

APPENDIX 4

Emma King

From: Michael Cook on behalf of Licensing Section
Sent: 21 April 2016 08:57
To: Emma King
Subject: FW: REVIEW OF SEATING POLICY FOR MPV's

From: David Gusterson [mailto:██████████@██████████.com]
Sent: 21 April 2016 00:05
To: licensingsection@tendringdc.gov
Subject: REVIEW OF SEATING POLICY FOR MPV's

Dear Licensing team,

With regard to your invitation for views and comments regarding TDC's policy on MPV seating I would like to take this opportunity to air my views.

Car manufactures have been for many years (with great success I should add) placing a strong emphasis on car and passenger safety and over the years have been responsible for some amazing technical innovations in a bid to make driving as safe as possible.

With this in mind I think we can take it as read that if they design a vehicle that has 5 or upwards passenger seats then it is safe to carry said number of passengers and any further stipulations by the council, especially with regard to reducing passenger numbers is unnecessary.

It is just not logical to assume that passengers in a licensed vehicle, whether it be a taxi or private hire are in greater danger, and therefore in greater need of protection, than passengers in a private vehicle which is what in effect any extra regulation from a licensing authority amounts to.

I am the co-owner of probably the largest fleet of taxis in the Tendring area and obviously it is not in any way in my interests to compromise passenger safety, but I do feel that the car designers are a much better judge of what constitutes safety than any local council.

I am not suggesting that legislation and restrictions enforced by the council are anything other than well meaning and made with good intent, I just think that they are not required and this view would seem to be backed up by the courts in the case of TDC v Hicks.

On a more specific point the "conference seating" requirement for 8 seaters is particularly unwelcome and unpopular from a passenger point of view as many people do not like to sit facing in the opposite direction to the one they are travelling and to my mind should not be a requirement.

Now to take off my taxi proprietor 'hat' for a minute and don my Council Tax Payer's 'hat' I have to object most strongly that, especially in view of the cuts to services that we continue to suffer, the council deem it fit to waste money on court cases such as the aforementioned TDC v Hicks case, so I think it would be wise for the council not to meddle in issues that, quite frankly, they are not qualified to make decisions on and leave it to the experts in order not to repeat mistakes of the past.

May I thank you for your time and the opportunity to express my views and whether or not you agree with none, some or all of my observations I hope you find them constructive.

Kind regards,

Dave Gusterson

Co-owner Swan Taxis Clacton Ltd

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