 12 December 2016

We've finally been given a date for the move of our licensing office which will be moving from Weeley over to the Council Tax Offices in Pier Avenue (88-90 Pier Avenue, Clacton on Sea, CO15 1TN). All telephone numbers and e-mail contacts will remain the same.

The move will take place on Monday the 12 December 2016 and there will be no office service available at all on that day. Our phones and e-mail will be cut off, we will have no computer access and will have nowhere to see any personal callers and no facility to take in or photocopy paperwork.

The Council's main switchboard 01255 686868 will take telephone messages for us on the day and we will get back to callers as quickly as possible after the 12 December.

The office will be closed again on Friday afternoon the 16 December from 12 noon onwards in order for IT work to be completed following our move.

Please also be aware that the Council Offices in Pier Avenue are only open to the public between 10am to 4pm Mondays to Fridays. This will mean that when we move into the offices there our reception times will be as follows:

Tuesdays & Wednesday 10.00 a.m. to 12.00 noon; and

Fridays 1.00 p.m. to 4.00 p.m.

Outside these times appointments will be needed, please note that these may not necessarily be able to be made for the same day as you ring or e-mail for an appointment, but we will certainly do our very best for you to try and do so.

There will be a phone inside the main front entrance lobby of Pier Avenue which will be designated for Licensing and marked up as a Licensing phone which when picked up will be a direct line to contact the Licensing Team.

Completion of Forms

All of our application forms are legal documents and you will see that there is a declaration that you sign at the end of a form to say that "all details are true to the best of my knowledge; I understand that if there are any omissions or incorrect statements of a serious nature, my application may be refused, or if a licence has been issued it will be liable to immediate suspension. I have read the guidelines and standards printed overleaf and understand them".

Unfortunately we have noticed a trend where some applicants are submitting forms without completing them properly and giving all the information asked for.

This then takes up your time and ours to resolve.

Please fully complete the forms or they will either be refused or returned back to you until they are completed in full. If you have not completed a certain section of the form because you are unsure how to complete it, then please just ask and we will do our best to advise you. It may save a lot of disappointment all round.

Renewals

Vehicle/Driver renewal forms will be sent to the licence holder together with an invoice for the renewal fee, one month prior to the current licence expiry date.

You are reminded that upon renewal, all documentation needs to be reproduced.

Driver's applications:

Application form, DVLA driving licence, medical, DP20, two passport size photographs (one signed by doctor), Passport, Birth Certificate, DBS application form, National Insurance Number and two different proofs of address (within the last 3 months).

Vehicle applications:

Application form, insurance, MOT, log book, mechanical test certificate.

Email of Applications and Documentation

The licensing office can now accept scanned copies of completed application forms, MOTs, Insurances and any supporting documentation. For renewals we will also accept digital photographs if necessary, **providing** they are entirely **clear and legible to read** and can be downloaded easily. Please send these to the general taxi email address: taxi@tendringdc.gov.uk. The only time when scanned or photographed documents **will not** be accepted is for brand new applications for driver, vehicle or operators licences.

On line submission of applications and documents are an easy and convenient way for you to submit applications and can save you a journey and therefore save you time and money by not having to come into the Licensing office. The only document that will need to be the original is the DBS form (Criminal Records application form).

Christmas Closure

Please note that the offices will be closing on Friday 23 December 2016 and will not reopen until Tuesday 3 January 2017. If you have any documentation that is required by the office during these dates, please ensure that they are received before 23 December.

LICENSING TEAM CONTACT DETAILS

Contact details for the Licensing Team are:

E-Mail - licensingsection@tendringdc.gov.uk

Or

E-Mail - taxi@tendringdc.gov.uk

Phone - 01255 686565

Fax - 01255-686343

Licensing Reception Opening Times (Weeley until 12 December 2016 only).

Mondays - Appointments Only

Tuesdays - 9am to 12 noon

Wednesdays- 9am to 12 noon

Thursdays - Appointments Only

Fridays - 1pm to 4pm

Licensing Reception Opening Times (Pier Avenue, Clacton with effect from 13 December 2016).

Mondays - Appointments Only

Tuesdays - 10am to 12 noon

Wednesdays- 10am to 12 noon

Thursdays - Appointments Only

Fridays - 1pm to 4pm

Thank you for your time in reading this newsletter and we hope that the information it contains will be helpful. In the meantime please keep safe and drive safe.