

## APPLICATION FOR A CHANGE IN HACKNEY CARRIAGE VEHICLE LICENSING CONDITIONS

Hackney Carriage Driver Licence Number:

Hackney Carriage Vehicle Licence Number:

I have been working as a hackney carriage driver since December 2019, have been with Gedling Borough Council throughout and I have had excellent service from the council. I have worked throughout the pandemic, and have taken approximately five thousand fares in that period, the overwhelming majority have been private hire through my operator, but some have been stand alone, of these stand alone trips, these were mostly NHS staff, free of charge. I make a point of not working the rank, and decided on becoming a taxi driver, to not take cash or have cash in the vehicle at any time when working, it is safer for all concerned. I do not confine my work to a specific borough or city or area, but do try to do as much work as I can in the area of Gedling Borough Council. One of the reasons I do not take passengers 'on the meter' is because the licensed area is so wide, and in my view, difficult to define, therefore I would rather take private hire work only, and not inadvertently fall foul of the rules, which I make a conscious effort to follow to the letter.

I have taken over 6000 fares for the operator I work with, and have not had a single complaint. Of course, as a hackney carriage, I can legally take fares booked through any private hire operator in the United Kingdom, however I currently only work with one operator, and have no intentions of changing that.

Over time I have discovered an issue which I feel I must raise, it is both an issue of driver/passenger/public safety and also convenience. The requirement under the vehicle licensing conditions is that when the vehicle is in use it must have the 'FOR HIRE' roof sign attached (**Section 6 of the Hackney Carriage Vehicle Licensing Conditions**), this has resulted in quite a few events that have been unpalatable, both for passengers and also for myself, these have happened both in Gedling Borough and elsewhere, including one event that took place in Portsmouth after dropping off a pre booked passenger who I had transported from Nottingham.

Members of the public have tried to open the car door when stationary at traffic lights, both with passengers on board and when I am alone, they have tried to get into the vehicle when I have been setting down passengers, they have also attempted to alight the vehicle when I have been waiting for a pre booked passenger. On one occasion a passenger opened the front door of the vehicle, not knowing there was a passenger in the rear, and attempted to hire the vehicle, he was mortified when he realised a passenger was already inside, and profusely apologised, but this was not a nice experience for all concerned. He stated the 'FOR HIRE' roof sign shouldn't be on the vehicle when not for hire, I advised him it had to be, to adhere to the conditions of the license, there was and is no option to remove it, and the option to illuminate it is impracticable, if operating in day light. On another occasion a member of the public and a pre booked passenger argued over who would be transported, I intervened and advised it was the passenger who had pre booked my vehicle for hire, and apologised to the member of the public concerned. There have been numerous other events, thankfully they have not been major, however this is just a matter of time.

These events, and the consequences that follow, are directly attributable to the 'FOR HIRE' roof sign on the vehicle, and if it wasn't present, I am almost 100% certain these incidents would not have occurred.

I am applying for a change in licensing conditions, to add a provision that if the vehicle proprietor and/or

driver wishes to, the hackney carriage vehicle can be operated without the 'FOR HIRE' sign attached to the roof, when taking pre booked passengers only, through a private hire operator.

The following legislation is important here:

- Section 47 (1) of the Local Government (Miscellaneous Provisions) Act 1976 allows a licensing council to attach conditions to the granting of a hackney carriage vehicle licence, that are **reasonable necessary**, emphasis added.
- Section 47 (2) of the Local Government (Miscellaneous Provisions) Act 1976 provides for a licensing council to specify that the hackney carriage licensed may be of such design or appearance, as to make the vehicle **identifiable as a hackney carriage**, emphasis added.
- Section 47 (3) of the Local Government (Miscellaneous Provisions) Act 1976 provides for an individual aggrieved by any conditions imposed, to appeal to a magistrate's court.
- Section 3 (2) of The Health and Safety at Work Act 1974 states that hackney carriage drivers have a duty to conduct their work in such a way that does not put others at risk, in relation to their health and safety.

I submit, that the provision requiring the 'FOR HIRE' roof sign to be attached to the roof of, or anywhere on the vehicle at all times, is **not reasonably necessary** when specifically taking only pre booked passengers, via a private hire operator, as a hackney carriage licensed driver can do so. In addition, I also submit that the vehicle is clearly **identifiable as a hackney carriage** without it, owing to the fact that '**HACKNEY CARRIAGE**' is written on both front and rear vehicle plates, in black letters on the rear, and white letters on the front, these are clearly visible and can be seen by passengers from both front and rear, naturally.

Lastly, it is also strongly arguable that the sign itself, is presenting a clear obstacle to ensuring the health and safety of passengers, members of the public and drivers. In this case specifically, when it is not required, and the driver is not plying for hire, there should be an option to remove it from the vehicle and place it in a secure location within that vehicle, most appropriately the boot.

I therefore make this application, and hope it can be approved. I am willing to discuss this in person, if The Environment and Licensing Committee wish to do so.

Kind regards,