

**CONSULTATION ON DRAFT STATEMENT OF HACKNEY CARRIAGE AND PRIVATE HIRE POLICY**

**Evaluation of Representations and Responses received during consultation period of:**

Respondent	Paragraph	Vehicle, Driver,	Comments made	Response from Council
Respondent 1		D	Council website regarding fees and charges is unclear regarding "change from Private Hire to Hackney Carriage and Change from Hackney Carriage to Private Hire". This is confusing and does not detail what this actually means	Agreed that the website is unclear. The website will be updated so that it reads "Change of an existing vehicle from Private Hire Vehicle to Hackney Carriage Vehicle and vice versa. The query has also highlighted that it is extremely unlikely that any vehicle will ever be converted from one category to another due to Swale's policy on the paintwork of each of the different categories. <b>Action:</b> It is therefore proposed to request to Committee that this condition is removed due to it not being relevant to Swale as it may be to other districts
Respondent 2		V,D,O	I would love to write to respond to the licensing policy that you are proposing. All drivers and operators need to read it and be concerned because there are one lined bomb shells in the 96 pages that will adversely affect us all.	
Respondent 2		V,D,O	I have briefly skimmed it and decided that it needs a solicitor to digest it and explain it all in simple terms. It has been written so that most taxi drivers will not even bother to read it. Not many of us have law degrees.	no response
Respondent 2		V,D,O	The first point being about needing planning permission from the council to hold an operators license!!!! Anyone who has ever dealt with planning will know what a horrific experience that is! It can take years! And what for? So that we can park a car on our drive that happens to have a small yellow plate on the bumper!!! Most taxis are taken to a drivers home address after a shift ready for the next day! Do they need planning permission to do that??? Also have you considered the cost of "planning permission ".	No change proposed as 4.1.6 states consent may be required therefore the policy is merely informing applicants to ensure they have appropriate planning permission.
Respondent 2		V,D,O	Also a few words about fire extinguishers and first aid boxes? We used to have fire extinguishers in our taxis. The fire brigade then advised against it in case people tried to fight their own fires instead of calling them. We were told, if there is a fire, move away from it and call them! First aid kits are another thing to think about. If a customer cuts themselves for example. They would expect us to help them to apply plasters and bandages for them from our first aid kits, if we had them! We can't say " here is a plaster, but you have to stick it on yourself!"	No change proposed as the Council acknowledges that incidents involving fire and medical situations would be subject to individual risk assessments, where there is any potential for serious harm then the driver should vacate the scene with their passengers immediately. However with minor incidents, the driver having the tools with which to deal with the situation is considered good practice.
Respondent 2		V,D,O	After a very brief look at this policy, these things jumped out at me. I am sure there are many more new rules hidden amongst the jargon that probably won't get read. Please keep it simple.	
Respondent 2		V,D,O	It appears to me, to be extra costs involved for operators. Can you please do a breakdown of the costs involved with producing a £430 operators license.	No change proposed as fees, charges and fares have been dealt with separately and therefore will not be considered as part of this report.
Respondent 2		V,D,O	We are still desperately waiting for a long overdue fare increase, not only to help with increased living costs but also to help finance all these extra costs imposed on us by the council.	The request for a fare increase has previously been noted and has been put out for consultation to establish the appetite for an increase to be progressed.
Respondent 2		V,D,O	I think that if you were being transparent, you would have to admit that what you are actually trying to do is to make things so difficult, many of us will give up and go on the dole! Have you had any increase in salary at all since October 2013? Moral out here is on the floor. You are at risk of sending people underground and operating without licenses.	The focus of the council is to work with the drivers and operators to ensure a safe taxi service to the public and drivers.

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Respondent 2		V,D,O	With regards to the dress code. I thought that if us ladies wore a collarless blouse or jumper we were ok as long as we it wasn't sleeveless or a t-shirt. Are we back to having to wear collared shirts like the men again?	Dress code is detailed in point 5.1 and 5.2 of appendix J. It is proposed to amend the policy to include collarless blouse and collarless jumpers.
Respondent 3			The increase in prices to Hackney a car.	No change proposed as fees and charges.
Respondent 3			The length of time needed to process new drivers and the knowledge test being futile	No change proposed as Swale Borough Council feels the process must be robust enough to protect the travelling public, hence the proposals put forward in this policy. The length of time to process a new application is dependant on certain factors: (1) Whether they pass the Knowledge Test on their first attempt, these are held every 4 weeks. (2) The length of time to receive a satisfactory DBS check, if an applicant has any previous criminal convictions this may take longer. (3) The length of time to obtain a satisfactory medical from a GP. Once the factors are in place it is possible to process the application immediately. For example we had a driver who submitted their application on 8th January 2018, went through the process and received their licence on 25th January 2018.
Respondent 3			Probationary period for new drivers and that they will move around companies and we can always ram track the drivers.	A probationary badge was discussed prior to the policy consultation, however after careful consideration and taking into account such matters as the following: (1) The safety of the travelling public of Swale B.C could be compromised by drivers who rely on satnav's and/or phone apps to navigate around the borough. Not all roads (especially on new developments) will show up. (2) The travelling public of Swale B.C could be overcharged by drivers taking a longer route to a destination because of their lack of knowledge of the borough. (3) The public could be caused alarm and distress by a driver taking them by an unfamiliar and overlong route. (4) Although the Council's statutory duty regarding taxi licensing focuses on the safety of the travelling public, there is an implied and moral duty towards the drivers that it licences particularly regarding their health and safety. Allowing drivers to work who are not familiar with the roads of the borough exposes them to potential confrontation and anger from their passenger and even potential physical attack Having taken into account all of the above, we do however recognise that we need to be seen to assist both individuals and operators to provide a service to the travelling public by ensuring there is always a sufficient number of drivers available. As a consequence it is intended to have two pass marks for a Knowledge Test, a lower mark to allow entry to Private Hire only and a higher pass mark that would allow a driver to hold the dual badge. A driver who is private hire only could apply at any time to re-sit the SKT and upgrade to the dual badge. This would mean that we will be satisfied that every driver that we licence has knowledge of routes, buildings, the Highway Code and our policy and bye-laws

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Respondent 4	V		Reading through the proposed new taxi policy I have two concerns in relation to First Aid kits and fire extinguishers required in all taxis, I understand the need for public safety and I can't agree more if we can improve on safety, but by simply giving someone the tools without any training or knowledge doesn't make it safe, in fact I would argue the opposite, if the council is committed to safety then there should be a training course attached to gaining a taxi badge, in respect to the knowledge test for all new drivers at the councils cost, or cost added to new applications.	No change proposed as the Council acknowledges that incidents involving fire and medical situations would be subject to individual risk assessments, where there is any potential for serious harm then the driver should vacate the scene with their passengers immediately. However with minor incidents, the driver having the tools with which to deal with the situation is considered good practice. We will be giving consideration to providing drivers with training on various subjects including fire safety within the foreseeable future.
Respondent 4	V		My other concern regarding fire extinguishers is weather the council has consulted any professional advise on potential fire hazards in cars and the correct fire extinguisher to be used, weather it's foam or powder, also storage of a fire extinguisher, some car manufacturers have fire extinguishers fitted quite a few do not so there is the issue of where to securely fit them for vehicles that do not have the proper secured fittings, rolling around under drivers seat good enough? in my own experience driving a taxi with a fire extinguisher fitted n a 9 seater bus the passengers thought it funny to let one off in the taxi as they disembarked, also the issue of having an extinguisher in the drivers cabin it can be used as a weapon. My own opinion is leave fires to the professionals get the passengers out of the vehicle and call the fire department.	
Respondent 5	V		I've been looking at a new vehicle and am being steered away from a Diesel engine towards the latest low emission petrol version, I'm enquiring about the latest Citroen Berlingo Multispace 1.2 petrol/turbo engined vehicle, I've noted from the website that the minimum engine capacity needs to be 1.4? The latest petrol engines are being produced with much more horsepower and lower emissions than the older petrol/diesel versions. When were the local rules last looked into with regard to engine size please as technology is moving forward rapidly?	Agreed, the removal of engine capacity has already been proposed within this draft.
Respondent 5	V		With the escalating cost involved with running a legitimate business could I draw your attention to a possible cost saving change to the current policy. We currently take our vehicles for Hackney test every 12/6 months with a test station allocated by yourself, as a part of the Hackney the vehicles are inspected for any defects that don't comply with the legislation that you have put in place. To save time and money could the policy not be amended to negate the requirement for the repeat inspection that is carried out at the council offices, saving both parties extra time and money	Agreed, in the draft circulated for consultation the requirement for a 6 monthly inspection with SBC was already removed.

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Respondent 6		<p>I recently passed my hackney test at the end of 2017 and I am struggling to make ends meet financially this is due to to high percentage the companies are taking 55% is very steep so as it stands I have not managed to get above £6 an hr which is terrible.</p> <p>The rules state that we have to work for a operator for a year this is very unfair as they are the ones that totally benefit yet it is the driver that does all the hard work studying and passing the test, it costs quite a bit of money getting your licence, passing the test, getting a badge etc the operators do not help you out with them costs yet you are required to give your full period of work to them for a whole year totally benefiting them and earning them a fortune while you struggle with having to put all the hrs under sun in just to make a wage yet when you break that wage down to an hotly rate it doesn't even nearly meet the minimum wage!!</p> <p>This really isn't acceptable and very unfair on the drivers</p> <p>Once a driver does all the hard work studying and proving his knowledge by passing the hackney test and police check he/she should be allowed to work for his/her self and earn there money like every other hackney driver in the uk not forced to work for these greedy companies who get the rewards taking on as many drivers as they can which also means less earnings for each individual driver!</p> <p>Once a driver does all the hard work studying and proving his knowledge by passing the hackney test and police check he/she should be allowed to work for his/her self and earn there money like every other hackney driver in the uk not forced to work for these greedy companies who get the rewards taking on as many drivers as they can which also means less earnings for each individual driver!</p>	Agreed, proposed in this draft to remove the requirement to work for an existing operator and therefore drivers have the ability to work for themselves.
Respondent 6		<p>The maths are simple a independent driver doing 10 jobs @ £7 over 8-9 working hrs is pretty acceptable @ £70 is slightly above minimum wage</p> <p>But when a operator is taking 55% leaves a driver with £31.50 for the same amount of hrs which is basically slave labour and well below the governments minimum wage bracket a driver then has to work many more hrs to just take home some decent money at the end of the week again this still works out a very poor hourly rate either way you look at it and results in a very drained and tired driver which is not very good/safe for passengers or for the drivers well being!</p>	
Respondent 6		<p>I hope this policy is looked at in depth and the conclusion is once you pass the hackney test you are free to be on your own earning your own money and have the choice of working for a operator at their own accord not forced to for a whole year struggling to earn any money giving it all to the operators.</p>	As above
Respondent 7		<p>1) Page 5, seek to promote the Prevention of drivers being victims of crime - I cannot see how this policy is going to protect us exactly? (unless we carry it bound in 5mm plywood to use as a weapon) sorry a bit of light humour to start the dissection of 98 pages.</p>	This has been noted. SBC remains committed in protecting the licensed drivers of its borough.

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Respondent 7			2) Page 5, Despite the existence of this policy, each application or enforcement measure shall be considered on its own merits - what exactly does this mean, is there, therefore, any point in the 98 page policy.	This policy is designed to set the general standard that both drivers and operators must adhere to. It also informs the public as to what they should expect from the licensing regime of SBC. However if circumstances dictate and in accordance with the regulators code, the Council must have the right to made a decision based on the circumstances presented to them.
Respondent 7			3) Page 5, You have consulted with representatives of the hackney carriage and private hire trade, can we please have a list of these representatives? Were any of them actually local drivers, were they a variety of drivers whom drive different shifts of the day and week?	The Council is satisfied that it has completed a full and extensive consultation process. A draft version of the policy was made available to the trade in October 2017 and was discussed at the open Taxi meeting on 31 October 2017. We can therefore confirm that all drivers and operators within the borough were informed of this policy prior to the official consultation and given opportunity to comment. Both the meeting in October 2017 and the consultation were communicated via emails, newsletters, and website.
Respondent 7			4) Page 6, Limitation of number of vehicles, how do you no if there is a significant demand for more vehicles or not? where do you gain this information from? In my experience as a driver and a controller in Sittingbourne, there has always been an abundance of vehicles between 9am and 2:30pm weekdays, as the times before and after are school runs when there are never enough cars as every firm is inundated with KCC account runs. During the evenings and weekends there are never enough vehicles at commuter times like 5pm - 8pm on the station but that is not due to vehicles it is due to lack of drivers wanting to work.	Limiting numbers of vehicles is set out in 2.1.1 of the policy, the DfT regards best practice as being that Local Authorities do not impose any quantity restrictions on vehicles. If a Local Authority considers restricting numbers, DfT guidance advises that this should be addressed by means of a survey. These surveys are expensive costing thousands and the cost would be borne by drivers via the fee setting process. Once a Council carries out a survey, it must be repeated every three years.
Respondent 7			5) Advertising, The London Black Cabs, the actual originals advertise in full wrapping of vehicles, I know that this has always been a ruling but I do have the view that it would be nice to be able to support the local businesses in our area by advertising their cards or small flyers as long as they don't make the vehicles look tacky. Surely this would be a good idea?	The guidance contained within the policy may be departed from, if individual circumstances dictate. Any driver who approaches the Council with the request to have advertising on their vehicle, will be considered on a case by case basis.
Respondent 7			6) Page 12, CCTV, Surely we should be able to fit any kind of CCTV or camera recording equipment we see fit as long as we display to the public that it is installed as this is a legal requirement, owner drivers, operators and the rest of the drivers like myself should be able to do this if we see fit to protect ourselves, we should not be restricted to conform to expensive equipment regulated by the Council? I do not see that this is fair, there are many night drivers that have cameras fitted for view externally but record inside the vehicles, they are cheap but they work and again they display a sign saying CCTV is recording. The actual fitted systems are expensive and many drivers are on the breadline as it is.	CCTV within licensed vehicles aims to protect both the travelling public and driver. Should an incident take place the Council and the Police need to be assured that the CCTV footage obtained is of evidential quality in any forthcoming court case. That being said, we will consider reducing the specification if deemed appropriate.
Respondent 7			7) Page 15, Courtesy Vehicles, maybe this should be a separate amendment that should be sent to all hotels and nightclubs stating the appropriate measures in respect of how the Council will enforce and prosecute towards this.	The Council always investigates any alleged illegal activity and this includes the use of courtesy cars.

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Respondent 7		8) Page 18, The Driving Test for over 70's is this a legal requirement by the DVLA? If not I feel that this is a little excessive as the main driving test was abolished. I do however think it would be a good idea if a licensing officer went out with a driver before a licence is given, to ensure the driver does their job, or even knows how to do their job, for instance opening doors for passengers, and by an officer being in the vehicle you would be able to then say that you had first hand experience of this driver being capable. Rather than a driving instructor who just signs the bottom of a piece of paper as it is not officially as important a document as the actual licence of a driver for the DVLA.	The Council considers the points raised are valid and will give consideration to requiring a driving test to any new or existing drivers when it consider it is necessary. Where appropriate a test drive may be carried out by officers to ensure safety to the travelling public.
Respondent 7		9) Also how much will this additional test cost us the driver? and whom will it be payable to?	Costs would be borne by the driver.
Respondent 7		10) Page 19, the Medical, I noticed this year a question has been added about "allergies to dogs" why is this relevant, I have dogs however I would not class them as a member of the public which the Council refers to within this policy and the services we are supposed to provide. It is a driver's choice whether or not to take a dog, it could be covered in mud or have soiled paws and I am 100% sure the owner will not pay the soil fee fine of £50 should their animal put a vehicle out of action. Also the driver may have no allergy but may have fears. Plus the customer may say they have a small dog and when you get there its a Rottweiler. Obviously I am aware that under no circumstances is a guide dog to be refused but this kind of dog is completely different.	The Medical Form solely relates to assistance dogs and not dogs in general.
Respondent 7		11) Page 19, The DBS, all 3 things now have been made available for a length of 3 years, thats great cost wise indeed a plus, however, my worry is a lot can happen in 3 years, how is the Council going to keep control of this? For instance, a driver maybe arrested for a crime and be out on bail, they are not going to want to lose their job so are not going to declare this until they go to court and get found guilty surely? I may have missed that that council do an interim check or something, after all I am only on page 20 of 98.	The Council acknowledges the points made and actively encourages that drivers join the DBS Update Service allowing for interim checks when necessary. A driver is required to notify the Council of any criminal proceedings, failing to do so will result in the driver appearing before a Licensing Sub-Committee.
Respondent 7		12) Page 21, Council will send reminder letters, I was of the understanding that this practise had ceased and this is why I could not renew my fathers licence without him doing a medical and DBS again because he was 10 days late in remembering his licence had expired as he only works part time on a rare basis? I was told that the new communication method was email and he had no access to his old email. Therefore according to this policy are you now going to start sending paper in the post again?	The Council is not required by statute to send reminders, however as a courtesy to drivers reminders are sent approximately two months prior to renewal. The general method of communication is via email unless a driver informs us otherwise. It is down to the drivers to ensure we hold the correct up to date information to ensure efficient communication.  Ultimately the onus remains with drivers to ensure that all documentation is received by the Licensing Authority in a timely manner.

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Respondent 7			<p>13) Page 22, Hackney Bye-Laws - I have seen these many years ago in their original form, dated back to the 1800's probably, these were actual bye-laws put before and agreed by parliament and no further bye-laws have proceeded these in this manner, therefore, they do have binding conditions, actually more than this policy which is only local authority. It would be nice if we could have a copy of these?</p>	<p>Agreed, the Council will look to provide copies of the bye-laws where available.</p>
Respondent 7			<p>14) Page 24, Private Hire, are you considering this policy when I am led to believe (i maybe wrong) that ICars are running in Swale constantly now on another authorities plate? An authority which is miles away? How are you now regulating these drivers? Yes I understand that rule has always been you may pick up from anywhere as long as the customer has phoned in the job, however, surely on another counties plate they should not be able to do this on a constant daily basis? Also they are then bound by that Counties policies and not ours? Therefore this then opens the argument as to why should we all abide by our Authorities policies, if this is an actual loophole then we could all request plates from different counties and run under their guideline and rulings! I do think this needs some consultation and very quickly for the safety of the public, if the public are to make a complaint to your Authority you will be able to nothing for them as they are not regulated by you any longer, they are driving around with dents in their vehicles how do you expect the other operators to fix theirs when ICars don't.</p>	<p>The issues regarding cross border hiring arose from the Deregulation Act 2015 and it is not within the power of SBC to regulate differently.</p> <p>Where the Council is aware that drivers and operators have been licensed by an alternative authority, they are able to carry out combined enforcement action. The public are able to make their complaint to the relevant Licensing Authority who will then take the necessary action.</p>

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Respondent 7			<p>15) Page 25, Records, does this apply under Data Protection Act? if the bookings carry telephone information and names etc official routes need to be taken to gain access to this information in terms of the authority and council, obviously I do not believe the police need any court request for this info but I maybe wrong?</p>	<p>The requirement for keeping records is contained within the Local Government (Miscellaneous Provisions) Act 1976 as follows: Operators of private hire vehicles.</p> <p>(1)For the purposes of this Part of this Act every contract for the hire of a private hire vehicle licensed under this Part of this Act shall be deemed to be made with the operator who accepted the booking for that vehicle whether or not he himself provided the vehicle.</p> <p>(2)Every person to whom a licence in force under section 55 of this Act has been granted by a district council shall keep a record in such form as the council may, by condition attached to the grant of the licence, prescribe and shall enter therein, before the commencement of each journey, such particulars of every booking of a private hire vehicle invited or accepted by him, whether by accepting the same from the hirer or by undertaking it at the request of another operator, as the district council may by condition prescribe and shall produce such record on request to any authorised officer of the council or to any constable for inspection.</p> <p>(3)Every person to whom a licence in force under section 55 of this Act has been granted by a district council shall keep such records as the council may, by conditions attached to the grant of the licence, prescribe of the particulars of any private hire vehicle operated by him and shall produce the same on request to any authorised officer of the council or to any constable for inspection.</p> <p>(4)A person to whom a licence in force under section 55 of this Act has been granted by a district council shall produce the licence on request to any authorised officer of the council or any constable for inspection.</p> <p>(5)If any person without reasonable excuse contravenes the provisions of this section, he shall be guilty of an offence.</p>
Respondent 7			<p>16) Page 26, Bases outside of the Swale Area, I refer back to the ICars statements above, this situation completely goes against this policy point</p>	<p>Point 4.8 is to reduce the possibility of operators from outside of the borough encroaching on the business of operators within Swale. However if other authorities do not have the same requirement, they can licence vehicles within our borough through cross border hiring under the Deregulation Act 2015.</p>
Respondent 7			<p>17) Page 32, Taxi Ranks, Can you tell me why it is only the Sittingbourne Station that has to pay for a permit?</p>	<p>Sittingbourne Station is private land owned by Network Rail and as such this has no involvement with SBC.</p>
Respondent 7			<p>18) Page 38, Fire Extinguishers, I agree with this without a doubt however I was under the impression the rule was revoked?</p>	<p>With minor incidents, the driver having the tools with which to deal with the situation is considered good practice.</p>
Respondent 7			<p>19) Page 38, First Aid, Is this going to be the driver's responsibility to ensure the vehicle has one of the operators?</p>	<p>This is to be discussed between the driver and operator, however SBC would seek this to be the responsibility of both.</p>
Respondent 7			<p>20) Page 40, Carrying Dogs, as per my point above, No-one should refuse a guide dog but it is very rare that we get a fare with a guide dog normally it is just general public and their dogs. £1,000 fine, can you tell me where this fine derives from legally? I agree there should be a fine for any driver refusing the blind but I would like clarification. I feel that both points this one and the one above should be combined so that no member of the public could be confused.</p>	<p>As detailed within the policy, in section 37 of the Disability Discrimination Act 1995 drivers are required to carry assistant dogs unless they have a medical condition preventing them for doing so. The Act prescribes that any driver who fails to comply with this duty is guilty of a criminal offence and liable on summary conviction for a fine not exceeding level 3 of the standard scale which is £1000.</p>

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Respondent 7			21) Page 41, Taximeters, I feel that a re-think is required on the fact that it is not a requirement for Private Hire vehicles to be fitted with taxi meters, as they are all running on a regular full time basis now across the county I believe that they should have to have one for the safety of the public from being ripped off.	As per Local Government (Miscellaneous Provisions) Act 1976 private hire vehicle are not required to instal a taximeter, however there is no objection if drivers wish to do so for their own personal safety and public interest. If a taximeter is installed, this would have to conform to SBC's current tariff.
Respondent 7			22) Page 45, Alcohol, how is a driver supposed to know or enforce the age requirement of alcohol bought into the vehicle, this could put us in great danger, I do not on a personal rule basis allow and drink or food in my vehicle but if you get a rowdy person that refuses, which a lot of the kids are on a Saturday night how are we supposed to impose this? The same goes for media if they have an iphone of their own or pad.	This refers specifically to those operators who are supplying alcohol under the Licensing Act 2003 as part of their service eg limousines being used for hen/stag parties. It is not intended for vehicles being used for general taxi and private hire use where drivers may use their judgement to whether to accept a fare or not from somebody who appears intoxicated.
Respondent 7			23) Page 71, The points system, I really believe that this needs looking at from the big picture, some of these offences are more critical than others but get less points than something very minor. For instance it is actually illegal to carry more passengers than seatbelts but yet this is only 6-9 points? This should be instant suspension surely??? Yet Lending or parting with your licence is only 2-5 again surely this is illegal?	The Council takes into account the points raised. As many penalty points have been introduced in this draft policy, a watching brief will be kept to ascertain whether the points are appropriate as stated. If proved to be necessary this appendix may be amended accordingly, without the need for full consultation on the whole policy.
Respondent 7			A lot of these offences on this table are more legal offences that should be dealt with by the police rather than handing out points which make no difference. Also there are certain points which are ridiculous to follow from a drivers point of view and no form of enforcement is or should be able, Failure to wait after a deposit is paid, this particular point is down to company policy and not authorities, Company policy is you call the customer, or text, you inform them at the beginning of the journey that 10-15 mins only will be waited for their deposit, otherwise you could be waiting there all night and even then they don't turn up.	As above
Respondent 7			Refusal of a fare without reasonable excuse, how will this be justified, I don't necessarily want to carry someone who I have just seen throwing up or who is too drunk to stand, they will fall asleep in the cab, get in and not know where they are going and then you are stuck with them, they maybe sick and put he vehicle out of action for the night and not have the £50 to pay the fine, which hardly covers the valet let alone money lost.	A driver cannot refuse a fare without a reasonable excuse, for example refusal of a short journey is not a resonable excuse. However the Council does recognise that drivers must be able to make a decision to refuse a fare based on such matters as whether they feel their health and safety would be compromised.
Respondent 7			Using an unlicensed private hire vehicle surely this should not be a points offence it should be something more official and legal!	Penalty points gives the officers room for discretion and there may be an appropriate time when penalty points would be the best course of action, however penalty points do not replace legislation and where necessary a driver could be called before a Sub-Committee or legal proceedings may be pursued.

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Respondent 7			24) Page 76, Dress Code, Us, the original drivers have always faught this, I certainly go to work dressed smartly as I have some very posh and respectable passengers, and as proven in the past my father had letter written by regular passengers stating he was always smart but he wore black combat style trousers, this was because we actually do our jobs properly, carry shopping, help people into cars, load and unload wheelchairs, I am not doing these types of things in my sunday best which costs a lot of money. The Council gives no money for uniform, Biffa have a uniform, oh but their all employed, we are not employed we are self employed and as long as I am not a rather large man wearing baggy jogging bottoms whom, everytime he bends down or over you can see more than you require of his backside I believe I am trusted in my personal respect for myself to dress appropriately for my job and every eventuality it may entail, for instance having to change a tyre in the middle of the rain and a muddy road.	Swale BC consider that taxi drivers reputations are enhanced if they are dressed appropriately and therefore believe a dress code is a way of addressing this.
Respondent 7			Also if we are supposed to be helping the environment, I do not think it wise to be wearing sleeves on a blouse or dress in the height of summer and having to have the vehicle running for the aircon, otherwise we will start to smell.	The reference to sleeves can be short sleeves or long sleeves but the item must not have no sleeves.
Respondent 7			25) Page 76, Personal Hygiene, can you please tell me how you are regulating this? I got into a sittingbourne taxi during the snow week and could hardly breath due to the smell of body odour and when I got out I felt I should put my clothing on the fire due to the permeation!	If the Council became aware of this issue with a particular driver, we will address the situation by giving the appropriate advice.
Respondent 7			In all honesty I have not gone past page 76, there seems to be a lot of repitition throughout this policy and a lot of points which do not apply to either hackney carriage or private hire, I beleive there are atleast 3 policies within this one.	This being the first robust policy for SBC it was felt necessary for it to address as many issues as possible. However we take on-board the comments and if appropriate will take steps to condense any future revisions of the policy.
Respondent 7			I also feel the drivers would take more notice of this policy if it was more direct and concise, better suited to each hackney and private hire.	Comments noted
Respondent 8			I wish to make a proposal that Private Hire vehicles that are wheelchair accessible do not have to carry the wheelchair ramps permanently as these vehicles are pre booked so we would know that the ramps would be require way ahead of the commencement of the job. It is not like a Hackney carriage vehicle that could be flagged down if a wheelchair vehicle was require en route.	We accept that this is a resonable comment and will look to amend the policy accordingly.