

## Appendix E

### Executive Private Hire Conditions: Email Responses

<b>Response From:</b>	<b>Response Details:</b>	<b>Officer Response:</b>	<b>Change to policy:</b>
Member of the public	<p>As a UK citizen, Council Taxpayer for Leeds City Council and a regular user of taxis in Leeds, I want to contribute to this consultation.</p> <p>I raise several points regarding 5a and there are points that I feel should change regarding Executive Private Hire Operator Conditions.</p> <p>1) Any change of operator must immediately invoke a CRB check on the driver in order to protect the public, see section 2</p> <p>2) As a regular user of taxis and private hire vehicles in the City of Leeds, I find some drivers still struggle with understanding English. This is particularly prevalent among private hires but I have encountered the problem with a few taxi drivers. Therefore, I feel, a change is warranted to section 6. My feeling instead of assessing English language proficiency when there is reasonable cause to believe it may be an issue. It is my feeling this should become a part of the application process, especially for those driving private hire. All application material, all testing, all interviews and all training must be done in</p>	<p>The requirements for CRB vetting is to be considered by the Licensing Committee in April 2013.</p> <p>The requirement for English comprehension testing was introduced in 2006 and all new applicants to the taxi and private hire trade.</p> <p>Applicants must pass this test prior to being granted a licence.</p> <p>Where a substantiated complaint is received against an existing licence holder, they may also be required to sit the test.</p> <p>All of the Taxi and Private Hire Licensing Sections documentation and training is</p>	None.

	<p>English to ensure the driver has the required level of English necessary to deal with passengers.</p> <p>3) I propose an addition to the regulation. Taxi and private hire drivers provide a service to the residents of Leeds. As a regular user, it is my feeling this is something that should be known or expected when someone begins their career as a driver. This means they should expect varying requests and while some requests cannot be filled, request for a domestic animal to accompany its owner should not be refused. It is my feeling due to high unemployment in Leeds, rising gas prices, and lack of alternative animal transport in the City of Leeds a taxi or private hire driver should not unreasonably refuse to take a domestic animal when the owner provides the proper control of the animal.</p> <p>Finally I raise an objection to Section 5 b. I raise an objection in allowing a individuals to change companies in the Executive trade without having to change their badge. I feel allowing this is a risk to public safety. Furthermore I believe anyone changing companies should be required to go through a CRB check and be required to apply to transfer.</p>	<p>delivered in English.</p> <p>The Equality Act 2010 states that all taxi and private hire vehicles must carry assistance dogs – this includes Executive private hire.</p> <p>The decision to carry domestic pets is entirely at the discretion of the driver.</p> <p>Licensing conditions require any licensed driver to inform the licensing section immediately in writing and in any case not more than 72 hours after the event if he / she changes operator. It is essential to the enforcement ability of the council and public safety issues that there is strict adherence to this condition.</p> <p>There is no exception to this condition for Executive Private Hire drivers.</p>	
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		The requirements for CRB vetting is to be considered by the Licensing Committee in April 2013.	
Member of the public	<p>Dear Sirs.</p> <p>I would like to submit the following for inclusion of the Executive Hire Consultation process.</p> <p>I relinquished my Operators license directly as a result of the conditions which are imposed in the LCC area.</p> <p><b><u>Purchase Value of Cars</u></b> I am writing to outline my concerns over the introduction of minimum vehicle cost of £45,000 under Executive Private Hire license.</p> <p>After consulting the current proposed conditions under Executive Private Hire I am agreeable to the overall purpose being to distinguish the difference between Private Licensed Vehicles and Executive Licensed Vehicles.</p> <p>I would like to express my frustration and sincere disapproval of a minimum value of £45,000 being introduced for Executive Hire which is undoubtedly un-supported by everyone in the trade, and carries no logical reason for its proposal.</p> <p><u>Impact of changes</u></p>	<p>In November 2007 the Licensing and Regulatory Panel approved the following condition;</p> <p>1. Type of Vehicle</p> <p>d) Executive Saloon Vehicle</p> <p>To ensure a distinct category of Executive vehicle which divides Executive and standard private hire saloons the Executive vehicle will have an initial retail value of not less than £45,000 at the point of registration. That retail figure will be determined by reference to the industry's standard retail guides, 'CAP – Black Book' or 'Glass's Guide'.</p> <p>e) Executive People Carriers</p>	<p>Members may wish to consider if these conditions should be amended or remain as they are.</p>

<p>Introducing a value of £45,000 for cars under Executive Hire License carries a severe impact to the trade and those involved. Introduction of such a high value will result in a huge increase in expenditure for current license holders as it would force them to have to change their vehicles and in some circumstances agree to finance/credit which is potentially un-sustainable in the current climate.</p> <p>Furthermore I would like to confirm that we have consulted all neighbouring local authorities including Bradford, Harrogate, Wakefield and Selby, and there appears to be fewer and less restrictive rules for Executive Hire. There also appears to be no minimum monetary value set for vehicles licensed.</p> <p>It is my sincere hope that whilst we are in agreement to differentiating ourselves from Private Hire, and the introduction of a minimum vehicle value I feel this value needs to be at £30,000 for Executive Saloons. This value is also in line with Executive People carriers and will still enable a minimum vehicle standard to be introduced by LCCM as opposed to Private Hire which currently carries no minimum cost value.</p> <p>I would also like to add that I feel that the maximum age for first licensing should also be a little more flexible in certain circumstances, the</p>	<p>To ensure a distinct category of people carrier which divides Executive and standard private hire people carriers the Executive vehicle will have an initial retail value of not less than £30,000 at the point of registration. That retail figure will be determined by reference to the industry's standard retail guides, 'CAP – Black Book' or 'Glass's Guide'.</p> <p>These conditions were set to ensure a clear distinction between standard private hire and executive private hire.</p> <p>Officers see no reason to deviate from these conditions.</p> <p>Officers view remains the same; as an Executive trade, the current condition sets the type of vehicle to be licensed at the Executive level. This is not considered to be onerous, with options available to extend the life of the vehicle licence.</p> <p>There is the option for any Executive Private Hire vehicle operator or proprietor to apply to licence vehicles under the standard private hire conditions where pricing criteria for Executive licensed vehicles does not apply.</p> <p>The age criteria of 2 years for first licensing of an executive saloon vehicle and 1 year for an executive people carrier is considered</p>	
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	<p>present fixed term of up to 12 months for a people carrier and slightly longer for a saloon.</p> <p>There is no provision for the loss of a vehicle during it's working life for either theft, fire or mechanical failure.</p> <p>If an Operator loses the use of a vehicle at 2 years of age he would still have 3 years that he could renew that license for that 2 year old vehicle but can not replace it by a vehicle of the same age that would give in effect still give him 3 years further operating as by the current terms it would be too old for first licensing. He must buy new or nearly new at great cost to himself to meet the criteria of first licensing.</p> <p>This I feel is very harsh in todays present climate and was the reason I had to relinquish my Operators license as I could not afford to continue under the existing terms and conditions.</p> <p>5th anniversary of this legislation it has done nothing but force a significant number of previous operators either out of business or to go unlicensed or seek inappropriate licences though VOSA. We believe that at present there are 7 LCC vehicles by 4 operators. As Leeds is one of the largest Local Authorities in the Country this figure is wholly disproportionate to comparable any large city elsewhere in England</p>	<p>reasonable in order to maintain a clear distinction from standard private hire vehicles and also provide scope for executive operators/proprietors to take advantage of any depreciation from 'new car' price limit of 45K for a saloon car and 30K for the people carrier.</p> <p>The depreciation of an Executive vehicles value from two years of age results in the vehicle becoming affordable to the standard private hire trade.</p> <p>There Executive trade would therefore lose their distinction between from the standard private hire trade.</p> <p>There is the option for any Executive Private Hire vehicle operator or proprietor to apply to licence vehicles under the standard private hire conditions where pricing criteria for Executive licensed vehicles does not apply.</p>	
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	<p>We hope to seek the support, and amendment of those conditions listed above with considerations given by Leeds City Council such as:</p> <ul style="list-style-type: none"><li>i) Supporting and appreciation of the current and forecast trading conditions for small enterprises in the current economy.</li><li>ii) Threat posed to current providers of Executive Trade License holders to lose clients if forced down the Private Hire License as it is traditionally a request of clients for vehicles to be discreet and professional (ie, Private Hire License would not be appropriate with current livery conditions). Also consideration to be given that neighbouring local authorities have executive licenses that clients could use if preferred.</li><li>iii) The Executive Hire trade proposal of £30,000 for executive cars and people carries to be consistent still offers comfort to Leeds City Council of distinguishing difference between Private &amp; Executive License holders.</li></ul> <p>I hope that you have seen sufficient information to support our view point and that we have demonstrated support of Leeds City Council conditions. I also hope you are in agreement of introducing £30,000 base value for both saloons</p>		
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	<p>and people carriers.</p> <p>The Department for Transport's own Taxi and Private Hire Licensing Best Practice Guidance March 2010 makes absolutely no reference to a maximum or minimum value of cars.</p> <p><b><u>Other issues</u></b> <b><u>Livery</u></b></p> <p>On the 6th November 2007 when the Executive Licence Hire legislation was passed at that meeting the livery had NOT been finalised but it was to be produced at a later stage to be agreed with the trade and that 'Delegated Powers' be used to implement a rear LLC badge/ identification plate. This never took place and the existing one was imposed without consultation despite ones being offered for approval by Garry Houseman (CSC)</p> <p>We fully support LCC's concerns over livery but this can be something that's in the rear window as per previous proposals and agreements . Body mounted livery attracts unwanted attention for both our drivers and customers alike. It was agreed by the Licensing Panel meeting of November 2007 that Livery was to be agreed with the trade and implemented by way of Delegated Powers. This did not take place.</p>	<p>The best practice guidance issued does not determine how individual Authorities are to apply legislation. It is left for the individual the Licensing Authority to determine how best to implement licensing regulations within their particular district.</p> <p>Legislation requires that a licence plate is displayed to the front and rear of a licensed vehicle. The Council is willing to consider proposals to alter the appearance &amp; positioning of the existing rear licence plate.</p> <p>The requirements to display licensing livery has already been relaxed for executive vehicles compared to the requirements for standard private hire vehicles to allow for the discreet aspect of the service provided.</p>	
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	<p><b><u>Executive Licensed Drivers</u></b></p> <p>I believe that all Executive drivers should be allowed to work between organisations. We work well together and are supportive of each other's organisations and this would help significantly with our respective businesses during in high demand periods. We are happy to support the council in implementing a method of control to ensure that Public Safety is not compromised.</p>	<p>Licensing conditions require any licensed driver to inform the licensing section immediately in writing and in any case not more than 72 hours after the event if he / she changes operator. It is essential to the enforcement ability of the council and public safety issues that there is strict adherence to this condition.</p> <p>There is no exception to this condition for Executive Private Hire drivers.</p> <p>The Council will consider the possibility of adding more than one operating company to a drivers licence. This would be dependant on legal notification requirements and potential conflicts that may occur in the licensing computer database.</p>	
Executive Private Hire Operator	<p>Dear Sirs.</p> <p>We would like to submit the following for inclusion of the Executive Hire Consultation process.</p> <p><b><u>Purchase Value of Cars</u></b></p> <p>I am writing to outline our concerns over the introduction of minimum vehicle cost of £45,000 under Executive Private Hire license.</p>	<p>In November 2007 the Licensing and Regulatory Panel approved the following condition;</p>	<p>Members may wish to consider if these conditions should</p>



	<p>After consulting the current proposed conditions under Executive Private Hire we are agreeable to the overall purpose being to distinguish the difference between Private Licensed Vehicles and Executive Licensed Vehicles.</p> <p>We would like to express our frustration and sincere disapproval of a minimum value of £45,000 being introduced for Executive Hire which is undoubtedly un-supported by everyone in the trade, and carries no logical reason for its proposal.</p> <p><u>Impact of changes</u></p> <p>Introducing a value of £45,000 for cars under Executive Hire License carries a severe impact to the trade and those involved. Introduction of such a high value will result in a huge increase in expenditure for current license holders as it would force them to have to change their vehicles and in some circumstances agree to finance/credit which is potentially un-sustainable in the current climate.</p> <p>Furthermore we would like to confirm that we have consulted all neighbouring local authorities including Bradford, Harrogate, Wakefield and Selby, and there appears to be fewer and less restrictive rules for Executive Hire. There also appears to be no minimum monetary value set for vehicles licensed.</p> <p>It is our sincere hope that whilst we are in</p>	<p>1. Type of Vehicle</p> <p>d) Executive Saloon Vehicle</p> <p>To ensure a distinct category of Executive vehicle which divides Executive and standard private hire saloons the Executive vehicle will have an initial retail value of not less than £45,000 at the point of registration. That retail figure will be determined by reference to the industry's standard retail guides, 'CAP – Black Book' or 'Glass's Guide'.</p> <p>e) Executive People Carriers</p> <p>To ensure a distinct category of people carrier which divides Executive and standard private hire people carriers the Executive vehicle will have an initial retail value of not less than £30,000 at the point of registration. That retail figure will be determined by reference to the industry's standard retail guides, 'CAP – Black Book' or 'Glass's Guide'.</p> <p>These conditions were set to ensure a clear distinction between standard private hire and executive private hire.</p> <p>Officers see no reason to deviate from these conditions.</p> <p>Officers view remains the same; as an</p>	<p>be amended or remain as they are.</p>
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	<p>agreement to differentiating ourselves from Private Hire, and the introduction of a minimum vehicle value we feel this value needs to be at £30,000 for Executive Saloons. This value is also in line with Executive People carriers and will still enable a minimum vehicle standard to be introduced by LCCM as opposed to Private Hire which currently carries no minimum cost value.</p> <p>Near the 5th anniversary of this legislation it has done nothing but force a significant number of previous operators either out of business or to go unlicensed or seek inappropriate licences though VOSA. We believe that at present there are 7 LCC vehicles by 4 operators. As Leeds is one of the largest Local Authorities in the Country this figure is wholly disproportionate to comparable any large city elsewhere in England</p> <p>We hope to seek the support, and amendment of those conditions listed above with considerations given by Leeds City Council such as:</p> <ul style="list-style-type: none"> <li>- Supporting and appreciation of the current and forecast trading conditions for small enterprises in the current economy.</li> <li>- Threat posed to current providers of Executive Trade License holders to lose</li> </ul>	<p>Executive trade, the current condition sets the type of vehicle to be licensed at the Executive level. This is not considered to be onerous, with options available to extend the life of the vehicle licence.</p> <p>The £30,000 price limit applied to an 'Executive people carrier' was decided due to the market value of vehicles produced as executive people carriers, as opposed to executive saloon vehicles.</p> <p>There is the option for any Executive Private Hire vehicle operator or proprietor to apply to licence vehicles under the standard private hire conditions where pricing criteria for Executive licensed vehicles does not apply.</p>	
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	<p>clients if forced down the Private Hire License as it is traditionally a request of clients for vehicles to be discreet and professional (ie, Private Hire License would not be appropriate with current livery conditions). Also consideration to be given that neighbouring local authorities have executive licenses that clients could use if preferred.</p> <ul style="list-style-type: none"> <li>- The Executive Hire trade proposal of £30,000 for executive cars and people carriers to be consistent still offers comfort to Leeds City Council of distinguishing difference between Private &amp; Executive License holders.</li> </ul> <p>We hope that you have seen sufficient information to support our view point and that we have demonstrated support of Leeds City Council conditions. We also hope you are in agreement of introducing £30,000 base value for both saloons and people carriers.</p> <p>The Department for Transport's own Taxi and Private Hire Licensing Best Practice Guidance March 2010 makes absolutely no reference to a maximum or minimum value of cars.</p> <p><b><u>Livery</u></b></p> <p>On the 6th November 2007 when the Executive Licence Hire legislation was passed at that</p>	<p>The pricing structure applied to Executive private hire vehicles is considered the most appropriate method of providing a clear distinction from standard private hire. This clear distinction is required by the executive private hire trade to maintain their position in the market to provide a high level personal transport service. The option to provide a 'standard private hire' service or an 'executive private hire service' is an individual business decision.</p>	
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	<p>meeting the livery had NOT been finalised but it was to be produced at a later stage to be agreed with the trade and that 'Delegated Powers' be used to implement a rear LLC badge/ identification plate. This never took place and the existing one was imposed without consultation despite ones being offered for approval by Garry Houseman (CSC)</p> <p>We fully support LCC's concerns over livery but this can be something that's in the rear window as per previous proposals and agreements . Body mounted livery attracts unwanted attention for both our drivers and customers alike. It was agreed by the Licensing Panel meeting of November 2007 that Livery was to be agreed with the trade and implemented by way of Delegated Powers. This did not take place.</p> <p><b><u>Executive Licensed Drivers</u></b></p> <p>We believe that all Executive drivers should be allowed to work between organisations. We work well together and are supportive of each other's organisations and this would help significantly with our respective businesses during in high demand periods. We are happy to support the council in implementing a method of control to ensure that Public Safety is not compromised.</p>	<p>Legislation requires that a licence plate is displayed to the front and rear of a licensed vehicle. The Council is willing to consider proposals to alter the appearance &amp; positioning of the existing rear licence plate.</p> <p>Licensing conditions require any licensed driver to inform the licensing section immediately in writing and in any case not more than 72 hours after the event if he / she changes operator. It is essential to the enforcement ability of the council and public safety issues that there is strict adherence to this condition.</p> <p>There is no exception to this condition for Executive Private Hire drivers.</p>	
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	<p><b><u>Enforcement</u></b></p> <p>During the initial 2007 consultation LCC clearly established that they understood and could distinguish between VOSA licence conditions and that of PHV Local Authority controlled Licences. Any journey that does not comply with either VOSA or Local Authority conditions is effectively uninsured. We appreciate previous Statements during early meetings by Mr Broster in that such illegal trade providers be advised however it is our belief that providers have and are considering to drive not in accordance with local authority conditions following introduction of £45,000 minimum vehicle value.</p> <p>Existing Lawful LCC Executive Private Hire Operators have and are constantly struggling to compete with unlicensed operators working within LCC Local Authority.</p> <p>Under The Department for Transport's own Taxi and Private Hire Licensing Best Practice Guidance March 2010 (Section 84). It clearly</p>	<p>The Council will consider the possibility of adding more than one operating company to a drivers licence. This would be dependant on legal notification requirements and potential conflicts that may occur in the licensing computer database.</p> <p>This has been an infrequently raised issued. The Councils stance is; please provide information, in confidence, of those Operators operating outside of the legislation and we will take action. Such information has never been provided.</p>	
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	<p>gives directions that effective enforcement activity benefits not only the public but also people in the taxi and private hire trade and it is re responsibility of the Councils to actively seek out those avoiding being legally licensed and not to just concentrate on those that do present themselves for licensing.</p> <p>Following the FOI request by Bill Chard and subsequent answers given by LCC on the 17th December 2010 it is obvious that LCC have the details of established non LCC licensed business's. LCC established and contacted over 200 potential organisations during 2007. It received 21 responses to its initial enquiries and of those 11 organisations attended the first consultation meeting. Of these only 3 Operators MC Chauffeurs, CSC Executive and Ambassador became licensed. During the last 5 years there have been addition entrants to the trade but as of October 2012 Asquiths, Bill Towler and Ambassador have ceased as LCC operators. Other operators have licensed a vehicle but continue to operate other unlicensed or VOSA licensed vehicles that are non compliant.</p> <p>We have over 5 years continually expressed concerns over the lack of enforcement and have been disappointed with the Council response that it is our responsibility to name unlicensed operators. We feel that this approach is a</p>		
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	<p>dereliction of responsibility on the Council's part given that LCC have already gathered details of those who operate without a LCC license. We have known some of the operators over the years and we feel it's unfair to ask us to name some operators and not others who we have not come across. LCC have these details and the number of vehicles they operate through previous investigations.</p> <p>Having looked at Google and Yell this week we have established that there are at least 21 executive vehicle businesses that we believe have around 34 vehicles unlicensed. To conservatively estimate each vehicle doing 5 jobs per week based on 48 weeks a year, this translates to 465,120 journeys since January 2008. It also equates to £45,300 unpaid LCC license fee's excluding CRB, NVQ, Language tests and vehicle badges.</p> <p>We trust the above points are helpful and constructive to you process and assure you of our continued commitment as a LCC Operator.</p>	<p>With reference to companies advertising on Google and Yell; not all of these business' may be based within the Leeds Licensing District and fall within our licensing jurisdiction.</p>	
Executive Private Hire Operator	<p>Just to say that I am anxious that we get a new, and less obtrusive, Badge designed for the Executive Hire vehicles. My own preference, however, is that we should have something similar to Harrogate Council with the details on the Number Plate.</p>	<p>Legislation requires that a licence plate is displayed to the front and rear of a licensed vehicle. The Council is willing to consider proposals to alter the appearance &amp; positioning of the existing rear licence plate.</p> <p>Licensing conditions require any licensed</p>	None

	<p>Secondly, it would be very helpful to smaller Operators, such as myself, if we could use the Services of another driver with an Executive Licence to drive for us on an occasional basis.</p> <p>Looking forward to the Authority approving these points.</p>	<p>driver to inform the licensing section immediately in writing and in any case not more than 72 hours after the event if he / she changes operator. It is essential to the enforcement ability of the council and public safety issues that there is strict adherence to this condition.</p> <p>There is no exception to this condition for Executive Private Hire drivers.</p> <p>The Council will consider the possibility of adding more than one operating company to a drivers licence. This would be dependant on legal notification requirements and potential conflicts that may occur in the licensing computer database.</p>	
Executive Private Hire Operator	<p>With reference to the Taxi and Private Hire Review section 5. Executive Private Hire conditions. I believe further consultation is required with ref to Drivers working for different Executive Operators, Age criteria and executive vehicle costs, and Vehicle licence badge.</p>	<p>The Executive Hire conditions have been issued twice for consultation as part of the Taxi and Private Hire Licensing Sections policy review;</p> <ol style="list-style-type: none"> <li>1) May – July 2011 &amp;</li> <li>2) July – October 2012.</li> </ol> <p>The latter consultation resulted in the comments contained within this document.</p>	None