

CARLISLE CITY COUNCIL

Report to:- **THE CHAIRMAN AND MEMBERS OF
THE LICENSING & REGULATORY PANEL**

Date of Meeting:- 7TH November 2001

Agenda Item No:- **A.4**

Public

Operational

Delegated Yes

Accompanying Comments and Statements

Required

Included

Cumbria Fire Service

No

No

Cumbria Constabulary

No

No

Environmental Services

No

No

Corporate Planning & Information Unit

No

No

HACKNEY CARRIAGE CONDITIONS COURT SQUARE RANK

Title:-

Report of:-

CITY SOLICITOR AND SECRETARY

Report reference:-

TC. 218/01

Summary:-

In June 2001, the Independent Taxi Association wrote to the council proposing a change to the current policy of wheelchair accessible Hackney Carriage's only, being allowed to stand at Court Square.

Recommendation:-

That members consider the options after hearing representations from the Hackney Carriage Associations.

J M Egan
City Solicitor and Secretary

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:- Extract from minutes of LP meeting 10th October 2000

To the Chairman and Members of the Licensing & Regulatory Panel on 7th November 2001

Background

1. Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 states that a District Council may appoint stands for Hackney carriages for the whole or any part of a day in any highway and may specify the number of Hackney carriages permitted on each stand.
2. Until 1994 the Council restricted the number of Hackney Carriage licences to 33 vehicles. They all had to be of the London Cab style or similar. At that time the only frequently used taxi rank in the city was on Court Square Brow outside the railway station.
3. Following consultation the council took the decision to derestrict the number of licensed vehicles and also to allow saloon type vehicles of a certain specification to be licensed.
4. During consultation concerns were expressed by organisations representing disabled persons and as a result only the original 33 licensed Hackney Carriages were allowed to use the Court Square rank. It was believed that this would encourage the existing licence holders to retain their London style cabs, many of which were wheelchair accessible.
5. In 1995 further taxi ranks were provided in the city to facilitate the increased number of licensed Hackney Carriages.
6. On 4th March 1996 the Licensing Panel, following consultations with the taxi trade and studying the result of a survey undertaken by the Corporate Planning and Information Unit, resolved that the use of the Court Square rank be extended to include all purpose built Hackney Carriages which were originally manufactured as being wheelchair accessible.
7. On 25th June 1996 an amendment was made to allow those Hackney carriages which had been converted by the manufacturer or an approved company to be wheelchair accessible to use the rank.
8. Court Square rank provides stands for a maximum of 12 Hackney Carriages. In addition to the London style cabs, wheelchair accessible vehicles that have been approved by this panel from time to time also use this rank.
9. The saloon type Hackney Carriages that are prohibited from using Court Square rank have an additional condition (number 27) on their licence:

The proprietor shall not allow the Hackney Carriage to stand at the Court Square/Station rank or to be used to ply for hire within 50 metres of this rank.

10. On 19th April 1999 the Independent Taxi Association made representations to this panel seeking a change in the policy to allow Hackney Carriage saloon vehicles to use the Court Square rank. Representatives from Carlisle Taxi Association also attended and made representations to maintain the status quo. A representative from Cumbria Police reported that the number of public order incidents at Court Square Brow had diminished over the previous few years and the police could see no reason why the introduction of saloon car Hackney Carriages at this taxi rank would affect the situation.
11. Having considered the options the panel decided that the application be not approved and the present policies be retained.

Current application

12. In June 2001, the Independent Taxi Association wrote to the council requesting that the issue of the Court Square rank be reviewed once more. They proposed that "all Hackney Carriages be permitted to stop and pick up customers at the Court Square/Station rank" (Appendix A). On page 2 of their submission they refine this by stating that "members do not wish to stand or rank on the station rank, but merely to stop and pick up customers at times of peak demand. Peak period being, Friday, Saturday and Sunday between 11.00pm and 3.00 am". The secretary Mr Mike Martin will attend the panel in support of their proposal.
13. A copy of the ITA letter was sent to the other association, the Carlisle Taxi Association for their comments. A comprehensive reply has been received from their secretary, in which they oppose the proposal to allow non-wheelchair accessible Hackney Carriages to stand at Court Square. Mr Wayne Casey, the secretary, will attend the panel meeting to reinforce their objections. (Appendix B).
14. Cumbria Constabulary has been consulted and comment that there is little public order or violence in the vicinity of the Court Square rank. They would support the status quo at the present time in a bid to reduce any potential for conflict between the two arms of the trade. They would prefer to await the proposed changes in the city rank structure and in particular the Botchergate development. PC Robinson will be in attendance to address the panel. (Appendix C)
15. Carlisle Access Group has serious reservations about any change in the present criteria. They comment that local disabled people have the security of knowing that at all times, there will be an accessible taxi if they need one at Court Square (Appendix D)
16. It is worth noting that the Disability Discrimination Act 1995 provides that on a date to be decided, all Hackney Carriages must be accessible by people with disabilities. "The purpose of the regulation is to ensure that disabled people, including those who use and wish to remain in their wheelchairs, can get into and out of, and travel in, licensed taxis in safety

and reasonable comfort". The original timetable set 1st January 2002 for this to be implemented, however there has been much slippage and it is believed that this date is now years and not months away. On 10th October 2001 at the National Taxi Association Conference, Sally Keeble MP, Minister for Local Transport reported that she could not give a firm timetable for moving forward. She commented "we are continuing to work towards a package which makes sense – both economically and operationally – and which meets the genuine aspirations of disabled people, including ambulant disabled people as well as wheelchair users".

17. The following chart may be useful to the panel when considering the options:

Number of licensed Hackney Carriages	155	100%
Number of wheelchair accessible Hackney Carriages allowed to use Court Square rank	78	50.32%
Number of Hackney Carriages represented by Carlisle Taxi Association	40	25.80%
Number of Hackney Carriages represented By The Independent Taxi Association	42	27.09%
Number of licensed Hackney Carriage Drivers	219	

OPTIONS

1. Retain the current policy
2. Allow all licensed Hackney Carriages to use all taxi ranks either 24 hours per day or during specific hours
3. Remove the 50 metre restriction on plying for hire, either permanently or at specific times

Prepared by J A Messenger

Mr M Martin
ITA Secretary
10 Railway Terrace
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Aspatria
WIGTON
CA7 3QE



The Independent Taxi Association

Our ref: CrtSquRkJim1

14 June 2001

Mr J A Messenger/Mr B Sharrock
Carlisle City Council
City Solicitor and Secretary
The Licencing Office
Civic Center
CARLISLE
CA3 8QG

CHIEF EXEC
FILE JM.
18 JUN 2001
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Dear Jim

The purpose of this letter is to outline a proposal to change the existing ruling concerning the use of the station rank, so as to allow all hackney carriages to be permitted to stop¹ and pickup customers at the Court Square/Station rank.

Your own records will show that on 19 April 1999, a Licensing Panel meeting was held to discuss changing the ruling to include all hackney carriages to use the station rank. The position of the ITA remains largely unchanged and was made clear both in the said meeting and our own report at the time which is that the current situation:-

- Robs the saloon taxis of the opportunity to fair trade.
- Disregards the wishes of some disabled people who prefer to travel in saloon hackney carriages.
- The public should have a choice of different taxis at all the city's ranks.
- It encourages very long queues of people developing on the station rank.
- Creates a situation in which violent clashes are more likely to occur on the station Rank.

¹ Stopping for the duration of time needed to pickup a customer safely. This is opposed to ranking in which taxis stands in a queue for the next customer.

The Carlisle Taxi Association's (CTA) concerns and the attitudes of their Secretary are made clear in their own documentation included in The Licensing Panels report CCC ref: TC. 49/99. pages 16 to 40.

The police had two objections. The first, that in past history the station rank was the main city rank and because of this it attracted large crowds of late night revellers, whose drunken and boisterous behaviour often brought about violent clashes. This conjugated mass of people made policing more difficult and therefore the police favoured the introduction of new ranks which would divert some people away from the station rank during peak times.

Secondly, that at slack moments the queuing of black cabs is more than twice the number of rank spaces on this rank. To have yet more taxis fighting for space on is rank would lead to a situation that not only made policing more difficult, but would also lead to a higher accident risk factor.

The ITA is of the same mind as the Cumberland Constabulary in this matter. However, ITA members do not want to **stand** or rank on the station rank, but merely to **stop** and pickup customers at times of peak demand. Peak period being, Friday, Saturday and Sunday between 11.00 pm and 3.00 am. Such an arrangement would not increase the number of vehicles **standing** on this rank, but will help to prevent a large build-up of customers on this rank, reduce, considerably, customer waiting times and therefore ease the policing of this rank.

My original suggested proposal was something to the effect of:

“To permit the white hackney saloon taxis, to stop and ply for hire on the station rank, during periods of peak demand.”²

You will note from the Licensing Panels report CCC ref: TC. 49/99. pages 24 and 25, that Wayne Casey, the secretary of the Carlisle Taxi Association, received on 12 March 1999, a reply from the National Taxi Association. It is obvious from this reply that Wayne is trying to resolve this difficult issue by seeking the advice of Mr Hines, the regional secretary of the National Taxi Association. In his reply, Mr Hines expresses his sympathy and then goes on to explain that in Sunderland City centre they had a similar problem, however this was eventually resolved through the following policy, in his own words Mr Hines writes, **“In any event, if there are passengers waiting in a queue for taxi's, any vehicle can pick up from any rank until the queue has been cleared”**.

If this ruling was to be implemented in Carlisle, given that during slack periods the only taxis that would **stand** on the Station Rank would be the wheelchair assessable purpose built taxis, and that the only time that **all** hackney carriages could use the rank would be during peak times when no purpose built taxis were attending that rank, then a similar policy to that enforced in Sunderland City would achieve the same end as my original proposal, here in Carlisle.

The same effect can be achieved by omitting the last clause of rule 27. Of “TERMS AND CONDITIONS ATTACHED TO HACKNEY CARRIAGE VEHICLE LICENCES”, Local Government (miscellaneous provisions) act 1976.

² Periods of peak demand being Friday, Saturday and Sunday between 11.00 pm and 3.00 am.

From:

"The Proprietor shall not allow the hackney carriage to stand at the Court Square/Station rank or to be used to Ply for Hire within 50 metres of this rank."

To:

"The Proprietor shall not allow the hackney carriage to stand at the Court Square/Station rank."

However, I understand that certain members of the licensing panel may not share my confidence in this arrangement and for them, I attach to this proposal a 6-month trial period. Firstly, this will give drivers time to get acquainted with the new arrangement and establish a mode of working on this rank. Secondly, it will allow the licensing office to make an assessment on the workability of such an arrangement and to fine-tune existing bylaws to suit. Finally, at the end of the 6-month period if the doubters on the licensing panel are still not convinced about the workability of this new ruling then this scheme provides a quick get-out clause.

I do hope that this time we can move forward on this issue. Sandy Ruddick, admitted to me, soon after the Licence Panel meeting held on 19 April 1999, that the current ruling that excludes the town plate taxis from using the station rank is both unfair and discriminatory, but unfortunately for himself, it was part of a package of measures introduced by his predecessor, which he as licensing officer had inherited.

I firmly, believe that such an arrangement will not only be of benefit to the drivers concerned, but also enhance city life by giving customers greater choice, reduce waiting time during peak periods and reduce customer friction on this rank.

In respects to your concerns on how this might work on the ground. I realise there is a gap between legislation, implementation, and enforcement. I am hoping that during the 6-month trial period most of the problems will be resolved. For my part I am working on a draft of how ITA members should approach this new arrangement, should it be passed. I will let you know how this develops. Once again, Jim can I thank you for your attention on this matter, please keep me informed of any problems concerning this and related issues as they unfold.

Yours sincerely



M Martin
ITA Secretary

Infirmity Street Garage
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Carlisle Taxi Association

9 July, 2001

Mr Messenger / Mr Sharrock
Licensing Officers
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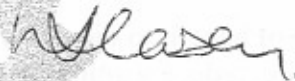
Dear Sirs:

I write with reference to your recent letter regarding a letter you received from the independent taxi association concerning the Court Square taxi rank.

Our membership has directed me to forward you a document setting out their views, please find the finalised document duly attached for your perusal.

If you have any queries regarding the document, please do not hesitate to contact me.

Sincerely,



Wayne J Casey
Secretary

VIEWS OF OUR MEMBERS

OUR MEMBERSHIP'S RESPONSE TO THE I.T.A. PROPOSALS

Views of our members

OUR MEMBERSHIPS RESPONSE TO THE I.T.A. PROPOSALS

PRELIMINARY POINTS

The initial automatic response to the ITA letter is one of slight amazement, the letter shows to us a lack of knowledge, short and long-term memory loss and a complete disregard for proprietors whom have made a heavy financial investment into Carlisle's Taxi Trade.

This point will be restated later in this document and our members believe it should be given consideration, **every single saloon car owner was aware upon the purchase of their vehicle and upon licensing it, that the vehicle they chose was unable to service the court square rank.**

HISTORICAL SITUATION

As far as we see it really, upon derestriction of numbers six years ago, the council decided that saloon cars should be licensed as hackney carriages.

The reason they permitted saloon cars to be licensed, was nothing to do with freedom of choice of vehicles. The reason saloon cars were licensed was purely down to numbers, the council at the time did not believe that sufficient enough purpose built taxis would be purchased and be licensed as taxis in Carlisle. This was at the time a highly contentious issue to the cities taxi trade, as the previous council order specifically ordered all taxi proprietors to purchase purpose built taxis.

More hackneys were needed in the city, private hire vehicles were illegally plying for hire, and it was only a matter of time before the council were brought to task about the situation. If a person hired a illegal private hire vehicle from outside one of the city's nightclubs and the person were injured, it could have been argued in court that the council were neglectful in their duties as a licensing authority by permitting PHV's to ply for hire.

Thereby derestricting numbers of hackneys and allowing saloons to be licensed as hackneys a problem or potential problem is alleviated.

The one remaining problem of course was the 1995 DDA act and the existing hackney fleet.

The 1995 DDA act made it clear that the government (of both political persuasions) wanted a 100% wheelchair accessible fleet of taxis, Carlisle had therefore went against all government thinking and just licensed saloons as hackneys when all other councils were going the other way, ceasing to license saloons and licensing wheelchair accessible taxis.

Of course, the DDA timetable stated an initial deadline date of January 1st 2002, seven years away, an awful long time in politics.

The existing hackney fleet were a problem they were all purpose built taxis, saloon cars being 1/3rd of the price might seem tempting to existing license holders. The council were aware of the

cities civic history, the purpose built cab being part of Carlisle's history for over 50 years, something had to be done to keep hold of them.

Therefore, the council decided to keep the Court Square rank for purpose built taxis.

FAIR TRADE

The ITA letter states that the current situation "robs the saloon hackneys of the opportunity to free trade", our membership respectfully point to the argument that **every single taxi proprietor in Carlisle is given a free choice upon purchase of a vehicle.** That choice is to both purchase a wheelchair accessible vehicle and be free to use any cabstand in town, or purchase a saloon vehicle and use all cabstands except court square.

There is therefore freedom of choice upon purchase and licensing.

The current situation is not a situation created recently; it has been with us for over six years. No council has removed a particular type of vehicle from the station rank; the current situation has been with us since de-restriction of numbers began.

Indeed the council and councillors of all political persuasions have been consistent in their attempts to permit other types of wheelchair accessible vehicles onto court square, with the full support of our association.

The wheelchair accessible vehicle types now available to all taxi proprietors in Carlisle, include makes such as Peugeot, Mercedes Benz, London Taxis International, Metrocab, Fiat and the list is increasing all the time.

Indeed if saloon cars were able to accept wheelchair's in a similar way to the existing fleet, we see no reason to exclude them.

WISHES OF DISABLED

Excuse us for being presumptuous; we do not believe that the author of this letter can write a statement such as this with no effective evidence that this statement is true.

The author of the letter obviously wants a mixed fleet of taxis using the Court Square rank. **It is a fact that the author of the letter was previously an owner of a wheelchair accessible vehicle, able to service the court square rank, who later sold the vehicle and then purchased another vehicle that was unable to use the rank. Talk about cakes and eating!**

It is a fact that the court square rank is surrounded by other ranks, serviced by saloon hackneys, why would a disabled passenger who finds it difficult to get into a purpose built taxi walk past these ranks to a rank where they can't get into the vehicle?

In our experience, disabled passengers are often better at planning their journeys than the more able bodied in our community. Disabled passengers more often than not pre-book transport to and from locations.

CHOICE OF VEHICLES

We refer back to the previous statement, the public who use the court square rank walk past other ranks, and it is obvious that they have indirectly chosen the type of vehicle they want.

We would also refer you to Rob Lewis, formerly an employee of the councils design division.

Both associations have been in meetings with Mr Lewis and we believe that the ranking situation for taxis in the city is being reviewed. At this time we believe that a considerable number of extra ranking facilities are being made.

It should also be pointed out that the redevelopment of Botchergate is not yet finished, as far as we were aware, provision for taxi and transport will play a key role both under local government rules and national legislation in all new developments.

Indeed, at a recent meeting of Carlisle Transport Steering Group, Portland Place had been earmarked for a cab rank with 10 spaces

We are sure all councillors are aware of the £6000 allocated towards the improvement of taxi facilities in the city.

It is worthy of note that the current plans for the redevelopment of the Station Area will result in the loss of two ranking spaces at the Court Square rank.

LONG QUEUES OF PASSENGERS

Once again, we would refer you to the above statement where all users of the court square rank must pass other ranks to use Court Square.

It would only be fair to presume that passengers pass these ranks to use Court Square due to a lack of taxis on both English Street and Warwick Road and Lonsdale Street.

Our association has also spoken with the proprietor of Freedom nightclub who advises that his premises are not particularly well served by taxis during peak periods.

VIOLENT CLASHES

It is true; there are sporadic outbreaks of violence at the court square rank. It is also true of every other rank in the city. It is also true of every nightclub in the city. There have also been sporadic outbreaks of violence at the recent cricket one-day internationals.

We do not envisage a situation where the MCC will permit saloon cars onto Lords Cricket ground to remove supporters.

For those of us who have drove taxis in the city for more than a couple of years, we can recall a time when the police used to station an officer at the top of the court square rank. Incidents of violence were rare indeed when this occurred.

Saloon cars do not offer the solution to people congregating and wanting to fight.

PERSONALISATION OF THE ARGUMENT

It is very clear from page two of the Independent Taxi Associations letter, that they are intent on personalising their argument.

Apparently, the secretary of Carlisle Taxi Association has an attitude and is trying to resolve a difficult situation by seeking advice from the National Taxi Association. We find it rather difficult to understand how someone can have both an attitude and obviously wish to seek advice.

Unless the author of the ITA letter knows something we do not and has developed the power of mind reading we would suggest that he is guessing what the secretary of Carlisle Taxi Association thinks.

This will obviously be of great news to some of our membership, as they were not aware that their secretary actually thought about anything other than golf!

INFORMATION FORWARDED BY CARLISLE TAXI ASSOCIATION AND TWISTED BY
THE ITA

Our members have found it quite alarming how the ITA is attempting to twist round information forwarded with good intent from us two years ago.

By taking a sentence from a two or three page letter, they attempt to change the general meaning and context.

He is attempting to twist the words of Trevor Hines. We do not deem it necessary to add further to this but would state that one sentence does not necessarily constitute the general context of a two or three page letter.

The words of wisdom from the police have also been twisted. The police stated in the past, objections to saloon cars frequenting the court square rank as stated by the ITA letter. The ITA letter then attempts to twist the police attitude and agree with it. Again, we find this a strange way to persuade the council to change the current policy.

The police attitude was then and perhaps is now, one of safety. The police wanted to divert people away from court Square during the peak-time usage periods. By permitting saloon cars to frequent court square you do not encourage people to utilise other ranks and perhaps more importantly saloon cars to use other ranks.

The only way to make a rank successful is to station taxis upon it.

Perhaps the question needs asked, why do people walk past other ranks to use the court square rank?

Our answer to this is that people would use the other ranks if taxis were stationed on them, recent disagreements with the tariff structure after 11pm have led to a majority of purpose built taxis being cheaper to hire than saloon cars. This may also be a reason for the court square rank being more likely to be used by the public than other ranks.

STATING FALSEHOODS

It is kind of the ITA to offer advise in how to change current licensing arrangements, but we are sure that our council are already aware of how to change rules and regulations.

We are concerned that the letter has what can only be construed as false information.

When the council derestricted numbers control, the licensing officers were Mr Ruddick & Mr Sharrock were at the helm in the licensing department. The ITA letter is therefore misleading in the extreme by stating the current system was adopted before Mr Ruddick becoming licensing officer.

Councillors will be aware that Mr Prest, now a councillor was licensing Officer prior to Mr Ruddick, those of us whom have been working in the trade for more than a few years are very aware that Mr Prest did not preside over a situation which is "unfair and discriminatory".

The ITA claims that they are working on a draft on how ITA members can approach a new arrangement.

This is both presumptuous in the extreme and bearing in mind the lack of etiquette, damned optimistic on town ranks.

On the court square rank a passenger automatically goes to the first cab on the rank, if the passenger walks past and attempts to get into the second cab, the driver of the second cab will often refer the passenger to the first cab, a sort of etiquette.

On town ranks, there is no such etiquette. Passengers regularly hire the last vehicle on the ranks, without the driver advising the passenger that it is etiquette hire the first vehicle.

CLOSING STATEMENT

It is obvious from our initial contacts with the council that the council seem to be wary of the legality of the current situation.

Last time this matter arose one particular councillor (we cannot recall his name), did state to the ITA if its members wish to use the station rank they should purchase the correct type of vehicle.

This is basically the centre of the argument, our members are respectful of the council position and they fully understand why the ITA has slightly changed their position.

We think the basic question should be, why should these vehicles use the court square rank? They have not invested the money that the vast majority of court square proprietors have; yet they seem to want to change the rules to suit themselves.

Indeed as previously stated, some of them have previously owned purpose built taxis, frequented the station rank and then sold them for vehicles, which they knew, could not use the station rank. Court square users resent this point.

This may seem radical but why don't the council simply say, like the councillor, if you want on the court square rank, purchase a wheelchair taxi and get on.

In so far as the councils legal position should the current status quo be continued and should the ITA launch an appeal to a magistrates court due to the condition of license being in their opinion unfair, we would suggest that the councils position is more healthy than the ITA's.

All the council did in 1995 was effectively zone the court square rank, making it exclusive to wheelchair accessible vehicles. The council are not discriminating against any person, all persons were aware of the licensing situation upon applying for their license. It is additionally the council's prerogative to apply whatever conditions they see as fit to any license it issues.

The proposals by the ITA will only benefit one small proportion of the licensed trade, they will cause and are causing great deal of animosity within the trade, they could be construed as scurrilous in so far as our own association has an increasing number of saloon owners as members. They do not consider the future, ranking space in the city is to increase in the near future and increase in Botchergate in the longer term.

This is another point, they do not consider the future, saloon cars using court square is at best a short term solution, this will obviously suit certain elements of the trade who only see as far as their next fare. The same elements do not see the need for a knowledge test, driving test or medical. Nevertheless, our members believe that we should be considering the longer-term view for taxis in the city.

The council have taken great strides recently improving the trade, we are all aware that we won't see any obvious benefit for a number of years, but the foundations are in place.

Our association actively encouraged the council to introduce knowledge tests, medicals and driving tests. Whereas the ITA who couldn't even attend the meeting, let alone study our proposals, and have actually tried to take credit for ideas which came from our members and our association with the national taxi association.

The taxi trade has a lot to offer the city; we should be considering shared ride schemes that are cheaper to the taxi using public and more lucrative to the driver. This at the same time will encourage the purchase of better vehicles. Yet, the ITA only ever seems to have one agenda item, access onto the court square rank.

We would like to see the Carlisle Taxi Trade heavily used in the county council scheme were tourists and locals can use all forms of public transport via card technology for a pre paid fee, yet instead considering this, we are considering the ITA letter.

We should be considering schemes where drivers are educated in how to handle their main source of income, the general public, such schemes can educate the driver and with educational grants from the EEC cost very little. Such schemes can include driver training in finance, customer care and driver awareness with disabled passengers. Yet, we consider the ITA letter.

Returning back to the legal situation if the ITA are intent on taking the matter to the magistrates court as it could be seen as an unfair condition of license, we are certain that elements of the purpose built fleet have reasonable grounds and a reasonable expectation from the council to maintain the status quo.

Members see the ITA as wanting a situation where saloon cars are effectively creaming the best of the work.

Without wishing to appear arrogant, our association would wish to ask how many hackney plates the ITA represents. It would seem a strange situation if it were found that the ITA was only representative of 12% of the cities trade, yet were permitted to take a course of action that would effect the other 88% (48% of which is permitted to frequent the station rank).

Our association represent 40 plates, which is about 25% of the cities hackney fleet.

Our association wish to see a cab driver in Carlisle being as respected as a cab driver from London. There are elements in the trade who see the job as a stopgap; there are elements in the trade who treat it as a part time occupation, often only working (and serving the public), three days per week, during the busier periods.

Our association see our occupation as a full time occupation, in our opinion the council should try to ensure that license plates work a minimal number of hours per week.

There are elements in our association whom have suggested the council reverting to only licensing wheelchair accessible vehicles as hackneys upon replacement.

WHAT HAPPENS NEXT

It is obvious that our membership will not agree and not want to see saloon vehicles on the station cab rank at any time, however as previously stated we do understand the predicament that the council are in.

Our association would suggest that the council consider setting up a sub committee to consider this problem, as our association cannot see an easy short-term solution to this problem.

We would hope that by discussing the situation a longer-term solution can and will be made.

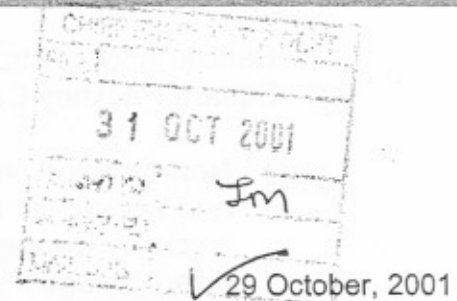
CUMBRIA CONSTABULARY

ASU Facsimile: 01768 218400
Telephone: 01228 528191
Please ask for: PS 16 Panone
My Reference: 393/ISD
Your Reference:

Area Commander
North Cumbria Area
Superintendent G Horlacher
County Police Station
Rickergate
Carlisle
Cumbria CA3 8QW



Mr J A Messenger
Carlisle City Council
Licensing Department
Civic Centre
Carlisle CA3 8QG
Cumbria



Dear Sir

COURT SQUARE TAXI RANK

Thank you for your letter of 16th October 2001 I have had the opportunity to read the letters from both the Independent Taxi Association and Carlisle Taxi Association. Conditions in relation to the use of hackney vehicles is the remit of the Carlisle City Council Licensing and Regulatory Panel but in response to your request I have the following observations to make.

Currently Carlisle city centre is served well by the existing ranks and proposed amendments to the existing rank structure should improve the situation further, particularly, in Lonsdale Street. The development of Botchergate will, no doubt, provide further shared rank space in close proximity to licensed premises.

The police have no objections to the shared use of the Court Square rank but the provision of a stop only to ply at peak periods clause is likely to be unworkable and if driver behaviour in the area of 'Mood' night club is an example, drivers will abuse their powers and will not heed the advice of the Panel.

Other than at peak periods, there will always be more licensed hackney vehicles than there is rank space and this situation has not changed for many years. There is no evidence of road traffic accidents involving taxi vehicles at any rank or at any time of the day that can be attributed to vehicles queuing.

The trends in public order and violence currently show the vast majority of incidents occur away from the Court Square tank and an increase in capacity or usage of the rank is unlikely to have a significant effect on the number of those incidents.

The police would support the retention of the status quo in a bid to reduce the potential for conflict between the two arms of the trade and would wish to see the effects of changes to the existing rank structure and also the effects of the Botchergate development before commenting further.

Yours faithfully

PS 16 Pannone

Carlisle Access

30th October 2001

F.A.O. Licensing Panel re. Court Square Taxi Rank

Carlisle Access strongly objects to saloon taxis being allowed on the Court Square Hackney Carriage taxi rank for the following reasons:-

- ◆ Non-disabled people are able to use any type of taxi but disabled people and wheelchair users in particular, can only use the large accessible Hackney Carriages. Disabled people would therefore be at a marked disadvantage if saloon taxis were present. The Disability Discrimination Act puts a duty on the service provider not to treat a disabled person less favourably.
- ◆ Guide dog user's prefer and find it easier to use large taxis.
- ◆ At present, local disabled people have the security of knowing know that at all times, there will be an accessible taxi if they need one at Court Square.
- ◆ The City Council has greatly increased the number of other taxi ranks in the town where saloon taxis can wait, thus reducing the need for a concentration of taxis at Court Square.
- ◆ The Disability Discrimination Act requires that eventually, access regulations will apply to all Hackney carriage licensing.
- ◆ Disabled visitors to Carlisle arriving by train can be guaranteed an accessible taxi (which is especially important in inclement weather).
- ◆ Parents with pushchairs know that there will be a taxi large enough to take them without having to take the baby out and dismantle the chair.
- ◆ There are young disabled people who attend the city's entertainment venues at night time and know, that at Court Square, there will be a suitable accessible taxi available.

I should be very grateful if these reasons for **not** allowing saloon taxis at the Court Square rank are taken into consideration by the panel.

M Easton

pp. **Jim Adams**
Chairman



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