

Appendix D: Consideration of comments from the Licensing Committee

Comment from Committee	Reasons from the Committee	Executive Member/Officer Comment	Recommended Action
<p>Could we legislate that fares could still be paid in cash?</p>	<p>A move to only allowing card payments would possibly exclude some individuals from using licensed vehicles.</p>	<p>The Policy does not to oblige passengers to make card payment nor enable taxi drivers to refuse cash payments thus it is not considered necessary to, in effect, mandate the continued ability for passengers to make cash payments.</p>	<p>No amendments to the draft Policy are proposed.</p>
<p>Should the Policy wording include cash as a method of payment?</p>	<p>Do we need to mandate that cash must be accepted as a form of payment to ensure those without payment cards can use licensed vehicles?</p>	<p>Cash is a widely used form of payment and the proposed Policy does not change this. Please see the response to the point above.</p>	<p>No amendments to the draft Policy are proposed.</p>
<p>Will a working card payment machine be included in vehicle checks?</p>	<p>How will the authority ensure compliance with the Policy?</p>	<p>As with any requirement placed on a vehicle it will be checked when it is first licensed, at renewal, when the vehicle requires a Vehicle Condition Certificate (VCC),</p>	<p>No amendments to the draft Policy are proposed.</p>

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		<p>following complaint or during any ad hoc inspection. If it becomes known to the council between licence renewals that card payments are not available in a vehicle, say, following a complaint or information received, the council's Licensing team would deal with this as it currently does when one of the council's taxi related regulations is breached.</p>	
<p>How will faults be reported and what time scales will be given for repair or replacement of a faulty machine?</p>	<p>If there is a problem with a card machine do drivers have to report it? How long can they work for with a faulty machine?</p>	<p>The proposed Policy places an obligation on drivers to report any damage identified with card payment facilities that mean they are inoperable. Members of the travelling public can also report issues</p>	<p>Amended the wording from <i>'Any damage preventing the device from functioning'</i> to <i>'Any damage or fault preventing the device from functioning'</i>.</p>

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		<p>with card payments which would then be investigated.</p> <p>The Policy states that drivers have one week to repair or replace a device.</p> <p>The wording should be amended to give greater clarity to the trade regarding their obligations. It should cover issues other than 'damage' and give a time scale for reporting.</p> <p>The proposed Policy before Licensing Committee stated that failure to replace or repair a device in one week would result in Licensing Record Points being issued or the vehicle licence being suspended. This wording fetters the discretion of the authority to choose the most</p>	<p>Amend the wording from <i>'must be notified to the Licensing Team and be repaired within one week'</i> to <i>'must be notified to the Licensing Team within 24 hours of being identified and be repaired within one week'</i>.</p> <p>Amend the wording from <i>'Failure to do so will lead to Licensing'</i> to <i>'Failure to do so may lead to Licensing'</i>.</p>

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		appropriate action having considered the merits of an individual case.	
What is the time frame for implementation?	Will the parts of the licensed trade that currently do not provide card payment facilities have a reasonable time in which to comply with the Policy?	Guidance suggests that we should give the licensed trade suitable time to fulfil new requirements. As the consultation responses indicate 94-95% of the trade already have card payment facilities a period of three months is considered reasonable for the remaining vehicles to be equipped with card payment facilities. If Council approves the Policy on 13th December 2023, with an implementation date of 1st January 2024, the trade will have until 1st April 2024 to comply.	No amendments to the draft Policy are proposed.

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Who would report any card payment facility faults or failures?	How will the authority know if there is a fault with a machine so that compliance with the Policy can be maintained?	The Policy places an obligation on licence holders to report faults with card payment facilities, but members of the public could also do this online or over the telephone. Complaints would be investigated in the same way other complaints are. As stated above checking that there is a working card payment facility will be part of the normal compliance checks.	No amendments to the draft Policy are proposed.
Does the Licensing Team have the resources to deal with any complaints regarding card payment facilities?	Can the authority ensure that the Policy is meaningful by offering adequate compliance checks and complaint investigation?	We do not expect an increase in complaints given that 94-95% of the trade already have card payment facilities in operation and we have had no complaints regarding this in the past.	No amendments to the draft Policy are proposed.

<p>Should vehicles with faulty card machines put signs in the window to advise passengers?</p>	<p>Passengers need to know if the facility isn't working in a vehicle before commencing a journey so that they can ensure they have another form of payment if necessary. It would potentially cause conflict if a passenger only found out at the end of a journey.</p>	<p>Drivers of Hackney Carriages want to be paid for their work and avoid confrontation so it is expected that they would inform passengers that they are unable to take card payments before commencing a journey. The customer could then choose to take another vehicle if they wished. As Private Hire vehicles must be prebooked customers can be informed of the acceptable forms of payment at the time of booking.</p> <p>Should the use of signs be added to the Policy then the wording, size, and location they should be displayed in the vehicle would all need to be considered and stipulated in the Policy. It is likely that signs would need to be provided by the Authority so this would incur officer time and expense. This could be recovered from the licensed trade but should only</p>	<p>No amendments to the draft Policy are proposed.</p>
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		be introduced if it is considered that the provision of these signs would have a positive impact on public safety.	