

## Appendix 1 Schedule of Responses to the Draft Hackney Carriage and Private Hire Policy

Ref	Respondent	Comments	Appraisal	Recommendation
01	Anonymous	Will medical include eye test?  Agree with colour policy  Wants one fare scale for the county and regulation.	Included in Level 2 medical examination No change required  Not relevant to this policy	No change to policy  No change to policy  No change to policy
02	County Durham and Darlington Fire and Rescue Service	Offices of Taxi proprietors have to comply with the Regulatory Reform (Fire Safety) Order 2005 and Fire Risk assessments.	Not relevant to this policy	No change to policy
03	Barry Dunbar	1.3 – Why no hackney carriage driver conditions?  1.3 (i) (c) - Objects to having to advise of any pending charges	Cannot apply conditions to Hackney Carriage drivers Public Safety issue –current requirement	No change to policy
04	Kwik Cabs	Objects to colour policy (taken 5 years to develop company, cars stand out to customers)  Objects to driving test because of cost. (requests written response)		Members decision on colour policy required  Members decision on driving proficiency test (DSA) required
05	K Whitfield, Seaham Taxis	App 3 (xxx) – Questions need for first aid kit  App 3 (iv) – Questions colour policy which will incur costs – why not display crests instead.  App 1 (ii)/ (iii) – Will NVQ be acceptable instead of driving test?	Public Safety requirement   No - NVQ and DSA are different tests. NVQ is theoretical /practical assessment. DSA	No change to policy  Members decision on colour policy required  Members decision on driving proficiency test (DSA) required

		<p>Considers NVQ qualification should be mandatory.</p> <p>Believes all drivers should be 21+ and agrees with dress code.</p>	<p>tests driving ability.</p> <p>No current statutory requirement Requirement is for driver to have held a driving licence for 12 months. Fit and Proper test applied regardless of age.</p>	<p>No change to policy</p> <p>No change to policy</p>
06	Thomas Talbot	App 1 (ii) – Disagrees with DSA test because of cost.		Members decision on driving proficiency test (DSA) required
07	Dawn Cousins	Considers DSA test unfair.		Members decision on driving proficiency test (DSA) required
08	Anonymous	<p>Para 1.1 (ii) Asks if intention is to phase in tests</p> <p>Para 2 (iv) Asks if intention is to phase in colour policy and why white?</p>	<p>Tests only applicable in respect of new applications post April 1<sup>st</sup></p> <p>3 years phasing in for existing vehicles. New vehicles to be white from April 1<sup>st</sup> 2009. Three District Councils have current white colour policy</p>	<p>Members decision on driving proficiency test (DSA) required</p> <p>Members decision on colour policy required</p>
09	Anonymous	<p>App 3 1.11 – Considers off side sliding door sign unnecessary.</p> <p>App 3 1.27 (b) – Considers stipulation regarding rear window tints unnecessary.</p> <p>2.4 – Agrees hackney carriages must be white.</p>	<p>Accept view on this requirement</p> <p>Public Safety issue</p>	<p>Delete from draft policy</p> <p>No change to policy</p> <p>Members decision on colour policy required</p>
10	Michael Valks	<p>Para 1,1.2 – Does not agree to re-take driving test.</p> <p>App 2, 1.2 – Leniency must apply for minor traffic offences.</p> <p>App 2, 18 – Disagree with using door crests</p>	<p>Only new applications will require DSA test. Does not apply to existing drivers.</p> <p>Public Safety</p> <p>Public Safety – assists with</p>	<p>Members decision on driving proficiency test (DSA) required</p> <p>No change to policy</p>

		<p>App 3, 2 (iv) – Disagrees with colour policy due to cost and difficulty with identification if involved in accident.</p> <p>Disagrees unlicensed spouse not allowed to drive taxi</p> <p>Disagree with 5 year age limit</p>	<p>identification of vehicle.</p> <p>Legislation: must hold a licence to drive a taxi Not applicable to this policy</p>	<p>Members decision on colour policy required</p> <p>No change to policy</p> <p>No change to policy</p>
11	Frank Smith	Disagree with driving test as over 30 years driving experience		Members decision on driving proficiency test (DSA) required
12	John Kelly	<p>Agrees with most of policy</p> <p>Para 13.1 – Beneficial to have one tariff throughout county.</p> <p>App 3, 2 (iv) – Instead of colour, suggests colour coded roof sign and distinctive side markings</p> <p>App 1, 1.2 – Queries on going training be a requirement taking into account changes in the law and disability issues.</p> <p>App 1, 1.1 –Should training in handling passengers with disabilities be a requirement Public Authorities re required to promote disability equality.</p>	<p>Fees and Charges are not relevant to this policy</p> <p>This refers to “continuing suitability” to hold a licence – fit and proper test. Training not part of this assessment No reference in policy Identification of specific training needs will be considered post April 1st</p>	<p>No change to policy</p> <p>Members decision on colour policy required</p> <p>No change to policy</p> <p>No change to policy</p>
13	Anonymous	<p>Opposes colour policy because of cost</p> <p>Also considers should be able to ply for hire throughout county.</p>	Zoning subject of separate consultation	<p>Members decision on colour policy required</p> <p>No change to policy</p>

14	Cecil Longstaff	App 3, 2 (iv) – Opposes colour policy, suggests hackney carriages should have large top signs, plates on back and front and badges on both front doors. Private hire vehicles to have different plates.		Members decision on colour policy required
15	Morad Sheini	App 3, 2 (iv) – Opposes colour policy due to availability and cost. Suggests more than one colour for hackney carriages, standardised top signs and hackney carriage plates to be same colour but with different markings.		Members decision on colour policy required
16	Scott Lee Burton	Para 2 (iv) – Opposes 2012 as colour policy implementation date.  Para 2 + 3 – Thinks Private Hire vehicles should not be allowed roof signs.  Para 6 – Wants private vehicles to be removed from taxi bays.	Public Safety-Assists in identifying licensed vehicle  Enforcement issue to be dealt with post April 1st	Members decision on colour policy required No change to policy  No change to policy
17	Forest and Frith Parish Council	Wants requirement for every taxi business to provide one accessible vehicle.	Sufficient market forces eg DCC contracts to ensure accessible vehicles provided. Also costs to trade unjustifiable	No change to policy
18	Cllr S Hughes	Thinks the policy is fair and straightforward	No change required	No change to policy
19	County Cllr D Freeman	Strongly supports white colour policy  Opposes zoning – any taxi should be able to pick up anywhere in the County	No change required  Not relevant to this policy	No change to policy  No change to policy
20	County Cllr R Arthur	Para 9.5 - tests should be every 6 months	Vehicle tests are every 6 months	No change to policy
21	Anonymous	Agrees hackney carriages should be white.  Wants single zone.  All fares should be metered.	Zoning subject of separate consultation Only required by law for vehicles used as Hackney Carriages	Members decision on colour policy required No change to policy  No change to policy

22	GMB Union Northern Region	<p>Para 2.0 – Transitional Arrangements – should ensure no free for all, regulation should respect local needs.</p> <p>Para 3.0 and 4.0 – should be greater emphasis on drivers being an integral part of a sustainable public transport policy for the County. and drivers should be involved in local business and working groups. Drivers have great potential to be ambassadors.</p> <p>Para 6.0 – enforcement will only work if requisite capacity within the authority. Drivers fees should pay for this.</p> <p>Policy should also reflect need to protect drivers from public harassment/assault.</p> <p>Para 8.0 – must balance the desire to ensure drivers’ livelihood with appropriate regulation.</p> <p>Para 12.0 – fees must be reasonable.</p> <p>Appendix 1 – approve of qualifications and driver proficiency tests. Knowledge tests should be properly conducted.</p> <p>Is point xxvi being worked towards elsewhere? If not, unfair to force on one industry.</p> <p>Appendix 3 – colour policy too much of a “one size fits all solution”. Issues should be appropriate to HSE guidelines and not taking common sense to bureaucratic proportions. Isn’t policy re: wheelchair accessible vehicles not already uniform across the County? If not, some licensees may already be trading at a potential disadvantage.</p>	<p>This is reflected in the draft policy</p> <p>Agree - partnership working to be addressed post April 1<sup>st</sup></p> <p>Staff resources need evaluating</p> <p>Advice will be provided in the proposed Taxi Handbook regarding safety of drivers. This has been taken into consideration.</p> <p>Agree though Fees and Charges are not relevant to this policy</p> <p>Contributes to improving environmental standards</p> <p>Currently varies throughout County. Already at a disadvantage. Policy will not disadvantage any further.</p>	<p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>Members decision on driving proficiency test (DSA) required No change to policy</p> <p>Members decision on colour policy required</p> <p>No change to policy</p>
23	KAB Taxis	Appendix 3 – considers white colour policy should be optional.		Members decision on colour policy required

24	Mr MNA Khan	<p>Appendix 3 Section 2(iv) – will have to change the colour of my vehicle.</p> <p>Will I be able to trade elsewhere in the County?</p>	<p>Hackney Carriage vehicles confined to zone. Private Hire vehicles can trade anywhere throughout County. Zoning subject of separate consultation</p>	<p>Members decision on colour policy required</p> <p>No change to policy</p>
25	Vincent J Spearman	<p>Para. 1.1 – Should only be one zone, one type of plate and one driver's badge.</p> <p>Para 2.1 – Driver licences and plates should be issued before 1<sup>st</sup> April to existing drivers/proprietors.</p> <p>Para 4.0 – Does not agree with all hackneys carriages being white, due to cost.</p> <p>Para 6.0 – Thinks enforcement officers should be given marked vehicles and powers of stop the same as Police/VOSA and made a by-law.</p> <p>All taxis should have name and address of company written on side of the vehicles, telephone numbers should be land lines.</p> <p>Para 9.3 – Is this not required anyway?</p> <p>App 1, 1.1 - Agrees with DSA Test. Every driver should have to complete it within a year.</p> <p>Para 1.3 – Vehicles should carry yearly diary for defect management and so drivers taking over the vehicle can see any problems.</p>	<p>Zoning subject of separate consultation.</p> <p>Serves no purpose for the DCC to do this. It would involve some cost to drivers. Drivers can choose to reapply for a licence prior to expiration of any existing licence.</p> <p>Legislation does not allow this. Officers do however work with Police in enforcing legislation.</p> <p>Individual's choice.</p> <p>No</p> <p>Considered to be best practice</p>	<p>No change to policy</p> <p>No change to policy</p> <p>Members decision on colour policy required</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>Members decision on driving proficiency test (DSA) required</p> <p>No change to policy – include guidance in Taxi</p>



	<p>App 2, 1.2 – thinks punishments exceed the Home Office/DFT guidelines, and notes alcohol offences missed.</p> <p>App 3, (ii) – Not all vehicles are fitted with inertia reel belts on all seats. (vii) – Nothing available in the middle of a rear seat.</p> <p>(xi) – questions condition that offside sliding door only to be opened in emergency – dangerous, impractical and unenforceable.</p> <p>(xix) – questions council’s power to forbid advertising on outside of hackney carriages.</p> <p>(xxix) – Agrees fire extinguisher should be carried but doesn’t think that passengers should be informed of its whereabouts.</p> <p>(xxx) – Does not agree with first aid kit being made available for use on passengers.</p> <p>App 1, 1.1 (ii) – Does not agree with Driving Proficiency Test due to cost.</p> <p>1.1 (ix) - Does not agree with having to switch engine off. If having to wait car could become either very hot or very cold.</p> <p>App 3, 1 (xv) – Thinks should state ‘copy of insurance’ as some multi-fleet companies get only one certificate.</p>	<p>Any licence will be considered on its own merits. Alcohol is included in policy. Accept this to be the case</p> <p>Accept Trades’ view on this requirement</p> <p>Public Safety issue.</p> <p>Public Safety issue.</p> <p>Public Safety issue. Drivers discretion on when to use first aid.</p> <p>Accept Trades’ view on this requirement</p> <p>Alternative arrangements can be made for checking insurance documents</p>	<p>Include guidance in Taxi Handbook.</p> <p>No change to policy</p> <p>Change policy to read that seat belts to be provided in accordance with manufacturers recommendations and legal requirements.</p> <p>Delete from draft policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>Members decision on driving proficiency test (DSA) required Delete from draft policy</p> <p>Delete requirement from Policy</p>
--	---	--	--



27	Anonymous	<p>App 1, 1.1 (ii) - Disagrees with Driving Proficiency Test</p> <p>App 3, 1 (ii) – Not all fitted with 3 point reel belts</p> <p>(xi) – Disagrees with no exit from offside sliding door – have ranks which are on offside of road.</p> <p>(xiii) – Legal limit is 1.6mm</p> <p>(xv) – <i>Cannot read comment</i></p> <p>(xxx) – Questions need for first aid kit – not authorised to use.</p> <p>(iv) – Disagrees with colour policy.</p> <p>(iii) – <i>cannot read comment</i></p> <p>(v) – questions number of ramps available.</p> <p>(xxviii) – <i>cannot read comment</i></p>	<p>Accept this to be the case</p> <p>Accept view on this requirement</p> <p>Conflict with legal requirement and testing of vehicles.</p> <p>Public Safety issue. Drivers discretion on when to use first aid.</p>	<p>Members decision on driving proficiency test (DSA) required Change policy to read that seat belts to be provided in accordance with manufacturers recommendations and legal requirements.</p> <p>Delete from draft policy</p> <p>Delete 2mm requirement from policy.</p> <p>No change to policy</p> <p>Members decision on colour policy required</p> <p>Remove word “initial” replace with “facility for loading wheelchairs”</p>
28	Geordies Taxis	<p>Disagrees with DSA Test</p> <p>Does not agree with white as colour – suggests Silver and either striping or coloured boot and bonnet.</p>		<p>Members decision on driving proficiency test (DSA) required</p> <p>Members decision on colour policy required</p>

		Does not agree with zones.		Zoning subject of separate consultation.
29	South Stanley Taxis	Disagrees with DSA Test  Does not agree with white as colour – suggests Silver and either striping or coloured boot and bonnet.  Does not agree with zones.		Members decision on driving proficiency test (DSA) required  Members decision on colour policy required  Zoning subject of separate consultation
30	Smilers Taxis	Disagrees with DSA Test  Does not agree with white as colour – suggests Silver and either striping or coloured boot and bonnet.  Does not agree with zones.		Members decision on driving proficiency test (DSA) required  Members decision on colour policy required  Zoning subject of separate consultation
31	Sgt. Tim Robson, Durham Police	App 1 – CRB checks to be carried out more frequently than 3 years.  Disagrees with zoning – requests notification of further consultation on zoning so support for de-zoning can be given.	Driver required to notify DCC of any issues affecting their licence. Notifiable occupation scheme used by Police and Licensing section. Dept. For Transport recommend 3 years. More frequent checks means additional cost to trade	No change to policy  Zoning subject of separate consultation
32	Matthew Callan, Vehicle Inspector,	App 3, 1, (ii) – Not every vehicle has 3 point inertia seatbelts.  Questions vehicle testing, CoCs and Mot certificates.	The matters highlighted will be taken into account before vehicle inspection criteria agreed by DCC.	No change to policy

	District of Easington	<p>(xxvii) – workshops will require tint meters</p> <p>(xxix) – what size fire extinguisher?</p> <p>(xxx) – who checks first aid contents and when?</p> <p>(xxxviii) – Is this advisory or requirement?</p> <p>2. (v &amp; vi) – Are these to be connected to meter or operated independently?</p> <p>4, (v) – Many vehicles have twin ramps.</p> <p>(viii) – Will specimen wheelchair be needed for assessing space?</p> <p>App 4, 1 (ii) – Rear facing seats may only have lap belts as standards.</p> <p>(xxviii) – Second rows on new transits have tilting nearside seat for access.</p> <p>2 – workshops will need turner/shaker plates on pits to allow vehicles to cross over, and possibly extra lifting equipment.</p> <p>3 – Will executive vehicles be exempt from displaying rear plate?</p>		
33	I R Denton, Bee Line Taxis	<p>App 1, (xiii) – questions repairing of meter?</p> <p>(xiv) – Only one badge is supplied?</p> <p>App 3, (xi) – questions offside sliding door – should be ok without illuminating sign</p> <p>(xiii) – legal depth is 1.6mm</p>	<p>Not relevant</p> <p>2 drivers badges will be supplied</p> <p>Accept view on this requirement</p> <p>Accept this point - Conflict with legal requirement and testing of</p>	<p>No change to policy</p> <p>No change to policy</p> <p>Delete from draft policy</p> <p>Delete requirement for minimum tyre tread to be</p>

		<p>(xv) – questions carrying insurance certificate in vehicle in case stolen</p> <p>App 3, 2 (iv) – Opposes colour policy due to cost</p> <p>(vi) – questions ‘for hire’ sign</p> <p>(xxv) – only dogs for disabled should be carried</p> <p>(xxix) – questions need for gauge on fire extinguisher.</p> <p>(xxxiii) – thinks whole of vehicle should be kept clean and in good repair.</p> <p>Private hire vehicles should not have a meter or roof sign.</p>	<p>vehicles, difficult to enforce</p> <p>Alternative arrangements can be made for checking insurance documents</p> <p>Public Safety-Assists in identifying licensed vehicle This provision relates only to passengers. Public safety</p> <p>Impossible to achieve</p> <p>Public Safety- Optional requirement -assists in identifying licensed vehicle</p>	<p>2mm from draft policy</p> <p>Delete requirement from policy</p> <p>Members decision on colour policy required</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p>
34	John Wilson, Speedy Cabs	Agrees with whole of policy except for colour policy which should be proprietor’s choice.		Members decision on colour policy required
35	J Robson, Chevron Taxis	<p>App 3, 2 (iv) – Opposes colour policy</p> <p>2.2 – thinks numbers should be restricted.</p>	Not Relevant to this policy – subject of separate consultation	<p>Members decision on colour policy required</p> <p>No change to policy</p>
36	Keith Moore	<p>Opposes colour policy</p> <p>Opposes age of cars</p> <p>Opposes DSA test and knowledge test</p>	No age policy	<p>Members decision on colour policy required</p> <p>No change to policy</p> <p>Members decision on driving proficiency test (DSA) required</p>

37	Atlas Taxis	<p>App 5, (viii) – Opposes opening toilets to public as would need attendant.</p> <p>(i)– Opposes some of the information required to keep.</p> <p>(ii) – Opposes keeping records of vehicle information</p> <p>(iii &amp; iv) – commented that this practise is already done.</p> <p>(v &amp; vi) – Opposes keeping these records.</p> <p>App 3,1 (iv) – Commented that certain vehicles would fail this condition</p> <p>(xv) – Opposes carrying insurance in vehicle as possibility of identity theft.</p>	<p>Legal requirement</p> <p>Legal requirement</p> <p>Legal requirement</p> <p>Discuss with vehicle examiners</p> <p>Alternative arrangements can be made for checking insurance documents</p>	<p>Change wording to make this a recommendation</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>Delete requirement from policy</p>
38	S Madeley	<p>Thinks hackney carriage licences should be capped.</p> <p>Wants to keep zones.</p> <p>Requests outcome of comments made.</p>	<p>Not Relevant to this policy – subject of separate consultation</p> <p>Not Relevant to this policy – subject of separate consultation</p> <p>No address supplied</p>	<p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p>
39	D T Watson	<p>Agrees with zoning – suggests colour coded plates and tops signs to distinguish zones and leaving existing door crests.</p> <p>Opposes the colour white – suggests silver</p>	<p>Not Relevant to this policy – subject of separate consultation</p>	<p>Members decision on colour policy required</p>
40	N Forbes	<p>Suggests condition that if two companies go into partnership, and the partnership is dissolved, then the plate must be handed back to</p>	<p>Not Relevant to this policy – Deregulation subject of separate</p>	<p>No change to policy</p>



		<p>(xxvi) – Unjustifiable unless new authority vehicles also meet this by 1<sup>st</sup> April 2012.</p> <p>3, (iv) – Agrees with this and thinks private hire vehicles should not have top signs.</p> <p>4, - Questions wheelchair accessible vehicles. If single zone (whether regulated or not), must allow all proprietors previously only permitted to licence accessible vehicles to have saloons instead – must be a level playing field.</p>	<p>This requirement applies to DCC.</p> <p>Public Safety Assists identification of vehicle.</p> <p>Will be considered during separate consultation into zoning and deregulation.</p>	<p>required</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p>
42	Anonymous	Opposes colour white – suggests silver		Members decision on colour policy required
43	PODA Taxis	<p>4.0 – Suggests capping number of taxis and reviewing after a year.</p> <p>2.1 (iv) &amp; App 3, 2 (iv) – Opposes colour policy due to cost and discrimination against hackney carriage trade.</p> <p>App 3, 2 (v) – Questions top sign requirement. Any rule for size of top sign?</p>	<p>Not Relevant to this policy – subject of separate consultation</p> <p>Optional requirement – assists with public safety- no size requirement</p>	<p>No change to policy</p> <p>Members decision on colour policy required</p> <p>No change to policy</p>
44	Andrew Prest	<p>Thinks all new hackney carriage licences should be wheelchair accessible.</p> <p>Objects to uncapping of hackney carriages in Easington unless accessible.</p> <p>Objects to driver licences being revoked for a year, after two minor traffic offences within a year – suggests having licence revoked for six months for two minor offences within a six month period.</p>	<p>Sufficient market forces eg DCC contracts to ensure accessible vehicles provided. Also costs to trade unjustifiable.</p> <p>Subject of separate consultation</p> <p>Not what policy says</p>	<p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p>

45	Chester-le-Street Taxi Working Group	<p>Overall, policy is useful and provides clarity and vision for the future.</p> <p>App 1, 1.1 (ii) – Agrees with Driving Proficiency Test as will raise standard, but questions cost. Suggests that new drivers be allowed a year to pass test.</p> <p>(iii) – Agrees with knowledge/locality test (to cover whole County if drivers can work anywhere)</p> <p>Agrees with joint driver licence and no zones.</p> <p>1.3, (xi) – questions clarity of appropriate dress code. Make more explicit or remove.</p> <p>2.1, (iv) – Suggests transitional period to be extended to 2014 to allow for 5 year finance agreements to be paid off.</p> <p>App1, 1.3 – Suggests an explanation that conditions cannot be applied to Hackney Carriage drivers.</p> <p>App 3, (xxvii) – Suggests revision of condition, as different vehicle designs. Some vehicles automatically lock doors. Also child locks not to be used without permission of occupants</p> <p>Questions MOT requirements and suggests liaison with DVLA.</p> <p>App 3, 4, (i) – Disagrees with having to keep seating just for wheelchair accessibility. Unnecessary restriction.</p>	<p>Defeats object of ensuring that new drivers are fully prepared to drive licensed H/C or P/H vehicle.</p> <p>Point noted</p> <p>Point noted</p> <p>Not considered necessary to detail in policy. Include specific guidance in Taxi Handbook.</p> <p>Conditions cannot be applied to Hackney Carriage Drivers</p> <p>Public Safety issue. No change required now, however consider the issue during coming year.</p> <p>Certificate of Compliance to be introduced matter to be forwarded to vehicle examiners Confined to Wheelchair vehicles</p>	<p>No change to policy</p> <p>Members decision required on length of Transitional timescale.</p> <p>Add appropriate wording to Policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p>
----	--------------------------------------	---	---	--



46	National Private Hire and Taxi Association	<p>2.1, (iii) – Disagrees with colour policy. Will be judicially reviewed.</p> <p>5.1 – Requests conditions are reasonably necessary</p> <p>9.5 – Will stations be approved by the Secretary of State so that the vehicles will be exempted from having an additional test to comply with national MOT regulations?</p> <p>App 1, 1.1 (i) – what about EU driving licences? Anomaly with (v) later.</p> <p>(iv) – what about diabetic drivers (DVLA special C1 licences)?</p> <p>App 1, 1.3, (iii) – Questions regularity of medicals if C1 diabetic permission granted</p> <p>(xviii) – does this mean construction and use, Highway Code or something else?</p> <p>App 2, 1.1 – add “or the applicant has been banned by the ISA”.</p> <p>App 2, 1.2 – justification for these? And other clarification requested.</p> <p>App 3, 1, (ii) – not all saloons have inertia reel belts in the middle of the rear seat. This condition could put many vehicles off the road.</p> <p>(vii) – how assist passengers from rear middle seat?</p> <p>(viii) – qualified?</p> <p>(xi) – Suggests use of child lock on offside opening door</p>	<p>Public safety – conditions only applied if necessary Existing Council vehicle testing arrangements to continue VOSA inspected</p> <p>States “or equivalent” in policy</p> <p>Included in Level 2 medicals</p> <p>Included in Level 2 medicals</p> <p>VOSA Guide to Roadworthiness</p> <p>Relates to “vetting and barring scheme” Any licence will be considered on its own merits. Alcohol is included in policy. Accept this to be the case</p> <p>Accept view on this requirement</p>	<p>Members decision on colour policy required No change to policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy – Include guidance in Taxi Handbook. Insert words into policy</p> <p>No change to policy</p> <p>Change policy to read that seat belts to be provided in accordance with manufacturers recommendations and legal requirements. Insert “qualified”</p> <p>Remove from policy</p>
----	--	---	--	---

		(xvii) – knows of no type approved vehicles that would allow this	Discuss with Vehicle examiners.	No change to policy
		(xviii) – Questions signage if zones are kept?	Subject of separate consultation	No change to policy
47	G H Gardner	App 1 – Thinks licences, badges and plates should last three years to save on cost and admin.	Currently licences issued every year. Suggest assess situation at next policy review.	No change to Policy
48	Geoff Hall	Disagrees with colour– suggests Silver as easier to obtain.		Members decision on colour policy required
49	SafeLine Taxis	2.1 (ii) – Thinks DSA test should be for new and existing drivers. 2.1 (iii) – Suggests new drivers have 6 – 12 months to pass DSA test. 2.1 (iv) – opposes colour policy. Detrimental to public safety. Commercial ramifications considerable. More appropriate to impose on private hire vehicles. Notes there is nothing in policy regarding lost property – thinks this is important.	Defeats object of ensuring that new drivers are fully prepared to drive licensed H/C or P/H vehicle.  Suggest that guidance on lost property be included in Taxi Handbook.	Members decision on colour policy required  No change to Policy
50	F Ramshaw	13.0 – 13.1 – Suggests fully charged fare scale (no discounting). App 1, 1.1 – Opposes medical conditions as ageist App 3, 2 (iii) – Questions size of fare scale, difficult to read. (iv) – Agrees with colour policy (vi) – Opposes ‘for hire’ sign Thinks plates should be capped.	Fees and Charges not relevant to the policy In accordance with DVLA guidelines Design to be determined  Assists with public safety  Subject of separate consultation	No change to Policy  No change to Policy  No change to Policy  Members decision on colour policy required No change to Policy
51	Peter Holmes	Suggests better standard of wheelchair accessible vehicles.	Discretion of Licence holders to provide higher standard than outlined in policy	No change to Policy

52	Central Taxis	<p>New hackney carriage plates should be wheelchair accessible</p> <p>All drivers of wheelchair accessible vehicles should be trained.</p> <p>Opposes transitional period for colour policy. Existing cars should be allowed to stay licensed until they end their life then replace with white vehicle</p>	<p>Sufficient market forces eg DCC contracts to ensure accessible vehicles provided. Also costs to trade unjustifiable.</p> <p>Identification of specific training needs will be considered post April 1st</p>	<p>No change to Policy</p> <p>No change to Policy</p> <p>Members decision on colour policy required</p>
53	Kenna's Kabs	<p>Newly issued hackney carriage plates should be wheelchair accessible. (This same comment was repeated by 27 members of the trade and 89 members of the public, who in the main identified themselves by name only. A large proportion of them identified themselves with Kenna cabs).</p>	<p>Sufficient market forces eg DCC contracts to ensure accessible vehicles provided. Also costs to trade unjustifiable.</p>	<p>No change to Policy</p>
54	<p>Newcastle International Airport Taxis</p> <p>L. Miller</p>	<p>One licence for all Durham</p> <p>Separate fare structures</p> <p>Agrees with colour policy. Half fleet (64 cars – silver)</p>	<p>Zoning separate consultation</p> <p>Fees and Charges not part of policy</p>	<p>No change to Policy</p> <p>No change to Policy</p> <p>Members decision on colour policy required</p>
55	Anonymous	<p>Objects to DSA test on cost</p> <p>Don't agree with colour</p> <p>Don't want deregulation</p>	<p>Will be subject of separate consultation</p>	<p>Members decision on driving proficiency test (DSA) required</p> <p>Members decision on colour policy required</p>

56	Anonymous	Requests controlled marshalled ranks, all vehicles on meters, more enforcement.	Not part of this policy. Enforcement issues will be considered after 1 <sup>st</sup> April.	No change to Policy
57	W.Padgett Stanley	Requests clear rules regarding tariffs	Fees and Charges not part of this policy. Enforcement issues will be considered after 1 <sup>st</sup> April.	No change to Policy
58	S.Gaines	Concerns over unlicensed vehicles in Durham	Not part of this policy. Enforcement issues will be considered after 1 <sup>st</sup> April.	No change to Policy
59	REDZ Private Hire.	Asks if existing drivers need to pass DSA, Knowledge and Locality tests What is the most wheelchairs that can be stored or located in position Do hackney carriage and private hire vehicles charge the same	No Dependent on type of vehicle No	No change to Policy
60	M. Cowley	Critical of procedure for setting tariffs  Questions need for DSA test has been driving 20 years  Requests that dress code be explained in more depth  Requests that drivers badge kept in car be provided with a device to keep it secure and prevent theft	Drivers can request increase in tariffs and can appeal against any proposed increase in fares Public Safety – will not apply to this driver.  Will be included in Taxi Handbook.  Point noted	No change to Policy  Members decision on driving proficiency test (DSA) required  No change to Policy  No change to Policy

		<p>Requests controlled marshalled ranks, all vehicles on meters, more enforcement.</p> <p>Include appeals to Magistrates in policy</p> <p>Questions need for first aid facilities.</p> <p>Considers the proposed colour policy to be the “stupidest requirement ever”</p> <p>Cannot see anything in draft document which make taxi operations better than it is already in Durham County.</p>	<p>Not part of this policy.</p> <p>Enforcement issues will be considered after 1<sup>st</sup> April.</p> <p>Not necessary. Applicants notified of appeal process as part of application process.</p> <p>Condition of licence Vehicles are subject to Health and Safety legislation.</p>	<p>No change to Policy</p> <p>No change to Policy</p> <p>No change to Policy</p> <p>Members decision on colour policy required</p>
61	Name not legible	Welcomes proposal for one colour of HackneyCarriage Vehicles		Members decision on colour policy required
62	Elliotts of Trimdon	<p>Transitional Arrangements – Requests information on DSA locality and knowledge tests</p> <p>Requests clear requirements concerning sliding doors and illuminated sign.</p> <p>Central locking</p>	<p>Existing licences will run until date of expiry. In Sedgfield BC if expiry of current licence is post August 1<sup>st</sup> 2009 will need to take DSA test unless reapply for and are granted licence beforehand</p> <p>Public Safety issue. No change required now, however consider the issue during coming year.</p>	<p>No change to Policy</p> <p>Suggest requirement be deleted from draft policy</p> <p>No change to Policy</p>

63	Horde Parish Council	Concern expressed regarding colour policy		Members decision on colour policy required
64	Soda Taxis Stanley	Do agree with Zones Do not agree with DSA test – waste of money	Subject of separate consultation	No change to Policy Members decision on driving proficiency test (DSA) required
65	Derwentside Taxis	Do agree with Zones Do not agree with DSA test – waste of money	Subject of separate consultation	No change to Policy Members decision on driving proficiency test (DSA) required
66	B Hutchinson	Disagrees with colour policy		Members decision on colour policy required
67	D Kitto Derwentside	Disagrees with colour policy		Members decision on colour policy required
68	B Dunbar	App 1 Para 1.3 Why no conditions for Hackney Carriage drivers? App 1 Para 1.3(i)(c) Agrees all convictions should be declared, strongly disagrees to declaring investigations unless charges are filed.	Legal Requirement Public Safety	No change to Policy No change to Policy
69	Anonymous	App 1 (iv) Will medical standards of fitness include eye test Agrees with colour policy  Number of taxis should be controlled	Yes  Subject of separate consultation	No change to Policy  Members decision on colour policy required No change to Policy
70	N Forbes	General comments on zones Suggests National Vocational Qualification at a minimum of level 2.	Subject of separate consultation Not part of this policy	No change to Policy No change to Policy
71	Anonymous	Agree with colour policy – prefers colour to be silver		Members decision.

72	DT Watson	General comment on zones Suggests silver rather than white as the preferred colour Suggests colour definition on the top sign and licence plate	Zones subject of separate consultation.	No change to Policy Members decision on colour policy required
73	Andrew Prest	Objects to uncapping of Hackney Carriage vehicles except wheelchair accessible vehicles Objects to relevance of convictions relating to minor traffic offences	Not part of this policy – subject of separate consultation Public Safety	No change to Policy No change to Policy

## Schedule of Responses to the Draft Licensing Act Statement of Licensing Policy

Ref	Respondent	Comments	Appraisal	Response/Recommendation
01	Anonymous	4.4 Lack of public conveniences in Wear Valley Query re CCTV in Wear Valley, is it manned and/or working		None None
02	British Beer and Pub Association (BBPA)	Para.5.2 Requirement to be part of Pubwatch should not be prescriptive	Membership of Pubwatch is not prescriptive wording does not reflect this – voluntary- best practice	No change in policy
03	BBPA	Para 5.4 Define the term Vertical drinking establishment	Vertical Drinking Establishment: Premises used primarily or exclusively for the sale and consumption of alcohol where the majority of customers are forced to stand while drinking because of the lack of or absence of seating.	Add definition to Policy
04	BBPA	Para 5.9 BBPA Point of Sales Promotions withdrawn following advice from Business Enterprise and Regulatory Reform (BERR).		Remove reference to Point of Sales Promotions.
05	BBPA	Concerned about comments received other than their own. The BBPA general comments are: BBPA do not support: blanket conditions, requirement for DPS on premises at all times, requirement for written authorisations to be held, requirement for more than one Personal Licence holder and duplicated conditions		No change in policy
06	Local Safeguarding Children Board (LSCB)	Para 8.12 Addition of following text requested: "A protocol exists between Durham Local Safeguarding Children Board and Durham Constabulary. All safeguarding concerns identified as a result of premises, personal applications and all variations to licenses are covered by this protocol."		Add text to Policy



Ref	Respondent	Comments	Appraisal	Response/Recommendation
	LSCB	Contact details - Addition of personal details of contact at safeguarding	Not applicable as details may change	No Change to Policy
07	Fleece Inn, Castleside	Para.9. Should not be a short drinking up time as in old legislation  Para 11.3 Quality should read qualify	Depends on conditions of licence especially those transferred across on "grandfather rights".	None  Amend wording to qualify
08	Wear Valley Town Council	Query why members not involved in L Act decisions but are in Gambling Act	Legal Requirement	No change to policy
09	Spennymoor Town Council	County Durham Association of Local Councils to request involvement of Town Councils with the Licensing Committee	Await correspondence	No change to policy
10	Horden Parish Council	Pleased that DCC are to notify Parish Council's of applications in their boundaries.	Notification proposed via DCC website	No change to policy
11	Chance Chinese Takeaway, Leadgate	Copy of final Policy in Chinese		Translated Policy to be made available
12	Plough Inn, High Flatts, Chester-le Street	No adverse comments		
13	Emily Jones, Ferryhill	No adverse comments		

14	Crook Cricket Club	No adverse comments		
15	Mary Sparrow Easington Chamber of Trade	Para 8.4 Querying "limited circumstances allowed by the law" relating to service of alcohol to under 18's. Wishes clarification of "limited circumstances" in policy.  13.2 Querying a LA's application being administered by itself.	Guidance note available regarding "children" and licensed premises.  Statutory Requirement for LA's to hear all applications relating to area of Council - decisions subject to appeal	Add an example to Para 8.4  No change to policy
16	Durham Constabulary	Para 12.5 Will DCC add to the policy monitoring and recording temporary events to ensure compliance with Act.  Pleased that Anonymous representations will be addressed  Asks that written authority be provided by person acting on behalf of interested parties	This is only in exceptional circumstances This attended to during consideration of representations.	Add words "The licensing authority will record and monitor the number of TEN's issued." No change to policy  No change to policy
17	City of Durham Trust	Para 5.10 to 5.15 Support approach to Cumulative Impact.  Wish consideration to be given to whether Durham City Centre merits a Cumulative Impact Policy.  Para.9.6 Revise wording to "beyond 11pm in residential and mixed areas and midnight in commercial areas" so Operating Schedules address disturbance in residential areas an earlier hour than midnight proposed in draft Policy	Not relevant to this Policy.	No change to policy  No change to policy  Members consideration and decision required
	City of Durham Trust	Para 13 Publicising applications – suggest the website including representations - Search facility for applications	Proposed listing of applications on DCC website	No change to policy

		in a locality- Hard copies to be available in libraries and public buildings near premises Personal Licence applications to be produced on demand	As per normal practice	No change to policy
	City of Durham Trust	Para.13.7 Policy should identify beneficial social benefits of village and neighbourhood pubs and consider impact of increased provision of pubs in towns on village pubs. Suggest local pubs and clubs improve social cohesion and this relates to the Licensing Objectives	Policy reflects the Council's intention – encourage provision of entertainment – facilitate well managed premises- in its main principles	No change to policy
	City of Durham Trust	Para 15 City of Durham Trust should be an interested party as charities are. Request confirmation that they will be considered so.  Living in the vicinity should encompass “going about our normal daily business” and not just physical location”.	Although Charities not specifically defined as Interested Party, Govt. Guidance refers to “functions of charities” which can be considered for inclusion in I.P. definition Cannot change Statutory requirement	No change to policy  No change to policy
18	Anonymous	Para 5.2 Cumulative Impact Policy requires expanding upon, how to find out if one is in place, how to request one.	None exist currently in Durham County- would be published in Licensing Policy – specific information contained in Govt Guidance	No change to policy
19	County Durham and Darlington Fire and Rescue Serv.	All premises need to comply with Regulatory Reform (Fire Safety) Order 2005 however this legislation does not impact on Licensing legislation.	Not relevant to this policy	No change to policy
20	Dennis Lavin	Page 21 Page part blank.	Due to fault in printing - document-no text missig	No change to policy
21	Punch Taverns	No Comments		No change to policy

### Schedule of Responses to the Draft Gambling Act 2005 Statement of Principles

Ref	Respondent	Comments	Appraisal	Response/Recommendation
01	DCC Local Safeguarding Children Board	Contact details - Addition of personal details of contact at safeguarding	Not applicable as details may change	No Change to Statement of Principles
02	Buckingham Bingo Peterlee	No issues with the proposals		No Change to Statement of Principles
03	County Durham and Darlington Fire and Rescue Service	All gambling premises need to comply with Regulatory Reform (Fire Safety) Order 2005 however this legislation does not impact on Licensing legislation.	Not relevant to this policy	No Change to Statement of Principles
04	Ferryhill Town Council	Suggest that Policy be implemented in same way as in Sedgefield BC		No Change to Statement of Principles
05	Cassop cum Quarington Parish Council	Wish to be consulted by e-mail on individual applications	Proposed instead that Applications will be posted on DCC website.	No Change to Statement of Principles
06	Sgt. Tim Robson, Durham Police	Satisfied with its content		No Change to Statement of Principles

### Schedule of Responses to the Draft Gambling Act 2005 Statement of Principles

Ref	Respondent	Comments	Appraisal	Response/Recommendation
07	Swimathon – Rotary Club	Outlines swimathon operation and doubts if there is any need to change existing system for system for small lotteries	Not relevant to the Statement of Principles	No Change to Statement of Principles
08	Dennis Lavin New Kyo Stanley	Page 2 Para 3 Why segregate “The ethnic minority” They are integral part of society – not something to be pointed at – delete sentence	Not the intention to segregate anyone from the Statement of Principles	No Change to Statement of Principles
09		Page 6 Para 5 Ambiguous - This may assist in the refusal of a licence when adverse financial implications on the gambler may need to be a consideration.	Representations relating to demand and competition of gambling businesses cannot be considered	No Change to Statement of Principles
10		Page 7 Para 5 Why not have standard conditions – may assist people when trying to reason why a specific application has ben treated in a particular manner.	Too prescriptive-every application considered on its merits. See”Reason” on page 7.	No Change to Statement of Principles
11		General comment relating to protection of children and vulnerable persons		No Change to Statement of Principles