

Appendix A

Document 1

Re: Your chance to be involved - Review of Shropshire Councils Hackney Carriage and Private Hire Licensing Policy

To: Taxis

Tue 28/06/2022 14:46

- 1) In reply to your email, I think you should reduce your licencing fees you are grossly overpriced.
- 2) Have a complete knowledge test for the driver of where in Shropshire he hopes to work in.
- 3) Get rid of emissions conditions on vehicles. Vehicles will naturally become cleaner as drivers replace their cars.
- 4) There are more Wolverhampton plated vehicles in shrewsbury now compared to Shropshire plates.
- 5) No age limit on vehicles have a higher standard of test.
- 6) Stop Wolverhampton drivers from working in Shropshire it can be done as other councils have successfully challenged through the courts out of area plates working in their area of durisdiction.
- 7) Stop drivers working for multiple operators at the same time.

Many thanks

Document 2

License review

To: Taxis

Wed 29/06/2022 06:24

Dear Panel,

Although writing this is almost certainly a complete waste of time I am going to put my two penny's worth in anyway.

As things stand taxi drivers have been put in a position where to outlay has made it virtually impossible to earn a decent living due to the conditions laid out by the council concerning what vehicles will be licensed.

Taxi drivers have to recover their outlay ie the car cost, the insurance, maintenance and fuel and still earn a living.

I can see that there has to be standards but the mot is in place for that and a car has to pass an emissions test to obtain a mot.

No customer has ever refused to get into my car in twenty two years because of its condition, a car is either roadworthy or it isn't.

Telford and Wrekin and Wolverhampton have age limits on the vehicles they will licence and that works perfectly well.

I and so many other drivers are being put into a position where getting into debt is our only way of continuing to stay in a job.

I daresay my point will be ignored but I've at least made it.

Document 3

Re: Your chance to be involved - Review of Shropshire Councils Hackney Carriage and Private Hire Licensing Policy

To: Taxis

Wed 29/06/2022 12:21

Good Morning,

I've concerns about Toyota Prius hybrid first licensed plate age which is 8 years I don't think so it's a good condition because as you know full electric car has no age limit and petrol car has Euro 5 so in that sense hybrid are mostly Euro 5 and Euro 6 and half Electric and it has very low emission So in my point of view it should be No Age limit on hybrid cars.i would like to consider my point of view in your next condition. Thanks alot.

Documents 4

Re: Your chance to be involved - Review of Shropshire Councils Hackney Carriage and Private Hire Licensing Policy

To: Taxis

Thu 30/06/2022 21:42

hi,I want that hybrid cars put any age cus these are petrol and electric,thanks

Document 5

Re: Consultation for the review of the Hackney Carriage and Private Hire Licensing Policy 2023 to 2027

To Taxis

Sun 03/07/2022 17:42

Hi

Having read through this proposal.

This is a ridiculous thing I agree we have to move on but.

This is the scenario you've put me in last year I invested in another vehicle I run 3 of my own vehicles all diesel all very well maintained to a very high standard.

Having been in business nearly 30 years I cannot believe that you're dictating to us what we should be doing, there is a very limited market of what's available to someone with wheelchair access vehicles.

On the back of the worst financial hit we've had to endure Covid 19 your expecting people like me to increase the costs in the current climate were in with horrendous fuel prices now, our council who never support business but suppress it instead in their instance.

A wheelchair vehicle in a hybrid will cost me in excess of £44k per vehicle and the electric in excess of £78k. That's £120k for 3 vehicles.

May I remind you this is not London this is a small sleepy town called Shrewsbury.

You have Euro standard 1, 2, 3 and 4 buses working around this town at least 15 hours per day and have for years.

I know I have a lot of friends and relatives that work on them.

Shropshire council have work vans and other vehicles that are 10-20 years old too.

You have major bus companies transporting children around in the same 15-20 years old.

But us supposed rich taxi drivers get penalised all the time.

Well the time has come for us to fight back.

I as a businessman feel like I'm being pushed out, discriminated against penalised unfairly.

According to your new proposal my 2019 plate vehicle won't be quite 5 years old in 2024 when it will have to come off as a taxi because of the stupid ruling that it was Registered in March and not the September.

This is an absolute ridiculous scenario. You are going to put a lot of people out of work and out of business.

These wheelchair accessible vehicles are very very expensive, unless the council are going to help pay for these there is no way we can afford them. Therefore you will increase the problem with lack of taxi availability and severely reduce the availability for wheelchair if they're any left.

The real reason which is still being ignored the problem with emissions in this town is solely the problem of the council

Too many sets of lights in the town all out of sink waiting to get out of the station is a joke.

And the brainstorm of stopping traffic going up the cop therefore cutting the flow off and stopping free flowing traffic proceeding through the town is the biggest problem as I said council are the primary cause.

I personally think that if you're not prepared to help and promote businesses in this town then there is a very big question over the need and purpose of the council and maybe that all of them should resign to enable a new batch of pro business and help us rather than suppress us all.

I took my vehicles and bought them under the councils instructions to which I have honoured that I could have my vehicles for a ten year period as agreed now a 5 year vehicle won't be eligible under the new plans.

Why the council cannot honour the agreement like we did and let us continue to operate with our field for their ten year age limit and then at the end then transfer to hybrid and then electric vehides is beyond me.

I ask the council to show common sense and let us convert at a reasonable pace so it will make this affordable for us all.

I think this needs to be highlighted in the press and sent to the government for discussion as well or through legal means.

I welcome your response and as for not having a face to face meeting well there is nothing wrong with having a meeting on zoom or teams or better still having an open discussion in the open air in a car park we all bring a seat and hand sanitizer and a mask and we can have an adult discussion.

Or is it as we all think that the council have steamrolled us all again and made up their minds and this is just a box ticking exercise and got to show the public we did everything we could.

Really and yes I am angry very angry

A lot people say the council is not fit for purpose i never used to think that

But I feel with this topic that I can be swayed

Yours angrily

Ps this is my opinion only don't wish to upset the council. but you've asked my opinion and thoughts

Document 6

Re: Your chance to be involved - Review of Shropshire Councils Hackney Carriage and Private Hire Licensing Policy

To: Taxis

Mon 04/07/2022 22:35

To whom this may concern,

I would appreciate if the age limit on hybrid vehicles is removed for private hire vehicles

Document 7

Re: Your chance to be involved - Review of Shropshire Councils Hackney Carriage and Private Hire Licensing Policy

To Taxis

Tue 05/07/2022 00:02

Hello

My input is as follows..

- 1) The age restriction on petrol and diesel cars needs reducing a year or 2 as it's a big cost to us drivers.
- 2) I drive a diesel vehicle and it's going to be very hard for me to buy a vehicle that's registered after September 2016 and then run and maintain it.
- 3) Also with the cost of fuel increasing every other week and the cost of parts and insurance policies increasing, its becoming very hard for us drivers.
- 4) There shouldn't be an age restriction on hybrid vehicles especially those that are euro 6 engines.

Thanks

Document 8

Taxi cab vehicle age replacement discussion

To Taxis

Tue 12/07/2022 18:20

Hi there

I would to have a 12-15 year life span for Shropshire plated taxis

Neighboring councils like Wolverhampton have 17years

Telford have 15 years

Ours currently is only ten, and I'm led to believe that this is being discussed to reduce it even further

Other councils have increased the life span because we have had Very hard-hitting times in the COVID crisis, which is still very much around unfortunately .

I'd suggest that if a cab is already euro 6 plated we should have absolute minimum of 12 years and hopefully 15 years

The taxi trade is being hit constantly with ever spiralling costs, and the trade is as I've mentioned suffering

At this rate no drivers will be able to afford running there present cabs, let alone replacing them

Please try to be reasonable and do lke others have , assist us , so we can try to make ourselves a living now and in the years ahead

Thanks for reading

Document 9

(no subject)

Fri 15/07/2022 16:30

To: Taxis

I agree to the new fare card , But not to 6 years old proposers idear of new 2016 taxis

Document 10

Private hire conditions consultation

Wed 27/07/2022 15:58

To: Taxis

I am writing with regard to the proposed new policy conditions which are under consultation, with particular reference to the Executive section.

I am not in agreement with the requirement that Executive customers must pay by means of an account.

My company has held exec licenses since they were first granted and have many regular customers who either pay by bank transfer or by card on the day of hire. I do however accept that the business customers who are using exec services should be invoiced and pay via account terms, but members of the public who wish to pay a premium for an exec service should be able to pay by card or transfer.

Many thanks

Document 11

(no subject)

Wed 27/07/2022 12:45

To: Taxis

I am the taxi driver licence holder with Shropshire Council. I want to make a suggestions about age of private hire vehicles that all hybrid vehicles shouldn't go out of business after 12 years. I can recommend that remove age limit on hybrid cars

Kind regards

Document 12

New policy

Wed 27/07/2022 12:37

To: Taxis

Dear sir the age limit for 10 years is sensible as the cost of living and fuel have gone through the roof,as far as electric vehicle is concerned,the is not enough insfastrucure at present .

Document 13

Consultation

Thu 18/08/2022 22:17

To: Taxis

Hi further to our meeting today I would like to request that emissions euro 6 to remain in place and we should be allowed least 12 years on that and also we need further day taxi ranks in town fares need to be increased to meet the cost for vehicles updated and it would be great if council can give grant to help to buy lower emission cabs.

Thanks

Document 14

To: Taxis

Licensing review: Hackney careaige

Thu 18/08/2022 15:34

- 1) Your proposed change to the policy is unacceptable for a few reasons
- 2) A vehicle registered on 1st April 2019 (euro 6) licensed as a new taxi on 01/05/19 will not be eligible for renewal on 01/05/2025. 6 years old. Whilst previously it would have been eligible for renewal until 10 years old.
- 3) A like for like vehicle registered 01/04/21(2 years newer euro 6d) licensed on 01/05/21 will be eligible for renewal with no age limit.
- 4) Which uneducated licensing member thought if this ?
- 5) Whether your car is Euro 6, Euro 6c, Euro 6d-TEMP, or Euro 6d, the emission amounts are the same.
- 6) Euro 6 Diesel Emissions Standards (grammes per kilometre): 0.50 CO, 0.080 NOx, 0.005 PM
- 7) Euro 6d Diesel Emissions Standards (grammes per kilometre): 0.50 CO, 0.080 NOx, 0.005 PM
- 8) First registered;
- 9) Euro 6: September 2015
- 10) Euro 6d-TEMP: September 2019
- 11) Euro 6d: January 2021
- 12) This rule is invalid and should not be accepted based on a lack of facts .

Also..

- 13) At this moment there aren't any new electric purpose built hackney carriage vehicles on the market, so can Shropshire council clarify if they are trying to encourage proprietors to purchase some thing that they can't and do the impossible?
- 14) At nearly £65000 for a base model, the LEVC London cab isn't even a viable option. Its a hybrid vehicle but more importantly it isn't fit for purpose because they have structural issues. There have been reports of the windscreens cracking as a result of the chassis being under too much strain, electrical failure and batteries spontaneously catching fire.
- 15) Has anyone done any impact and feasibility assessments? If so what are the findings?
- 16) Under the new policy can Shropshire council advise what vehicles would be acceptable for hackney carriage use as a long term investment. This constant changing the goal posts is putting too much pressure on the trade to continue trading or to make a calculated and informed long term investment. There's anxiety every 4 years for proprietors because they don't know where they stand. You buy a vehicle which you can potentially renew for ten years and all of a sudden you can only renew it for 6.
- 17) Especially in the current economic crisis that most workers are facing this just adds insult to injury.
- 18) Why can't there be a simple yet effective way of having age limits just like pretty much every other local authority? Why is Shropshire council so special? Do they like being awkward and intent on making everything so difficult.
- 19) We could have a policy where vehicles have to be less than 6 years old for first license and then could be renewed until 14 years old from first registration. Wherebye having MOTs every 4 months after 9 years old. That would be sensible.
- 20) Wolverhampton can do 12 years
- 21) London 15 years
- 22) Birmingham 15 years

23) Dudley no limit

24) Additionally, pricing structures for Hackney meters should be adjusted annually. We have waited too long to adjust prices and the fuel surge had costs in thousands and we're currently unable to adjust to recoup.

Document 15

Taxi review

Fri 19/08/2022 19:44

To: Taxis

I would like to see all official taxi ranks monitored to see if they are being used

If not they should be converted for use by both taxis and private hire cars

Document 16

Policy document

Sun 21/08/2022 17:24

To: Taxis

Hi there please find attached

Taxi & Private Hire Policy review consultation response

- 1) Having read the proposed new policy and attended the forum today I would like to air my opinions on this, and how Shropshire councils' approach is inconsiderate of the taxi and private hire trade and what we have endured over the last few years mainly due to covid, but also due to the continued pressure from the council to pursue taxi and private hire trade regarding air quality issues and age limits, whilst seemingly ignoring far more polluting parts of public transport and the community.
- 2) My thoughts are in the main regarding Hackneys and wheelchair accessible vehicles as this is what I run, but I am sure some of this does also apply to the private hire section of the trade.
- 3) Covid has had a devastating impact on the trade as a whole, and has either put out of business or driven away many individuals from the trade, many of us had little or no income at all for several months over the past 2 years, this has set us back considerably financially and so to bring in shorter vehicle age limits and demands for newer vehicles, many of us will find impossible to comply with and will have to leave the trade, this in turn will hugely impact school transport provision and individuals with specific needs like having to use wheelchair accessible vehicles.
- 4) Therefore it is my suggestion that the age limit of 10 years be extended to 12 years and euro 6 emission standard is retained for WAV diesel powered vehicles, and not reducing it to 6 years, also moving to 6d emission standards gives no tangible benefit to air quality as the emission levels are the same, the only difference being an additional real world test is carried out on 6d (this is to eliminate the manufacturers dieselgate scandal of euro 5,s. Although given the extent of the fines and compensation having to be paid out, the manufacturers were unlikely to repeat this with euro 6). Also the fact that euro 6 diesel vehicles are compliant with no fee in all Ulez and Clean air zones in the UK, and if air

quality is an issue, of which I don't believe it is given the readings from the monitors in Shrewsbury, maybe creating clean air zones to keep out the thousands of older private cars and busses that travel through Shropshire's towns everyday would have an impact, as changing the 800 or so taxi and ph cars across the county is unlikely to have any tangible impact.

- 5) We have no option than to continue at this present time with diesel powered vehicles as WAV vehicles are generally based on a people carrier version of a light commercial vehicle and at this time there is no Electric versions, and only a very limited number of petrol models albeit these are small vehicles and would not suit every application for WAV taxi. I believe there could be 2 brands of hybrid available as WAV vehicles but at a prohibitively high cost (although one of these probably cannot be licensed in Shropshire as its predecessor wasn't). Reducing the age limit to 6 years on a diesel would be financially unviable in Shropshire, in order to be a viable business proposition they are generally bought at between 3 and 5 years old and continued to be licensed until they are 10 years old as I am sure your records will reflect.
- 6) And even if hybrid or electric vehicles were available, there is currently no on street charging infrastructure at all in Shropshire, let alone the volume required to support the taxi and private hire trade. Also given the type of jobs we currently do in supporting other public transport networks into Wales who also have little, or no charging infrastructure would be severely impeded, again having a huge impact on our financial viability.
- 7) As private hire in Shrewsbury is mainly controlled by one national company with huge international financial backing, I doubt this policy will impact them, but as their core interest is the easy fast-moving work, this will leave many taxi users that need a more individual service stranded, this being commonly the domain of the small operator and sole trader with a WAV that does not have huge financial backing, but does provide an essential service to the less able of OUR community.

- 8) To this end I suggest that Hackney WAV vehicles should have a separate policy to standard private hire vehicles to account for this, and that larger M2 WAV vehicles should be allowed to be licensed, as the current limitation of M1 vehicles is restrictive for some operators that provide specialist services.
- 9) I fully support not allowing cat s vehicles to be licensed, as this category of vehicle I believe no longer requires any more than an MOT to be returned to the road and in some cases the standard of repair cannot be guaranteed
- 10) I don't support having to get a new IVA on a licensed vehicle following an accident, if it has been repaired by an insurance company at an approved repairer, having been present at several IVA inspections I don't believe this proves anything following an approved repair, a new MOT should be sufficient.
- 11) All vehicles should be required to have an annual compliance inspection instead of one of the MOTs at a council workshop as used to be the case at Longden Road, this would provide consistency of standards that are currently lacking, with a greater emphasis on visual and aesthetic standards of the exterior and interior of the vehicle, and to ensure all creature comforts are working, for example the vehicle's interior lights, intercom and air conditioning system, opening windows etc, all these things do not currently get inspected and I believe they should.
- 12) I would like the council to consider extending the time between policy reviews, every time I change a vehicle at a cost that is viable for my business model and the time allowed for that vehicle, I find a review comes along and changes something that cuts short the budgeted life span of the vehicle
- 13) I think this is a fair way forward for all of us taxi drivers here in Shrewsbury securing a future for us all in these difficult times

Many thanks

Hackney cab driver ,

Document 17

Taxi & Private Hire policy consultation response

Sun 21/08/2022 23:20

To: Taxis

Good Evening

Please find attached my opinions to be submitted to the Hackney & Private Hire policy review consultation,

Regards

Taxi & Private Hire Policy review consultation response 2022

- 1) Having read the proposed new policy and attended the forum today I would like to air my opinions on this, and how Shropshire councils' approach is inconsiderate of the taxi and private hire trade and what we have endured over the last few years mainly due to covid, but also due to the continued pressure from the council to pursue taxi and private hire trade regarding air quality issues and age limits, whilst seemingly ignoring far more polluting parts of public transport and the community.
- 2) My thoughts are in the main regarding Hackneys and wheelchair accessible vehicles as this is what I run, but I am sure some of this does also apply to the private hire section of the trade.
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- 4) Therefore it is my suggestion that the age limit of 10 years be extended to 12 years and euro 6 emission standard is retained for WAV diesel powered vehicles, and not reducing it to 6 years, also moving to 6d emission standards gives no tangible benefit to air quality as the emission levels are the same, the only difference being an additional real world test is carried out on 6d (this is to eliminate the manufacturers

dieselgate scandal of euro 5,s. Although given the extent of the fines and compensation having to be paid out, the manufacturers were unlikely to repeat this with euro 6). Also the fact that euro 6 diesel vehicles are compliant with no fee in all Ulez and Clean air zones in the UK, and if air quality is an issue, of which I don't believe it is given the readings from the monitors in Shrewsbury, maybe creating clean air zones to keep out the thousands of older private cars and busses that travel through Shropshire's towns everyday would have an impact, as changing the 800 or so taxi and ph cars across the county is unlikely to have any tangible impact.

- 5) We have no option than to continue at this present time with diesel powered vehicles as WAV vehicles are generally based on a people carrier version of a light commercial vehicle and at this time there is no Electric versions, and only a very limited number of petrol models albeit these are small vehicles and would not suit every application for WAV taxi. I believe there could be 2 brands of hybrid available as WAV vehicles but at a prohibitively high cost (although one of these probably cannot be licensed in Shropshire as its predecessor wasn't). Reducing the age limit to 6 years on a diesel would be financially unviable in Shropshire, in order to be a viable business proposition they are generally bought at between 3 and 5 years old and continued to be licensed until they are 10 years old as I am sure your records will reflect.
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- 7) As private hire in Shrewsbury is mainly controlled by one national company with huge international financial backing, I doubt this policy will impact them, but as their core interest is the easy fast-moving work, this will leave many taxi users that need a more individual service stranded, this being commonly the domain of the small operator and

sole trader with a WAV that does not have huge financial backing, but does provide an essential service to the less able of OUR community.

- 8) To this end I suggest that hackney WAV vehicles should have a separate policy to standard private hire vehicles to account for this, and that larger M2 WAV vehicles should be allowed to be licensed, as the current limitation of M1 vehicles is restrictive for some operators that provide specialist services.
- 9) I fully support not allowing cat s vehicles to be licensed, as this category of vehicle I believe no longer requires any more than an MOT to be returned to the road and in some cases the standard of repair cannot be guaranteed
- 10) I don't support having to get a new Iva on a licensed vehicle following an accident, if it has been repaired by an insurance company at an approved repairer, having been present at several Iva inspections I don't believe this proves anything following an approved repair, a new mot should be sufficient.
- 11) All vehicles should be required to have an annual compliance inspection instead of one of the MOT,s at a council workshop as used to be the case at Longden road, this would provide consistency of standards that are currently lacking, with a greater emphasis on visual and aesthetic standards of the exterior and interior of the vehicle, and to ensure all creature comforts are working, for example the vehicles interior lights, intercom and air conditioning system, opening windows etc, all these things do not currently get inspected and I believe they should.
- 12) I would like the council to consider extending the time between policy reviews, every time I change a vehicle at a cost that is viable for my business model and the time allowed for that vehicle, I find a review comes along and changes something that cuts short the budgeted life span of the vehicle.

Regards Owner & Operator of WAV Hackney Vehicles

Document 18

New Policy

Tue 23/08/2022 11:45

To: Taxis

Taxi & Private Hire Policy review consultation response

- 1) Having read the proposed new policy and attended the forum today I would like to air my opinions on this, and how Shropshire councils' approach is inconsiderate of the taxi and private hire trade and what we have endured over the last few years mainly due to covid, but also due to the continued pressure from the council to pursue taxi and private hire trade regarding air quality issues and age limits, whilst seemingly ignoring far more polluting parts of public transport and the community.
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- 12) I would like the council to consider extending the time between policy reviews, every time I change a vehicle at a cost that is viable for my business model and the time allowed for that vehicle, I find a review comes along and changes something that cuts short the budgeted life span of the vehicle.

Regards

Document 19

Electriccars proposal

Thu 25/08/2022 11:52

To: Taxis

Hi

I am putting my concerns to you about the proposal policy about electric cars.

This will finish me as a taxi driver, because of the cost of buying a electric car. We are struggling as a dieing trade as it is.

The infrastructure is not in the rural area for this & if i go to Heathrow Airport & i will need 2 hours of my time to charge it up & turn other work down.

So i am for one against this policy & please consider this very carefully. The public are struggling as it is to get a taxi or a private hire car & this will kill the taxi industry in Shropshire.

Kind regards

Document 20

2023 HCPHV policy consultation. Response. please confirm receipt

Sat 30/07/2022 18:56

To: Taxis

Proposed policy states

- 1) 1.2 The use of trailers is only permitted for vehicles of the multi-passenger type (more than 4 passenger seats) and on pre-arranged journeys where passenger's luggage cannot be safely accommodated within the vehicle.
- 2) We have seen saloon cars and estates, badged private hire and hackney, with tow bars fitted
- 3) We have seen instances where they have had trailers on the back
- 4) This would contravene regulations
- 5) It is suggested that a condition be added that no 4 passenger seat or less has a towbar fitted, of either fixed or removable on the vehicles. This can be checked at each badging inspection
- 6) This would then guarantee adherence to the policy
- 7) Applicants might argue they wish to tow their own caravan, or trailer to the local council tip, and indeed they might wish to do so. But the loophole created will be exploited. 4 passengers to the airport, each with a case and hand luggage is not safe in any saloon/estate car currently manufactured.

AGE OF VEHICLES

- 8) The council restricts the age at which cars can be newly badged as a suitable vehicle Older vehicles, once on fleet have additional MOT tests, which is fine The council have NCAP restrictions for very valid safety reasons The council have Emission restrictions for very valid environmental reasons The council inspect each vehicle at least annually
- 9) Therefore, to restrict the age of a vehicle seems to be replicating restrictions and in itself be self defeating
- 10) A vehicle that meets all safety and emissions standards, that is well maintained, subject to 3 MOTs a year and passes a council inspection should be entitled to remain in use.
- 11) To scrap a vehicle early is wildly environmentally profligate in such an instance. It is Throwaway culture writ large into policy, which is surely inappropriate.

- 12) There are instances where cars may be allocated on remote rural runs and PM for contracts that do little other work and would only be on fleet for maximum 4 years when a contract may be for 5 years
- 13) There are other instances and surely, whilst an older vehicle meets all the council's requirements for safety, environmental, maintenance and visual inspection, it is a coherent policy to encourage full use of such assets.
- 14) This applies to all fuel types, although LPG vehicles inherently beat the requirement for Emissions ratings in any case, and have the MOT/NCAP /Inspections still there to maintain standards
- 15) If a later policy review increases the safety and or environmental requirements, it would be an effective means of keeping the council's licensed fleet at large fully up to latest standards within 12 months of it being adopted

Kind regards

Document 21

Policy consultation

To : Taxis

Wed 31/08/2022 13:42

My proposal

- 1) 12 year age limit
- 2) Euro 6 only no euro 6 D
- 3) Separate policy for hackney license
- 4) No iva when we Been in bump ,,
- 5) The cost is massive to any wheelchair vehicle please consider we are a rural town ,we are not London,
- 6) Electric is years away as there is no infrastructure in place ,and who can afford £60,000 for a vehicle?

Kind regards

Document 22

Taxi & Private hire review Consultation Response

To: Taxis

Thu 01/09/2022 20:12

- 1) First of all drivers would like to know is why Shropshire council keep doing reviews on taxi policy every 4 years. When other councils don't think this is necessary and also, it's a waste of tax payers money and causing stress and anxiety for drivers.
- 2) The age limit should be at least 15 years for hackney vehicles like most of the councils around us. Telford council don't have an end of life date for hackney vehicles, first licence is less than 10 years old. Wrexham council have the same policy. Wolverhampton council have 16 years age limit but if the taxi is in good condition, it will get licence beyond 16 years age. Dudley council also have no age limit on hackney vehicles. Birmingham council have 15 years age limit on taxis only brought in 2020, they offer grants to drivers, get euro 4 and euro 5 taxis converted to euro 6. London have age limit of 15 years and they also offer grants for euro 4 and euro 5 taxis to be converted to euro 6. London and Birmingham where pollution and emissions are very high and air quality is very poor, they only recently brought in 15 year age limit on taxis.
- 3) Why has Shropshire council been putting extra financial burden on us Shropshire hackney drivers since 2015 policy review? Causing us stress and anxiety. In Shropshire pollution and emissions are very low and air quality is very good. We want to be treated fairly like all hackney drivers around us in other towns and cities.
- 4) Also we should only have 1 Mot test every year like most councils.
- 5) We should be aloud to licence category S vehicles, as long as they have been IVA tested at DVLA after repair.
- 6) Also what is the reason Shropshire council have stopped licensing N1 conversion taxis? They are as safe as M1 conversion taxis. Only difference is they have been converted at a later stage in life.

Kind regards

Document 23

Re: Taxi/Private Hire Forum - Review of Shropshire Councils Hackney Carriage and Private Hire Licensing Policy

To: Taxis

Sat 03/09/2022 20:48

Please find attached our response to the Taxi & Private Hire Policy review consultation.

kind regards

Attachment

Taxi & Private Hire Policy review consultation response

Dated 23rd August 2022

- 1) [REDACTED] I have read the proposed new policy and attended the forum and would like to add our concerns on how Shropshire councils' approach is inconsiderate towards the taxi and private hire trade and what we have endured over the last few years mainly due to covid, but also due to the continued pressure from the council to pursue taxi and private hire trade regarding air quality issues and age limits, whilst seemingly ignoring far more polluting parts of public transport and the community.
- 2) Our concerns are in line with many of those raised during the meeting but in the main regarding Hackneys and wheelchair accessible vehicles as this is what we also provide.
- 3) Covid has had a devastating impact on the trade as a whole, and has either put out of business or driven away many individuals from the trade, many of us had little or no income at all for several months over the past 2 years, this has set us back considerably financially and so to bring in shorter vehicle age limits and demands for newer vehicles, many of us will find impossible to comply with and will have to leave the trade, this in turn will hugely impact school transport provision and individuals with specific needs like having to use wheelchair accessible vehicles.
- 4) We support the suggestion of our fellow taxi drivers that the age limit of 10 years be extended to 12 years, and euro 6 emission standard is retained for WAV diesel powered vehicles, and not reducing it to 6 years.
- 5) We are not technically minded however listening to the arguments during the meeting we totally agree/support the following extracts by Richard Price and others regarding, moving to 6d emission standards gives no tangible benefit to air quality as the emission levels are the same, the only

difference being an additional real world test is carried out on 6d (this is to eliminate the manufacturers dieselgate scandal of euro 5,s. Although given the extent of the fines and compensation having to be paid out, the manufacturers were unlikely to repeat this with euro 6).

- 6) Also the fact that euro 6 diesel vehicles are compliant with no fee in all Ulez and Clean air zones in the UK, and if air quality is an issue, of which we don't believe it is given the readings from the monitors in Shrewsbury, maybe creating clean air zones to keep out the thousands of older private cars and busses that travel through Shropshire's towns everyday would have an impact, as changing the 800 or so taxi and ph cars across the county is unlikely to have any tangible impact.
- 7) At this time there are no Electric versions, and only a very limited number of petrol models which are small vehicles and would not suit every application for WAV taxi.
- 8) We believe there could be 2 brands of hybrid available as WAV vehicles but at a prohibitively high cost (although one of these probably cannot be licensed in Shropshire as its predecessor wasn't). Reducing the age limit to 6 years on a diesel would be financially unviable in Shropshire, in order to be a viable business proposition they are generally bought at between 3 and 5 years old and continued to be licensed until they are 10 years old as we are sure your records will reflect.
- 9) If hybrid or electric vehicles were available, there is currently no on street charging infrastructure at all in Shropshire, let alone the volume required to support the taxi and private hire trade. Also given the type of jobs we currently do in supporting other public transport networks into Wales who also have little, or no charging infrastructure would be severely impeded, again having a huge impact on our financial viability.
- 10) As private hire in Shrewsbury is mainly controlled by one national company with huge international financial backing, I doubt this policy will impact them, but as their core interest is the easy fast-moving work, this will leave many taxi users that need a more individual service stranded, this being commonly the domain of the small operator and sole trader with a WAV that does not have huge financial backing, but does provide an essential service to the less able of OUR community.
- 11) We also feel very strongly that hackney WAV vehicles should have a separate policy to standard private hire vehicles to account for this, and that larger M2 WAV vehicles should be licensed, as the current limitation

of M1 vehicles is restrictive for some operators that provide specialist services.

- 12) The requirements of new design wheelchairs being used have far greater difficulty accessing the purpose built vehicles, which have limited floor room even with flip up seats to accommodate these chairs or provide adequate leg and foot room for the occupant their family or carers, while others fail to support securing the passenger in the required manner.
- 13) We fully support not allowing cat s vehicles to be licensed, as this category of vehicle we believe no longer requires any more than an MOT to be returned to the road and in some cases the standard of repair cannot be guaranteed.
- 14) We believe the requirement to obtain a new Iva on a licensed vehicle following an accident goes above and beyond what should be accepted. When the vehicle has been repaired by the insurance company at an approved repairer, having been present at several Iva inspections we don't believe this proves anything following an approved repair, a New MOT should be sufficient.
- 15) On the subject of a MOT, we strongly feel that a MOT, issued after a vehicle has been repaired should be accepted as standard. To loss the use of a vehicle for in excess of 2 weeks while waiting for a MOT to be approved by Licensing managers seems a gross infringement of a persons right to work.
- 16) We would like the council to consider extending the time between policy review.

Document 24

Consultation for the review of the HCPH Licensing Policy 2023 to 2027

To: Taxis

Sun 04/09/2022 17:49

- 1) Good afternoon councils... I'm asking if the council could seriously look at encouraging more taxis & private hire drivers & address the vehicle & licensing costs.
- 2) The enormous reduction in taxi /private hire vehicles in the market towns is having detrimental impact on the night time economy and public safety. Also impacting on many non-drivers /elderly and less able who rely on local licenced taxis & Ph...
- 3) I'm asking for a simple age restriction of 12 years for vehicles.
- 4) Remove the requirement of unaffordable for euro 6 & 6d emissions.
- 5) Removal requirement for Ncap 5 star
- 6) Removal of any particular vehicle colour.
- 7) A financial impact study of the cost of Wheelchair access taxis
- 8) Removal of the advanced driving ability course.
- 9) Removal of the very poor safeguarding course (and replacing it with a educational video update)
- 10) Removal of the sexist dress code requirements
- 11) Removal of the ageism requirement for all drivers over 65 to have a medical.
- 12) Removal of the flawed delegated powers of the licensing panel and replaced with a committee to include councillors.

Taxi/Private Hire Forum

Thursday 18th August 2022 at 10 am

Officers present: Mandy Beever (MB), Kate Roberts (KR), Adrian Tinsley (AT)

Trade representatives: Ten hackney carriage drivers and six private hire drivers

1.	MB	<ul style="list-style-type: none"> • Introduction • Explained format for forum, will initially be providing a response to the questions/topics for discussion that have been submitted. If time allows, will then open the floor to other questions/ topics for discussion
2.	<p>Question:</p> <ol style="list-style-type: none"> 1. Taxi age limits - why are we unfairly treated when it comes to age limits compared to all the councils around us? Wolverhampton, Telford, Birmingham, Wrexham, Dudley, Telford & Wrexham have no end of life age limits for hackneys, as they all have taxis older than 15 years still on roads, even London where pollution is high? 2. Why do we continually have to have newer cars? When a car of any age could be used as we have two mot's a year and in some cases three to ensure the vehicle is fit to be on the road. 	
3.	MB	<ul style="list-style-type: none"> • Explained that due to the consultation responses already received officers would be reviewing the age/emissions chart further and that the chart will be amended, however, in order to take all consultation responses into consideration, this would not be completed until the end of the consultation period
4.	Hackney carriage driver	<ul style="list-style-type: none"> • Whoever wrote the Policy is not aware of the current state for drivers and vehicles that are available. • Questioned why members of the air quality team are not in attendance
5.	Hackney carriage driver	<ul style="list-style-type: none"> • Experiences of these meetings to date, feels that the Council do listen to whats being said and is not surprised by the number of people not in attendance
6.	MB	<ul style="list-style-type: none"> • Advised that there is a process that the Council has to follow • Each consultation response is considered and included within the committee papers • Member of the air quality team were unavailable
7.	Hackney carriage driver	<ul style="list-style-type: none"> • Feels that other authorities have policies that are much easier to follow
8.	Hackney carriage driver	<ul style="list-style-type: none"> • Questioned how is it expected for the trade to buy a new vehicle?
9.	Hackney carriage driver	<ul style="list-style-type: none"> • Birmingham allows vehicles up to 12 years of age. As Birmingham covers a large, urban area, drivers can make enough money to buy vehicles that meet Shropshire Council specifications. Where is the local trade expected to find 63k

10.	Hackney carriage driver	<ul style="list-style-type: none"> Where would drivers charge electric vehicles if they live in a block of flats? There is no on street parking bays for charging
11.	Hackney carriage driver	<ul style="list-style-type: none"> Need to wait for charging infrastructure to be in place before pushing for all electric vehicles There is not a single purpose built hackney carriage vehicle that is fully electric, including the LEVC hybrid
12.	Hackney carriage driver	<ul style="list-style-type: none"> Transport for London don't require electric vehicles, why do Shropshire Council Need to be able to charge a vehicle whilst out and about
13.	MB	<ul style="list-style-type: none"> Explained the Council is not ruling out diesel and petrol vehicles in the proposed policy, but are encouraging the trade to consider switching to less polluting vehicles
14.	Hackney carriage driver	<ul style="list-style-type: none"> Does not want to be forced to a six year age limit. Should be left as ten years and consider electric in next policy when there will be better availability of electric vehicles and a better charging infrastructure. This would also remove an addition financial step where proprietors would need to consider a new vehicle now to meet the requirements of the proposed policy and then may be required to consider another new vehicle when the policy is reviewed again in 2026/27
15.	Private hire driver	<ul style="list-style-type: none"> Does approximately 250 miles a day when working. A new electric Skoda costs approximately 48k. This vehicle doesn't cover this mileage. What would happen if was completing an airport run? Time take to need to recharge would affect available working hours
16.	MB	<ul style="list-style-type: none"> Will be updating people of Shrewsbury for the Shrewsbury Town Plan which will include on street electric charging points Officers will consider a separate section of the policy in relation to age/emissions for wheelchair accessible vehicles
17.	Hackney carriage driver	<ul style="list-style-type: none"> If the Council don't do something it will not have any wheelchair accessible vehicles left affecting schools contracts
18.	Hackney carriage driver	<ul style="list-style-type: none"> Proprietors who bought a vehicle thinking they would have it for ten years would have to change their vehicle under the proposed policy
19.	Hackney carriage driver	<ul style="list-style-type: none"> Where is the air quality data from? The monitoring point at Shrewsbury railway station always shows as good.
20.	Hackney carriage driver	<ul style="list-style-type: none"> How does this compare to Birmingham?
21.	Private hire driver	<ul style="list-style-type: none"> Are there any grants available?
22.	MB	<ul style="list-style-type: none"> The Licensing Team are currently looking into grant options that are available

23.	Hackney carriage driver	<ul style="list-style-type: none"> Why are Shropshire Council not working with other authorities, Telford & Wrekin Council and City of Wolverhampton Council
24.	Private hire driver	<ul style="list-style-type: none"> Newest diesel vehicles are now cleaner
25.	Hackney carriage driver	<ul style="list-style-type: none"> Has a vehicle registered in 2016 which is Euro 6. Takes for MOT and emissions report is always clean, why does he need to change this vehicle? Accepts cant go backwards with proposed policy but vehicles previously licensed by Shropshire Council are now licensed by another local authority but still driving in Shrewsbury town
26.	MB	<ul style="list-style-type: none"> Notes from forum will be considered and included with the committee papers but drivers, proprietors and operators should also put forward their own consultation response Trade can let us know via own email, this trade forum and can submit questions to the Strategic Licensing Committee
27.	Hackney carriage driver	<ul style="list-style-type: none"> Could drivers go to the Shropshire Star about the lack of wheelchair accessible vehicles available for disabled people
28.	MB	<ul style="list-style-type: none"> Confirmed that drivers have the right to approach the Shropshire Start as and when they need to
29.	Private hire driver	<ul style="list-style-type: none"> Shropshire Council are driving people off the road, that is why there are no drivers and vehicles available anymore
30.	MB	<ul style="list-style-type: none"> Shrewsbury Town Council have received funding for a safer street project for the night-time economy. Part of that work is to employ taxi marshals and develop a taxi rank and a pick up/drop off point for private hire vehicles in Shrewsbury town centre. This is currently being worked through by Shrewsbury Town Council and further details will be circulated to the trade once available
31.	Hackney carriage driver	<ul style="list-style-type: none"> Need to make things easier for the trade and the public
32.	Private hire driver	<ul style="list-style-type: none"> Has a knock on effect on other businesses in the town, e.g. people won't out and eat in restaurants
33.	Hackney carriage driver	<ul style="list-style-type: none"> The Council have treated the trade unfairly since 2015
34.	Topic: Category S vehicles - we should be allowed to plate category S damaged repaired vehicles has long they pass DVLA IVA test	
35.	Hackney carriage driver	<ul style="list-style-type: none"> Have to be checked by VOSA before being put back on the road
36.	Private hire driver	<ul style="list-style-type: none"> If can drive a category S vehicle as a normal car, why not as a taxi?
37.	MB	<ul style="list-style-type: none"> Hackney carriages and private hire vehicles are public service vehicles carrying members of the public who have no choice over which vehicle completes their journeys. Therefore,

		Shropshire Council have a responsibility to ensure that all vehicles are safe and suitable.
38.	Hackney carriage driver	<ul style="list-style-type: none"> Category S vehicles can be put back on the road without the need for a VOSA inspection
39.	Hackney carriage driver	<ul style="list-style-type: none"> Can replace all the damaged parts but not structurally damaged
40.	Hackney carriage driver	<ul style="list-style-type: none"> Agrees with the Council but if a wheelchair accessible vehicle is in an accident and correctly repaired via an repair shop why does it need a new IVA (Individual Vehicle Approval)? Provided it is an insurance repair done correctly IVA is nothing more than a glorified MOT Having to take the vehicle for an IVA means additional time off work due to the distance needed to travel, meaning drivers lose money
41.	Hackney carriage driver	<ul style="list-style-type: none"> Has been though an IVA following damage to vehicle. Insurance don't pay for the IVA, a driver/proprietor has to pay
42.	Private hire driver	<ul style="list-style-type: none"> Why does a vehicle need an IVA if insurance are repairing?
43.	Hackney carriage driver	<ul style="list-style-type: none"> All vehicles must have a Certificate of Conformity or a Vehicle Certification Agency certificate, why do the trade have to keep providing?
44.	MB	<ul style="list-style-type: none"> Agreed to review the requirements for an IVA based on trade comments
45.	Question: N1 vehicles - whats the reason the council has stopped us from plating N1 taxis?	
46.	MB	<ul style="list-style-type: none"> To ensure public safety. N1 vehicles have been built as a van and not a passenger carrying vehicle.
47.	Hackney carriage driver	<ul style="list-style-type: none"> What about 16 seater vehicles that have been modified, M2 vehicles?
48.	MB	<ul style="list-style-type: none"> Vehicles that are M2 vehicles but reconfigured to an M1 standard would be considered for licensing as they would be able to satisfied the requirements of the IVA test As an N1 is a van conversion Shropshire Council would not consider for licensing as the vehicle has been built to carry goods and not passengers.
49.	Hackney carriage driver	<ul style="list-style-type: none"> Asks for the size of a wheelchair before agreeing to a booking so can ensure that the wheelchair fits into vehicle
50.	MB	<ul style="list-style-type: none"> The new Taxis and Private Hire Vehicles (Disabled Persons) Act 2022, along with the Statutory Guidance 'Access to taxis and private hire vehicles for disabled users' requires that for hired vehicles a hackney carriage driver or private hire operator should ask appropriate questions to find out if a passenger requires assistance and the level of assistance needed
51.	Question:	

		Why is there a continuous need to do adult safeguarding course with every renewal, as the cost is very expensive for the same information each time? This is just a money-making exercise.
52.	Private hire driver	<ul style="list-style-type: none"> It's a rip-off. Should only be required for new drivers with no requirement for renewals
53.	MB	<ul style="list-style-type: none"> Safeguarding concerns change. The course is required at renewal so that drivers are aware of any new trends etc
54.	Hackney carriage driver	<ul style="list-style-type: none"> What happens if you report a concern, as nothing is fed back to the person reporting?
55.	MB	<ul style="list-style-type: none"> Information goes to First Point of Contact who will liaise/forward to the appropriate people
56.	Private hire driver	<ul style="list-style-type: none"> Why do they need to do it more than once?
57.	Hackney carriage driver	<ul style="list-style-type: none"> Why do drivers have to pay for the course?
58.	Hackney carriage driver	<ul style="list-style-type: none"> Why cant updated information be sent out by email?
59.	MB	<ul style="list-style-type: none"> People don't read emails. As a result of the findings from Rotherham, and in accordance with the Statutory Taxi and Private Hire Vehicle Standards, all drivers have to complete safeguarding training regularly
60.	Hackney carriage driver	<ul style="list-style-type: none"> In favour of safeguarding course. Gets a certificate to show attendance but doesn't get anything to read. Would like documents
61.	MB	<ul style="list-style-type: none"> Officers will take this forward request for documentation
62.	Topic: The lack of taxis at nights, especially Fridays and Saturdays	
63.	MB	<ul style="list-style-type: none"> Lack of taxis and private hire vehicles is a national problem There are working groups being held to find ways to encourage people into the trade
64.	General floor	<ul style="list-style-type: none"> Shropshire Council are making it worse for drivers and proprietors to apply
65.	Private hire driver	<ul style="list-style-type: none"> 22k drivers licensed by City of Wolverhampton Council. Finds it an easier process to be licensed by City of Wolverhampton Council 12 year old vehicles are permitted to be licensed and gets a licence with a day of application being submitted Shropshire Council licensed drivers are only a small part of the emissions that are in Shrewsbury, what about the rest of the vehicles, e.g. buses, private vehicles etc
66.	Hackney carriage driver	<ul style="list-style-type: none"> Impact of the lack of vehicles impacts the night-time economy Has a public survey been done on the lack of licensed vehicles
67.	MB	<ul style="list-style-type: none"> Work is being completed as part of the wider Shrewsbury town centre plan to consider pedestrianisation and what vehicles, including buses, will be permitted in Shrewsbury town centre

68.	Topic: Taxi companies collecting fares upfront and don't turn up	
69.	Hackney carriage driver	<ul style="list-style-type: none"> • What is being done about operators who take bookings then cancel them
70.	Hackney carriage driver	<ul style="list-style-type: none"> • Provided a recent example of a customer who had a booking cancelled an hour before the booking was due to be completed • Feels everyone should spend a day in a wheelchair to see how difficult it is • Tells passengers who have experienced problems to contact the Council and make a complaint
71.	MB	<ul style="list-style-type: none"> • All complaints received are looked at, unfortunately, very few passengers do come forward and make a complaint to the Council
72.	General floor	<ul style="list-style-type: none"> • Find it difficult to get through to the Licensing Team
73.	Hackney carriage driver	<ul style="list-style-type: none"> • Provided an example of a customer who booked a vehicle for bridesmaids for a wedding, where the booking was cancelled one hour before it was due. The operator took the payment for the booking and hadn't refunded
74.	Topic: Why did the council allow one taxi service to now pretty much control all of the county? How is this safe?	
75.	Hackney carriage driver	<ul style="list-style-type: none"> • One private hire operator has the monopoly
76.	MB	<ul style="list-style-type: none"> • Competition Markets Authority are the responsible body. They are aware and the Council has no control over what, if any, action they may take
77.	Hackney carriage driver	<ul style="list-style-type: none"> • Noted that due to the lack of operators in Shrewsbury, there are no price wars, resulting in hackney carriages giving the cheaper fares
78.	Hackney carriage driver	<ul style="list-style-type: none"> • Provided an example of a customer where private hire operator stated £14 however then cancelled the booking. Fare by hackney carriage was £16. Private hire operator took £22 from the customers bank account
79.	Private hire driver	<ul style="list-style-type: none"> • Stated that Google Pay puts more money on a fare
80.	Topic: <ol style="list-style-type: none"> 1. Drivers registering older vehicles with other council areas and driving in the town 2. When are you going to stop cross bordering in the Shropshire area, other councils have successfully done so? You're supposed to be here to work with us not against. 	
81.	Hackney carriage driver	<ul style="list-style-type: none"> • Manchester have successfully implemented rules to stop cross-border hiring
82.	Private hire driver	<ul style="list-style-type: none"> • Are some Councils challenging to stop cross-border hiring?

83.	MB	<ul style="list-style-type: none"> Deregulation Act 2015 allows for cross-border hiring and the Council are not aware of any local authorities that have been able to prevent this happening
84.	Private hire driver	<ul style="list-style-type: none"> Should have vehicles on age limits only, not just emissions If you check Shrewsbury more than 50% of the licensed vehicles are issued by City of Wolverhampton Council but most of the drivers/proprietors live in Shrewsbury
85.	<p>Question: How can you justify charging £45 for internal plate and external sticky plates when they cost a fraction of that to produce?</p>	
86.	MB	<ul style="list-style-type: none"> Officers have to cost out everything when setting fees and charges, which includes on cost of officer time, cost of raw materials, printing etc
87.	Private hire driver	<ul style="list-style-type: none"> His former local authority were found to be overcharging the trade for replacement plates and making a large profit, resulting in refunds being issued Believes Shropshire Council are making a profit on the plates
88.	Private hire driver	<ul style="list-style-type: none"> Can we reduce how many plates are issued, or the size of the plates? At the driver awareness course was advised not to put the plates with/by the number plate Everyone uses sat nav and apps now so vehicles are more easily identifiable
89.	Hackney carriage driver	<ul style="list-style-type: none"> Feels that City of Wolverhampton Council licensed vehicles should have more plates
90.	MB	<ul style="list-style-type: none"> Asked if anyone is in favour of reducing the number or size of the plates. Majority of persons present stated no
91.	<p>Question: Why are Wolverhampton plated vehicle's which you have no control over allowed to do school contract work? After all Wolverhampton drivers criteria is not as strict as our policy. Surely that is a safety issue?</p>	
92.	MB	<ul style="list-style-type: none"> Responsibility for schools contracts falls under the Councils passenger transport group who set its own criteria.
93.	Hackney carriage driver	<ul style="list-style-type: none"> How can a vehicle come from Coventry to pick up a local child to transport to a local school?
94.	Hackney carriage driver	<ul style="list-style-type: none"> Shropshire Council needs to make realistic licensing standards to allow drivers to bid for contracts
95.	MB	<ul style="list-style-type: none"> PTS have a framework that drivers can be asked to be placed on so they are aware when contacts can be bid on
96.	Hackney carriage driver	<ul style="list-style-type: none"> Gave an example of when watched a driver load a wheelchair into a vehicle that wasn't suitable for a wheelchair, yet teacher said it was ok to transport The Council (Licensing) set high standards but the Councils passenger transport group don't
97.	Private hire driver	<ul style="list-style-type: none"> Wanted to apply for a private hire operators licence but lives outside the administrative area of Shropshire Council

98.	MB	<ul style="list-style-type: none"> • Advised to speak to Licensing Team direct as response will be specific to individual
99.	Private hire driver	<ul style="list-style-type: none"> • Passenger transport group will cancel a contact if a cheaper alternative is found, sometimes up to an hour before the journey is due
100.	Question: Why not make it mandatory to have CCTV in all vehicles for the protection of the public and the driver, to be paid for by a part grant from the Council?	
101.	MB	<ul style="list-style-type: none"> • Licensing authorities can implement if there is evidence to support • No evidence has been provided by the police • The trade can put own CCTV in vehicle provided done right, in accordance with the appropriate framework which can be found via the Information Commissioners Office (ICO)
102.	Hackney carriage driver	<ul style="list-style-type: none"> • Why are City of Wolverhampton Councils fees so low compared to Shropshire Council
103.	MB	<ul style="list-style-type: none"> • Applicants to City of Wolverhampton Council have to pay a portion of their fees up front, e.g. DBS fee, knowledge test fee, safeguarding course fee etc, so that at the point an application is submitted only the administration fee is still to be paid
104.	Topic: A history of the towns historic landmarks should also form part of the knowledge test, after all you once told us that we are ambassadors to the town. Its always great for the tourists who now increasingly are visiting our lovely town of Shrewsbury.	
105.	Private hire driver	<ul style="list-style-type: none"> • Should be included as part of the knowledge test
106.	MB	<ul style="list-style-type: none"> • Knowledge test covers the whole of the administrative area of Shropshire Council and not just Shrewsbury
107.	Private hire driver	<ul style="list-style-type: none"> • Previously had to do an in-depth knowledge test of the town drivers were working in • Now most drivers ask for postcode • The Council have watered the knowledge test down too much and the quality of drivers is not the same
108.	MB	<ul style="list-style-type: none"> • As a the Council issue a dual hackney carriage/private hire drivers licence, the knowledge test is set to take the whole of the administrative area of Shropshire Council into account
109.	Topic: The rules surrounding Hackney taxi ranks in the town centre	
110.	Hackney carriage driver	<ul style="list-style-type: none"> • On a Friday/Saturday night has witnessed drivers at the front of the rank refusing fares as the driver wanted a longer journey
111.	Hackney carriage driver	<ul style="list-style-type: none"> • Agrees with above statement
112.	MB	<ul style="list-style-type: none"> • Out of hours officers are back out and about. They can be tasked with spot checks

		<ul style="list-style-type: none"> • Safer Street group are paying for taxi marshals, who will be directing people to a new rank on Claremont Street and monitoring the way the rank works – lead for this project is Shrewsbury Town Council • Trade need to speak to the Council (Licensing) about specific issues
113.	Hackney carriage driver	<ul style="list-style-type: none"> • Don't the taxi marshals need to be in Barker Street
114.	MB	<ul style="list-style-type: none"> • Advised that the police will be monitoring that area and directing the public to Claremont Street
115.	Hackney carriage driver	<ul style="list-style-type: none"> • Can there be a permanent rank • Claremont Street is the wrong place • The rank outside Montgomerys Tower no longer has markings
116.	Hackney carriage driver	<ul style="list-style-type: none"> • The ranks outside C21 disappeared as did the one at Montgomerys Tower
117.	Hackney carriage driver	<ul style="list-style-type: none"> • Need better markings to help members of the public
118.	Hackney carriage driver	<ul style="list-style-type: none"> • Sent a photo to highways team of the markings outside C21 and asked for it to be remarked, the highways team moved the ranks and reduced the size of them • Was told public could park on them as there are no order in place
119.	Hackney carriage driver	<ul style="list-style-type: none"> • Why are there no plying for hire exercised recently?
120.	MB	<ul style="list-style-type: none"> • Covid restrictions prevented visits/inspections/enforcement for the last two years, however, these are now being completed again but in a priority order • Out of hours now with MB and therefore can be tasked to complete check etc
121.	Hackney carriage driver	<ul style="list-style-type: none"> • Drivers sit outside Albert Shed when not booked • Doesn't think the policy should be reviewed every four years, should be longer
122.	Hackney carriage driver	<ul style="list-style-type: none"> • Age/emissions chart causes stress
123.	Hackney carriage driver	<ul style="list-style-type: none"> • Shame pollution team are not represented so they could show figures to support their request for Euro 6d vehicles
124.	Hackney carriage driver	<ul style="list-style-type: none"> • Infrastructure should support the trade, e.g. traffic lights to exit the station car park do not stay green for long enough only allowing one or two vehicles to exit at a time, updating buses etc • The policy review never includes the financial impact on the trade
125.	Private hire driver	<ul style="list-style-type: none"> • First year insurance can cost between 2.5k-5k, then on top you have to buy a suitable vehicle and pay application fees

126.	Hackney carriage driver	<ul style="list-style-type: none"> • Most neighbouring authorities have 15 year age limit for hackney carriages
127.	Hackney carriage driver	<ul style="list-style-type: none"> • Most of the hackney carriages licensed by Shropshire Council would not meet the compliance checks set by other local authorities, e.g. East Cheshire compliance check vehicle must not have any dents, dinks, scratches, no tow bars etc • Shropshire Council compliance check standards reduced when moved from Longden Road • Why do drivers who live and work in Shropshire go to garages in Birmingham, as an example, for an MOT
128.	Hackney carriage driver	<ul style="list-style-type: none"> • Feels all MOT tests should be done in Shropshire
129.	Hackney carriage driver	<ul style="list-style-type: none"> • Drivers go to Birmingham as the labour is cheaper if any work is needed on the vehicle
130.	MB	<ul style="list-style-type: none"> • Provided a summary of the items for be taken forward: <ol style="list-style-type: none"> 1. Age/emissions for vehicles as whole 2. Consideration for a separate age/emissions section for wheelchair accessible vehicles 3. IVA requirements for a wheelchair accessible vehicle following an accident 4. Updating the trade on the Safer Streets/Shrewsbury Town Council project 5. Review documentation to be sent out as part of the safeguarding course 6. Proactive enforcement exercises to be undertaken by the out of hours officers
131.	MB	<p>Update on the consultation of the hackney traffic card:</p> <ul style="list-style-type: none"> • Shropshire Council received responses to the tariff card consultation. As a result, the decision on a revised tariff card has to be made by committee. • Legal process explained • Committee dates are set at the beginning of the year and therefore have had to wait for the next available meeting
132.	Hackney carriage driver	<ul style="list-style-type: none"> • Will the Council be looking at how a driver can charge for a pre-booked hackney carriage journey where, for example, the booking is Much Wenlock to Bridgnorth but the hackney is travelling from Shrewsbury to fulfil the booking. How is the dead mileage paid for?
133.	KR	<ul style="list-style-type: none"> • Agreed to check the wording of relevant legislation to see if this is possible for a pre-booked hackney

Document 26

Consultation Response to the Hackney Carriage and Private Hire Licensing Policy 2023 – 2027

To: Taxis

Sun 04/09/2022 21:27

Dear Taxi Licensing,

With regards to the above matter, please see attached letter and the accompanying table referred to therein in PDF and MS Word formats.

I look forward to hearing from you, as various requested in the letter.

Kind regards,

[Note: Covering letter can be found at the end of this document](#)

	Consultation Response of		
Para. No.	Reference(s)	Representation	Officer Comment
1	1.2, bullet 6	The Council purports, in excess of statutory powers and Parliamentary intention, to require “robust sub-contracting arrangements are in place and effectively managed”. As the Council is acting ultra vires, this assertion should be removed from the Policy.	
2	1.9 2.9	The reference to the Equality Act 2010 might benefit from having, “as amended by the Taxi and Private Hire Vehicles (Disabled Persons) Act 2022”, to highlight recent changes to the statutory provisions of the 2010 Act.	
3	1.14 2.16	This paragraph wrongly gives the impression that all appeals are to a magistrates’ court, whereas an appeal against the grant of a new hackney carriage vehicle / proprietor’s licence is to the crown court.	
4	2.2, sentence 1	Would benefit from being replaced with, “The licensing process is administrative, neither civil nor criminal, in nature and quasi-judicial.”	
5	2.12	As written, this gives the false impression that the power to suspend or revoke a licence with immediate effect applies to all licence types, whereas it applies only to driver licences. It is suggested that the reference to the immediacy powers be included within	

		parenthesis and that after the word “revoke” the words “a driver’s licence” is inserted.	
6	2.13	Although it is stated which standard of proof applies, no information is given as to the burden of proof. On application, it is for the applicant to satisfy the Council of fitness and propriety, etc. However, once a licence has been granted, the burden of proof shifts to the Council, so that it can only suspend or revoke a licence if it is then satisfied that the licence holder is no longer a fit and proper person, etc. See <i>Re Muck It Ltd v Merritt & Ors v The Secretary of State for Transport</i> [2005] EWCA Civ 1124 which was followed in <i>Kaivanpor v Director of Public Prosecutions</i> [2015] EWHC 4127 (Admin).	
7	2.15	Should not refer to only applications and applicants, but also to post-grant matters and licence holders, who also have the right to receive written notices and generally to go on to appeal such decisions.	
8	2.18, sentence 1	It is suggested that the following would more accurately describe the position: “The Standards are aimed at achieving a consistent national standard for safeguarding children and vulnerable adults . . .”	
9	2.22	Should not refer to just applicants, but also to licence holders whose licences have been refused renewal or revoked.	
10	2.30	The Council’s perceived “potential risk to public safety” have probably been addressed by the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 to which the Council appears not to have made reference here or elsewhere in the Policy.	
11	2.33 (new)	A new paragraph is probably required for the Council to refer to the aforementioned Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 and to detail what the Council is / will be doing.	
12	3.1, bullet 3	The Council continues to assert that it will unlawfully retain a proportion of a licence fee when a licence is not granted. If the Council wants to retain a proportion of the charges it levies, it needs to set separate fees for each element. See <i>R v Liverpool City Council ex parte Curzon Ltd</i> , High Court (QBD) 1993. A	

		copy of the judgment can be provided, if this would assist the Council.	
13	3.5, bullet 1	It is assumed, based on the Council's current practice, a DBS certificate of a higher standard would also be accepted and, if this is the case, to avoid uncertainty, that should be stated.	
14	3.6 3a.31 3a.35	To avoid any possible uncertainty as to what is meant by "within 30 calendar days of the DBS certificate being issued", it would be prudent to instead refer to the "issue date, as stated on the certificate".	
15	3a.5, sentence 2	The sentence should begin with, "Unless already signed up to the DBS update service" and then carry on with the existing sentence in order to make clear that a new DBS certificate is not necessarily required at renewal.	
16	3a.16 3b.20 3c.17 3d.21 3e.20 3f.15 3f.50	As the Council acknowledges that some countries will not provide a certificate of good conduct unless the individual has been resident for six months or more, why does the Council not simplify the requirements by only applying it to people who have resided outside the UK for six months or more?	
17	3a.17, heading 3b.21, heading 3c.18, heading 3d.22, heading 3e.21, heading 3f.16, heading	As tax checks are not included anywhere else within the Policy, it is suggested that, to avoid extensive re-numbering, the "Right to work" heading be changed to "Right to Work and Tax Checks".	
18	3a.17 & 3a.18 3b.21 & 3b.22 3c.18 & 3c.19 3d.22 & 3d.23	These paragraphs could be merged together, to allow 3a.18 to be used for tax checks.	

	3e.21 & 3e.22 3f.16 & 3f.17		
19	3a.18 3b.22 3c.19 3d.23 3e.22 3f.17	New paragraph concerning taxi checks to be inserted here.	
20	3a.19 3b.23 3c.20 3d.24 3e.23 3f.18	The Standards do not require a licence holder to notify their licensing authority of “arrest”, but of “arrest and release” as, of course, someone who is arrested and charged may not be released but remanded to prison and, as a result, unlikely to be able to notify the licensing authority of their incarceration within the specified timeframe of 48 hours.	
21	3a.26 3b.41 3b.65 3c.39 3c.62 3d.48 3d.70 3e.47 3e.70 3f.29 3f.39	The Council has no power to “reject” an application. An application is an application and, once made, the Council is required by statute to either grant or “refuse” a licence. To purport to “reject” an application frustrates the statutory process, which provides a statutory right of appeal.	
22	3a.27 3b.42 3b.66 3b.68 3b.78 3c.40 3c.63 3c.65 3c.75 3d.49 3d.71 3d.73 3d.83 3e.48	The unlawful rejection process is perpetuated in this paragraph by way of the assertion that the Council has to decide whether to accept an application as being “a valid application”. The 1976 Act makes clear that, once an application has been submitted, a licensing authority can then ask for additional information by using its powers under s 57. In a nutshell, an application form is an application, whether it is fully completed or not and whether it is accompanied by additional documents and information on application or at any later stage.	

	3e.71 3e.73 3e.83 3f.30 3f.40		
23	3a.29, new last bullet 3a.33, new last bullet 3f.31, new last bullet 3f.41, new last bullet	Subject to the statutory requirements for a tax check, namely on renewal and for new applicants if they have held the same type of licence in the preceding 12 months, the requirement for the applicant to provide a tax check code should be included as the last bullet point.	
24	3a.30, bullet 4 3a.34, bullet 4	This could be linked back to 3a.18, if the above suggestion has been accepted.	
25	3a.37 3b.61 3c.58 3d.67 3e.67 3f.36	Although not legally binding, the case was argued by Gerald Gouriet QC on behalf of the successful appellant and has received wide support by legal / licensing commentators. The case, Cartledge v Gedling Borough Council was heard at Nottingham Crown Court in June 2021 and a link to an article published by Gerald Gouriet QC is available online at https://licensing-lawyer.co.uk/taxi-drivers-licences/ although it was more widely reproduced.	
26	3a.49	Seems to inadvertently omit reference to the Licensing Panel.	
27	3a.69	As has been highlighted by a recent case, not all serious and / or chronic conditions are to be diagnosed by a consultant – NHS guidance might prescribe that diagnosis should be by the GP with the results of imaging or other test results. To avoid applicants for an exemption certificate being required to incur the substantial costs of obtaining a consultation with and a report from a consultant, maybe the paragraph should be re-written to urge potential applicants to firstly consult with the Licensing Team to agree what medical evidence is required because, whilst it might usually require a report from a consultant, some conditions are usually diagnosed by a GP. To	

		require all applicants to obtain a report from a consultant would be an unnecessary and unreasonable regulatory burden, in breach of the Regulators' Code, para 1.1.	
28	3a.71	Further information is required in relation to the right to appeal, as this is different to the rights to appeal against refusal to grant / renew a licence or to suspend / revoke a licence. See Equality Act 2010, section 172.	
29	3a.79 3f.86	As a result of amendments made by the Taxi and Private Hire Vehicles (Disabled Persons) Act 2022, it is suggested that the paragraph be replaced with: "Section 167 of the Equality Act 2010 (as amended by the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022) requires local authorities to designate suitable vehicles as wheelchair accessible vehicles and to maintain a publicly accessible list of such vehicles."	
30	3a.87	It is wrongly asserted that the conditions of licence apply to hackney carriage drivers when the Council knows full well that is not the case, as held by the High Court in <i>Wathan v Neath and Port Talbot County Borough Council</i> (2002). It is also suggested that the second sentence be amended to: "These conditions are in addition the matters prescribed by statute, byelaws, and set out within the main body of the Policy."	
31	3a.93	Whilst a proposition that is as old as hackney carriage licensing itself, unless a journey is both the shortest in distance AND time, it will inevitably not be the shortest in distance OR time! Maybe drivers should seek to agree with passengers whether they want to travel by the shortest route by distance or time, if a route is not both shortest and quickest. And maybe rather than imposing an absolute prohibition, the Council could require drivers to "use best endeavours" or to "not intentionally" or both.	
32	3a.95	The statutory exemptions upon which the Council appears to be relying do not require a mechanic undertaking a road test to be a "qualified mechanic", but merely a "mechanic", which term presumably includes trainees and apprentices who need to test	

		drive vehicles as part of their training to become a “qualified mechanic”.	
33	3b.8 (and footnote 8) 3c.5 (and footnote 11) 3d.9 (and footnote 14) 3e.8 (and footnote 17)	Although the Council is right to assert that there is no legal definition of proprietor within relevant legislation, the intricacies of ownership and proprietorship were recently considered by the High Court in <i>Camayo v Colchester Borough Council</i> and <i>Camayo v Essex Magistrates’ Court</i> [2021] EWHC 2933 (Admin) and the Council might like, therefore, to update this paragraph to reflect the court’s decision.	
34	3b.14 3c.11 3d.15 3e.14	Although not unreasonable in relation to the licensing of drivers and possibly operators, it is neither reasonable or necessary for a vehicle proprietor to “be clean and respectable in their dress and person and maintain a high standard of personal hygiene”.	
35	3b.15 3c.12 3d.16 3e.15	The consideration of criminal convictions and conduct must, of course, only concern those matters that are relevant to being licensed as the proprietor of a licensed vehicle, which should not be the same standards for being licensed as a driver or operator. For example, it is submitted that it is not relevant to the licensing of a person as a vehicle proprietor if they are or have been disqualified from driving, because they are not being licensed to drive. It is suggested that the word “relevant” be inserted into the first sentence after the word “all”.	
36	3b.16 & 3b.17 3c.13 & 3c.14 3d.17 & 3d.18 3e.16 & 3e.17 3f.11 & 3f.12	Although cautions are not subject to the provisions of the Rehabilitation of Offenders Act 1974, the Council ought to proceed to consider cautions with care in relation to applications subject only to a requirement for a Basic DBS check. As drafted, the Council will take into consideration a caution administered 10, 20, 30, 50 years or more ago when, if the person had been convicted, the conviction might have been spent immediately (as in the case of an absolute discharge) or no more than 5 years (fine and endorsement on driving licence) with it being assumed any offence that would have resulted in a more significant sentence would have resulted in prosecution	

		<p>in any event. In the circumstances, the Council is urged to filter cautions by not requiring a caution administered more than 5 years earlier to be disclosed. In any event, not being a conviction, a caution will not be disclosed on a Basic DBS certificate.</p>	
37	<p>3b.29 3c.26 3d.35</p>	<p>The Council's repeated inclusion of a vehicle age limit is "arbitrary and inappropriate" to borrow words from the DFT Taxi & PHV Best Practice Guidance 2010 at para 32.</p> <p>It is also inconsistent with the Regulators' Code, para 1.1.</p> <p>And, although not yet finalised and published, in the draft 'DFT taxi & PHV best practice guidance to assist licensing authorities', consulted on earlier this year, at Section 8 asserted:</p> <p>"Most licencing authorities have a policy that is focused on the age of a vehicle rather than the outcomes that the policy is intended to deliver, such as clean air.</p> <p>While an age-based policy will ensure that there is regular turnover of vehicles within the fleet and prevent cliff-edge cases where significant proportions of the fleet must be replaced (to comply with clean air requirements, such an approach may have disbenefits compared to more targeted outcome-based policies, for example).</p> <p>A requirement for a vehicle to be 3 years old or less at first licensing, say, would mean a 5-year-old used electric vehicle could not be licenced. A better approach could be the introduction of an emissions policy, if that is required/desired, giving the trade a timeline for moving to zero emission, for example.</p> <p>Removing age limits should not undermine safety, providing those vehicles are maintained appropriately and inspected rigorously.</p> <p>The best practice guidance recommends annual vehicle test for all taxis and PHVs and proposes that a daily vehicle inspection is conducted by all drivers and that records are kept of vehicle inspection failures. The latter will enable licensing authorities to consider the</p>	

		<p>propriety of vehicle proprietors who consistently present poorly maintained vehicles.”</p> <p>In all the circumstances, the Council is asked to follow the 12 year old DFT Taxi & PHV Best Practice Guidance, same having been reinforced by the Regulators’ Code in 2014 and restated and expanded on in the 2022 draft DFT guidance to assist licensing authorities.</p>	
38	<p>3b.30 3c.27 3d.36 3e.35</p>	<p>The Council’s refusal to grant a new licence to a vehicle that has been an insurance Category S (previously Category C) write off is legally irrational and perverse as the Council will license / re-license a vehicle already licensed that is subsequently so categorised (para 3b.32). The Council is clearly satisfied that Category S / C vehicles can be repaired to be safe for use (para 3b.32) but seeks to distinguish its approach with reference to whether the damage was sustained before or after the vehicle was licensed.</p>	
39	<p>3b.38(m) 3c.36(m) 3d.45(m) 3e.44(m)</p>	<p>Maybe the word “passenger” could be deleted, as the paragraph seems to be referring to doors generally.</p>	
40	<p>3b.43, bullet 2 3c.41, bullet 2 3d.50, bullet 2 3e.49, bullet 2 3f.31, bullet 2</p>	<p>Is there genuinely any real benefit in requiring an applicant to submit references from such a limited group of people? Admittedly, it’s probably a requirement that is easier for some people to meet than others, but ultimately most people can comply, so this merely creates an unnecessary obstacle and delay in the licensing process. If the Council can genuinely point to any case in which it has refused an application based solely on a reference, it is conceded that there may be a justification in retaining the requirement, but after 13 years its very much doubted that there has ever been such a refusal.</p>	
41	<p>3b.44, bullet 2 3c.42, bullet 2 3d.51, bullet 2</p>	<p>If the comments above in relation to 3b.43, bullet 2 are accepted, this bullet could be deleted, and the first bullet point could be incorporated into the substantive 3b.44.</p>	

	3e.50, bullet 2		
42	3b.51, bullet 2 3b.72, bullet 2 3c.48, bullet 2 3c.69, bullet 2 3d.56, bullet 2 3d.77, bullet 2 3e.56, bullet 2 3e.77, bullet 2	<p>It is noted that the Council continues to illegally require vehicles that reach the age of 9 years to be tested 4 times within a 12-month period in breach of LG(MP)A 1976, s 50(1).</p> <p>To illustrate the point:</p> <ul style="list-style-type: none"> • A vehicle is presented for test on 14.09.2022 ahead of the extant licence expiring on 30.09.2022. • A new licence is granted for the period 01.10.2022 to 30.09.2023. • The first 4-month interim test is undertaken mid-January 2023. • The second 4-month interim test is undertaken mid-May 2023. • The vehicle is tested for renewal and / or the third 4-month test mid-September 2023, which could be before 12 months have elapsed since the first test, resulting in 4 tests within a 12-month period. 	
43	3b.103 3c.97 3d.104 3e.104	The period in which statute specifies that the maximum of 3 vehicles tests may be undertaken is not “per year” as stated in the Policy, but “any one period of twelve months”, as per LG(MP)A 1976, s 50(1).	
44	3b.110	The ability to charge more than the prescribed tariff apply to journeys starting outside the Council’s area, not just those ending outside it.	
45	3b.111	The ability to charge more than the prescribed tariff also applies to hackney carriages undertaking pre-booked work which starts or ends outside the Council’s area, and this should be clearly stated.	
46	3c.28	Although the Council’s longstanding inclusion of NCAP safety ratings looks likely to be something advocated by the DFT Taxi & PHV Best Practice Guidance upon which it has consulted earlier this year, the Council is urged to adopt a more flexible approach as not all variants of a model are tested by a manufacturer, even though the new model might now achieve the required safety standard rating for the Council. It would be beneficial if the Council were also to make	

		clear that, in accordance with its general policy and the law, it is always prepared to consider departing from policy in appropriate circumstances.	
47	3d.5	<p>The Council's approach to restrict the executive vehicle exemption to just vehicles used exclusively for that purpose is an unnecessary restraint of trade, which is not justified on regulatory or any other grounds. The Council restricts the type of vehicle that can be granted an executive vehicle exemption (paras 3d.33 & 3d.34), which is accepted as being reasonable, but someone who invests in the purchase of a Mercedes-Benz E Class vehicle, for example, cannot afford that vehicle if they only receive a small quantity of executive work and, as a result, must license it as a standard PHV and, because it is so licensed, they then lose out on the usually more highly paid executive work.</p> <p>LG(MP)A 1976, s 75(3) permits the Council to issue an exemption notice, not just on an exclusive basis, as the Council has chosen to do in the past, but on any other terms.</p> <p>In the circumstances, the Council could license an executive type of vehicle, such as a Mercedes-Benz E Class as a standard PHV and grant an exemption notice to it, expressly just for those times that it is engaged in the provision of an executive hire contract, as defined by the policy at para 3d.6. This would allow operators in Shropshire to compete effectively for work that is otherwise secured by chauffeur companies and private hire operators with access to exempted vehicles in London, Cheshire and the West Midlands.</p>	
48	3f.8	<p>The consideration of criminal convictions and conduct must, of course, only concern those matters that are relevant to being licensed as a private hire operator, which should not be the same standards for being licensed as a driver. For example, it is submitted that it is not relevant to the licensing of a person as a private hire operator if they are or have been disqualified from driving, because they are not being licensed to drive. It is suggested that the word "relevant" be inserted into the</p>	

		first sentence after the word “applicant’s” and before the words “criminal history”.	
49	3f.10	As per comment regarding 3f.8. It is suggested that the word “relevant” be inserted into the first sentence after the word “all”.	
50	3f.23	Update, if changes are made to paragraph 3d.5, as proposed and requested above.	
51	3f.32, new last bullet 3f.42, new last bullet	Subject to the statutory requirements for a tax check, namely on renewal and for new applicants if they have held the same type of licence in the preceding 12 months, the requirement for the Council to check the tax check should be included as the last bullet point.	
52	3f.79	Whilst the Council can think what it wants, it really should not be expressing views that are unsupported by evidence. The Council is well aware that Go Carz accepts bookings at its Shropshire office for vehicles the company operates across the whole of the West Midlands using satellite offices and that the customers calling specific telephone numbers would, if they have any expectation at all, expect a private hire vehicle licensed with another local authority. In the circumstances, if not prevented by hypocrisy, the Council might like to delete this paragraph in its entirety.	
53	4.	This sections requires updating in order to reflect the requirements of the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022, in particular the requirement for the Council to report matters of concern to other licensing authorities; and to report back to other authorities in relation to any reports the Council receives from them. The Council should also refer to the duty to notify licence refusals and revocations on the NR3 database and to check it. And, furthermore, the Council has failed to refer to the duty to report safeguarding concerns to the DBS, as required by the Standards at paragraphs 4.14 – 4.16.	
54	Appx B, 1.7	As per comments in relation to 3.6, 3a.31, and 3a.35.	

55	Appx B, 1.9 Appx B, 1.10 Appx B, 1.11	As per comments in relation to paras 3a.16, 3b.20, 3c.17, 3d.21, 3e.20, 3f.15, and 3f.50.	
56	Appx B, 1.14	This condition should be deleted, as it is not necessarily possible for a licensed driver to comply with it. For example, their DVLA driving licence or other original document, such as their passport, may have to be returned to the issuing authority or destroyed in connection with the issue of a new licence, passport, etc. The Council should retain copies, which should be acceptable for all purposes for which they could be required.	
57	Appx B, 1.18 Appx H	The Council is asked to reconsider its interpretation of plying for hire (set out at Appendix H) in view of recent consideration of existing case law by the Court of Appeal in R (on the application of UTAG) v TFL & Ors [2022] EWCA Civ 1026 and the comments of James Button in Button on Taxis (fourth edition) at 8.37 on the High Court judgment in Chorley Borough Council v Thomas [2001] EWHC 570 (Admin) concerning telephone bookings made before a passenger enters a vehicle.	
58	Appx B, 1.24	As per comments made in relation to para 3a.49.	
59	Appx B, 1.33 Appx B, 1.34, bullet 2 Appx B, 1.36	As the conditions cannot be attached to a hackney carriage driver's licence, they should only relate to a private hire driver's licence, in which case there should not be reference to a requirement of a hackney carriage driver and / or the condition should be deleted, as appropriate.	
60	Appx B, 1.34, bullet 1	The driver should be required to comply with the operator's lost property policy, which may not require the driver to deposit such property with the operator.	
61	Appx C, 1.42, bullet 2 Appx D, 1.41, bullet 2 Appx E, 1.30, bullet 2	As per comments in relation to paras 3b.51, bullet 2; 3b.72, bullet 2; 3c.48, bullet 2; 3c.69, bullet 2; 3d.56, bullet 2; 3d.77, bullet 2; 3e.56, bullet 2; and 3e.77, bullet 2.	

	Appx F, 1.38, bullet 2		
62	Appx G, 1.35 & 1.36	The Council's laissez-faire approach in relation to the licensing of operators with two vehicles or less continues to drive the proverbial horse and cart through the regulatory regime, casting aside the safeguards it proclaims to be necessary in relation to large operators operating from premises with sophisticated systems recording telephone calls, bookings and journey records with vehicle GPS tracking, whilst the small operator is allowed to accept booking using a mobile phone in their vehicle, whilst possibly outside of the Council's area, and being required to keep only a scribbled note, which they may not make or not make fully and, if they do, they may then easily lose. If the Council wants to set appropriately high standards and be the bastion for safeguarding, it must apply those standards consistently.	
63	Appx G, 1.55 & 1.56	If the Council amends para 3d.5, as requested, these conditions will need to be amended accordingly.	
64	Appx G, 1.100	An operator is not subject to any responsibility to report an accident under road traffic legislation, so that assertion should be deleted. Furthermore, even though the Council requires by Appx B, 1.43 the driver to notify the operator of an accident within 72 hours, it is unreasonable to require the operator to also report within the same 72 hours after the accident when the operator may not know exactly when the accident occurred or have more than a few minutes in which to notify the Council. As the driver should have also reported to the Council any such accident, the Council is asked to amend the condition to require an operator to report an accident within 48 hours of being notified by the driver of an accident.	
65	Appx H	For the avoidance of doubt, see comments above in relation to Appx B, 1.18 (and Appx H).	

66	Appx I	The Council is asked to revise its suitability policy to adopt the simplified style of that appended to the Standards, whilst retaining and / or adopting a more reasonable and appropriate approach in relation to motoring offences and driving disqualifications.	
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