

## Appendix H

### Consultation responses

<b>Question 1: Details of licences held by responder</b>	
<b>Responder</b>	<b>Consultee response</b>
<b>1</b>	Hackney Carriage and Private Hire driver (dual driver) and Hackney Carriage vehicle proprietor
<b>2</b>	Hackney Carriage and Private Hire driver (dual driver), Private hire driver and Private Hire vehicle proprietor
<b>3</b>	Hackney Carriage and Private Hire driver (dual driver)
<b>4</b>	Hackney Carriage and Private Hire driver (dual driver), Private Hire driver and Private Hire vehicle proprietor
<b>5</b>	Hackney Carriage and Private Hire driver (dual driver), Hackney Carriage vehicle proprietor, Private Hire vehicle proprietor and Private Hire operator
<b>6</b>	Hackney Carriage and Private Hire driver (dual driver)
<b>7</b>	Hackney Carriage and Private Hire driver (dual driver)
<b>8</b>	Hackney Carriage and Private Hire driver (dual driver) and Hackney Carriage vehicle proprietor
<b>9</b>	Hackney Carriage and Private Hire driver (dual driver)
<b>10</b>	Hackney Carriage and Private Hire driver (dual driver), Hackney Carriage vehicle proprietor, Private Hire vehicle proprietor and Private Hire operator
<b>11</b>	Councillor

**Question 2: Do you have any comments on the Institute of Licensing's "Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades" (see supporting documents). It is proposed for this guidance to be adopted as a document of reference by the Council.**

<b>Responder</b>	<b>Consultee response</b>
<b>1</b>	Ten years seems severe for criminal damage to property. 7 or more points - 5 years ban. Strongly disagree as it is not too difficult to get 3xSP30'S in a 3 year period for doing 34 in a 30 zone for instance. Penalty should be in line with DVLA terms. 7 years for discrimination and licensing offences (first offence) seems extreme.

<b>2</b>	Should not be allowed to be licensed until Full checks are carried out regardless of timescales. E.g failed driving Test awaiting 're test.
<b>3</b>	Time scales for Non UK should be a minimum of 10 years with three references.
<b>4</b>	I strongly agree with everything that keeps taxi users safe and secure
<b>5</b>	I do think the term to be excluded for applying to become part of the trade is too long, as it stops a person from starting a new life, with restrictions to what work they are already excluded from.
<b>6</b>	<i>Not answered</i>
<b>7</b>	I feel the timeframe for applying for license after reaching 7 points is a bit too severe
<b>8</b>	I agree with the proposal
<b>9</b>	I agree with all the proposed terms.
<b>10</b>	Speeding? In my opinion Dvsa have set the bar why Change it Committee should address drivers on situations
<b>11</b>	<p>Re the conviction for possession of drugs, or related to the possession of drugs - any applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs. – I would like to have this expanded to include a list of approved bodies that are considered ok by the council and add that all testing needs to have been done in person – No postal testing!</p> <p>Re motoring convictions - I would like to see and emphasis put on offenses that occur whilst on duty and state that any such offence committed whilst carry passengers would be reviewed with an eye to automatic suspension. i.e. to encourage the most careful driving possible.</p>

**Question 3: Do you have any comments on the changes in the suggested time scales before an individual would be considered for a licence? (see supporting documents). For example, under the current policy, a person convicted of a drugs related offence would be expected to be free of conviction for at least 3-5 years for a possession offence, and at least 5 years for a supply offence.**

**Under the proposal, the time scales would be at least 5 years for a possession offence and at least 10 years for a supply offence.**

Responder	Consultee response
1	I believe we require a firm policy across all regions that protects both the public and licensed drivers. We need to ensure that licences are not granted to unsuitable candidates and there is uniformity in the sentencing guidelines across all regions. Other than the issues pointed out on the previous page I am mostly in agreement with the draft policy.
2	How will you judge current drivers who were convicted of say Drink Driving got banned and you have licences them to drive Taxis. Also where one has committed an offence when they are holding a currency Taxi license BUT you will not know off there offence in till the next Check I.e. 5 years later. Drivers are out there who drive but cars or plates are not in there names. Offences are committed and plate holders get penalised...How do you or will you check??
3	That the Possession of a weapon should be never. In light of what is happening in the country today.
4	<i>Not answered</i>
5	Reading the policy it starts with an "applicant", a fit and proper person. As I read it, I then wonder, who is who, the content needs to be clearer. The applicant becomes he/she, person, they, individual, licensee, applicant/licence holder, their. It would read better if one word was used. Gives me the impression there has been a lot of cut and paste, also many people involved, where clarity of "Who" has been lost. Reference to 3.1 speak English and to understand spoken English to provide the service that they wish to be licensed for.....please explain what part of the trade allows applicant/person not to speak and understand English. Wheelchair accessible vehicle, this paragraph does not read correctly. Suggests to me I have to sit in the wheelchair users wheelchair, whilst also safely loading and securing passenger in the wheelchair accessible vehicle. This should be rewritten. 4.1. Do you actually mean a normal drivers licence? (This has repeats). Whilst many crimes are awful, seems to read weapon crime has a shorter exclusion time. Suspension/revocation starts 21 days later, why not straight away. Person has 21 days to carry on with what has been the cause of suspension/revocation. Many reports are open to translation, but I feel some wording needs to be changed for clarity.

<b>6</b>	What happens to drivers/operators that currently fall outside of current rules but have convictions that fall within the proposed rules? Who is going to investigate overcharging and refusal of carrying disabled passengers? Will there be a robust system in place instead of the current 'hearsay' policy?
<b>7</b>	<i>Not answered</i>
<b>8</b>	No
<b>9</b>	No
<b>10</b>	<i>Not answered</i>
<b>11</b>	<p>Why 7 years when other crimes of equal status are 5 years? i.e. 5 years for drugs but 7 for discrimination. Either 7 for both or 5 for both. I would have 7 for drugs and 5 for discrimination myself.</p> <p>I would like to see an emphasis put on offenses that occur whilst on duty and state that any such offence committed whilst carry passengers would be reviewed with an eye to automatic suspension. i.e. to encourage the most careful driving possible.</p> <p>Re other motoring offences - Where an applicant has 7 or more points on their DVLA licence for minor traffic or similar offences, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed. Should this not be related to when points disappear from the license?</p>