| From:<br>Sent:<br>To:  | Gordon Forrest<br>30 May 2017 12:47<br>Edward Noel; Chris Sampson; Tristen Dodd   |
|--|---|
| Cc:<br>Subject:  | Antoni Miziolek FW: JTDA - Urgent   |
| Importance:  | High  |
| Hi All,  |   |
| Please find email sent to  | on May 3rd laying out where we are with the taxi review.  |
| The first point should have read could be interpreted as - "there That is how interpreted it   | "will dictate any additional plates to be issued across the industry". Unfortunately, will be no more purple plates issued unless as a result of an unmet demand survey t.  |
| Regards  |   |
| Gordon   |   |
| From: Gordon Forrest Sent: 03 May 2017 3:58 PM To: Cc: John Rogers < Subject: RE: JTDA - Urgent Importance: High   | >; Tristen Dodd < >; Edward Noel <e.noel@gov.je></e.noel@gov.je>  |
| Dear   |   |
| Thank you for your message, foll   | lowing the conclusion of this stage of negotiations we can confirm:   |
| <ul> <li>We are agreeable to a 4</li> <li>Following implementation</li> <li>review the progress and success</li> <li>When doing this, we will of course</li> </ul> | urveys will dictate the number of plates issued for access to the ranks.  6.6% increase in the rank tariff effective from summer 2017.  on of this phase of the modernisation project the department for Infrastructure wi of the changes in 6 months' time making sure that the public have benefitted. se also seek the industry's view.  the right behaviours for all, we will amend the strategy to suit. |
| I hope this helps clarify the issues need to discuss.  | s we discussed last week and I am happy to assist in any further issues you may   |
| Kind regards,<br>Gordon  |   |
| From: Sent: 03 May 2017 1:30 PM To: Gordon Forrest < Subject: JTDA - Urgent  | >>>   |

Good Afternoon Gordon,

I have just finished putting together a press release informing the media of our position with regard to the current Taxi-cab Industry Review and informing them of our intentions going forward which will mean that industrial action will take place very soon.

Following our discussion on Friday with yourself and John Rogers, I emphasised the importance of a tangible reply by today Wednesday 3rd May.

I have done my utmost to try and avoid any industrial action but cannot stop the drivers from feeling aggrieved, frustrated and angry especially since the cessation of talks announced at the meeting with you and Tony Miziolek on Friday 21st April and the current and unbending resolve of the Minister for the DFI, Deputy Eddie Noel to pursue his policies even though they are deeply flawed.

I am emailing you hoping for some tangible news that can maybe still avert industrial action at what is now the 11th hour.

If I hear nothing concrete by 4.00pm this afternoon then the I will have no other option than to send out the prepared press release.

Regards,

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|-------------------------------|--|--|
| From: Sent: To: Cc: Subject:  | Edward Noel<br>26 May 2017 13:03<br>Tristen Dodd<br>John Rogers; Gordon Forrest;<br>Re: Taxi-cab Industry Review | Chris Sampson  |
| I a, happy with it, very many | thanks   |  |
| Eddie                         |  |  |
| Sent from my iPad             |  |  |
| On 26 May 2017, at 12:09, Tr  | isten Dodd <   | >> wrote:  |
| Hi Eddie,                     |  |  |

Please find below a proposed draft response (improved by

"Dear

Thank you for your message of 24 April. I understand you have been in contact with the Department for Infrastructure since the date of your email, with the last meeting on 22 May. I have now been brought up to date on the current situation by the Department for Infrastructure.

for the Chief Minister to make to the JTDA:

The Minister for Infrastructure's principal duty is to regulate taxi-cabs for the benefit and protection of the public. Flowing from this is a secondary concern for taxi industry participants and their reasonable expectation to make a living, to be able to invest in the equipment to meet their customers' needs.

Consultations with industry for the White and Green Paper commenced in 2012 and then resulted in ongoing discussions to which the JTDA were included, up until the Minister's final report and decision in September 2015. Since then and our December 2015 meeting, Dfl have held further regular engagement meetings with the JTDA, other taxi-cab driver's representatives and private hire companies. As you say, these have on the whole been positive and have included some important phasing modifications, successfully negotiated by the JTDA in order to preserve 'Grandfathering Rights' for their drivers.

It is my belief, that the Department for Infrastructure have fully complied with the actions agreed at the December 2015 meeting. That the negotiations have not concluded to your complete satisfaction in every issue, and that some of the technical details remain to be resolved is not unusual, nor a matter for the Chief Minister's office. Neither is it a reason to preserve the status quo indefinitely.

There are parties other than the JTDA who the Minister for Infrastructure must consider and balance the needs of, principally the travelling public and it is clear that protracting these discussions further, delaying implementation of the service improvements set out with the Regulatory Reform programme is not in their interest.

In my view, the Minister for Infrastructure has struck the right balance in fulfilling his duties on this issue, creating a regulatory environment which provides transparent pricing for customers, recognises advances in technology, raises standards and removes discriminatory barriers for people with disability. This will provide a platform for a successful industry into the future. One which has the flexibility to withstand the shocks of the disruptive technology (that is now common place elsewhere) and will protect the ability of drivers to make a living, to sustain a good customer service in to the future.

It is very disappointing that the JTDA has arranged for a series of wildcat actions and you will have seen the reactions from the public for yourselves. They are your customers and they should be in the forefront of your minds.

Yours sincerely,

I Gorst

Chief Minister"

If you are happy with this, I will forward it on to the CM's office.

Thanks

Tris

From: Edward Noel Sent: 18 May 2017 18:35

To: Tristen Dodd < >>; Chris Sampson

>>

Cc: John Rogers <

Subject: FW: Taxi-cab Industry Review

Gentlemen

A suitable draft response for JTDA from the CM please

Cheers

Eddie

From

Sent: 18 May 2017 **15:2**1

To: Edward Noel; John Rogers

Subject: FW: Taxi-cab Industry Review

Good afternoon

The CM has asked if you would kindly draft him a response in relation to the email below.

#### Many thanks

From:

Sent: 24 April 2017 18:43

To: lan Gorst < I.Gorst@gov.je < mailto: I.Gorst@gov.je >>

Cc: Edward Noel <E.Noel@gov.je<mailto:E.Noel@gov.je>>; aascrowcroft <Simon.Crowcroft@posh.gov.je<mailto:Simon.Crowcroft@posh.gov.je>>

Subject: Taxi-cab Industry Review

Chief Minister

Senator lan Gorst

Dear Chief Minister,

I am contacting you as the president and spokesperson for the Jersey Taxi Drivers Association and also on behalf of the majority of Public Rank Taxi drivers who are not members of the Association but whose representatives along with ourselves have been involved in the many hours of talks and negotiations over the Taxi-cab Industry Review.

As you are aware that following our industrial action in December 2015 we had a meeting with yourself, the Minister for TTS, Deputy Noel and Officers from the TTS (DFI) and DVS.

The outcome of that meeting was that you gave a directive to all concerned to commence with talks and negotiations aimed at trying to work towards reaching a settled agreement between all parties involved and since that time we have worked extremely hard in those negotiations to find the best way forward to improve the Taxicab service in Jersey.

Much of the work has been covered and a framework built between ourselves and Officers appointed by the Minister for DFI to negotiate with the Taxi-cab Industry both Pubic Rank and Private Hire, however there are still many important areas to be addressed, agreed and clarified, some of which is still in the stage of drafting. As an example, we are currently working on the details of what a "dispatching entity" should be, which is important to us especially as the JTDA are close to launching our own Taxi App, only to be told that this document has been sent to the Law Draftsmen.

It is with deep regret that I have to inform you that at a meeting held on Friday 21st April between the JTDA, other Public Rank representatives and the Head of DVS, Gordon Forrest and the appointed Project Manager, Tony Miziolek, we were informed that the Minister for DFI, Deputy Noel, had instructed his these Officers to inform us that the consultation and negotiations were over.

I have been duty bound to report this information back to the JTDA members and also to the other Public Rank Taxi drivers all of whom are self employed and together we will be holding a meeting on Tuesday this week to decide on our response to the cessation of talks.

The mood of the drivers can only be described as very angry at this news and I would seek your advice on how best to avoid a repeat of the action taken in December 2015 or worse.

I have also copied in Constable Simon Crowcroft as Chairman of the Environment Scrutiny Panel.

Regards,

President JTDA

| From: Sent: To: Cc: Subject:  | Antoni Miziolek  | Sampson; Tristen Dodd<br>ry Review and Fare incre                            | ease  |  |
|---|--|--|---|--|
| Hi All  |  |  | e<br>e  |  |
| Email from  | dated 5th May 2017 outlinin  | g his demands.   |   |  |
| Gordon  | •  |  |   |  |
| From: Sent: 05 May 2017 4: To: Gordon Forrest < Cc: John Rogers <                                 |  |  | eten Dedd d   |  |
|   | dustry Review and Fare increase  | <b>&gt;;</b>   | sten Dodd <   | •  |
|   |  |  |   |  |
|   |  |  | e<br>e  |  |
| Good Afternoon Gord   | don,   |  |   |  |
|   |  |  |   |  |
| Now that I have had to and in points.   | time to gather the thoughts and fe<br>further response to your email se  | eelings of the JTDA Com<br>nt to me on Wednesday                             | ımittee and feedb<br>y, I would like to r                       | ack from<br>aise the following                                   |
| request and providing   | ther plates to come onto the Publ<br>g as we have already stated, that t<br>id are across the whole industry in<br>n tick this part off.   | the surveys are carried of   | out in a clear and  | transparent way to   |
| document has gone to<br>should never have be<br>distances to tenths of<br>into the fare structure | mmediately and seriously concern o the Law Draughtsmen whilst stillen included. By this I mean the refamile instead of the industry state. None of the above is agreeable til proper agreement is reached. | l in draft form and as fa<br>moval of "extras" from<br>ndard of yards/metres | er as we know still<br>the fare structure<br>and which could in | contains parts which<br>a and changing the<br>ntroduce "pennies" |
| On the subject of fare offer of 4.6% the other  |  | has been working o   | n this and you had  | d my views on the  |

We feel that the increase should be at least 7% to take into account the lost revenue from A) not taking 1.1% last year (as it was not worth the cost of changing meters) and B) The fact that T2 has not been giving a true percentage for some time C) the current 4.6% offer gives no mention of the extra costs that were promised to be included in any future fare increases. So far we have had to finance booster seats, Enhanced DBS checks, Electronic Card machines coming online by October this year, the fact that some drivers have undertaken WAV training and the fact that DVS charges for annual Taxi inspection and PSV Badge renewal has increased by an average of 2.5% every year.

In addition the significant increase in the charges being levied to fit meters/radios/taxi accessories which has more than doubled the cost of this service and which will no doubt also see the charge for re-programming meters following fare/tariff review also increase significantly.

I have also indicated that over the years the various tariffs have got out of kilter and that this is an opportunity to give the Minister 3 tariffs only as he indicated. This is also an opportunity to reset the tariffs and to allow a fare structure making us more equitable to other parts of the industry by giving more of an increase to Tariff 1 whilst giving the Public a reducing scale of increase over 7 mile journeys on Tariff 2.

I am proposing that Tariff 1 is the benchmark tariff from 07.00am until 11.00pm daily and should increase by 7% for the above reasons.

Tariff 2 is from 11.00pm until 07.00 am daily including Sundays and Bank Holidays or any other Public Holidays and should be (as it always was), 50% more than tariff 1 and that it should start at 50% more. However any journey over 7 miles could start to taper off and not increase by so much.

Christmas and New Year (times already discussed) should double Tariff 1, as they always used to be and is what the Public expect and will encourage more drivers to work over the festive period. No other industry would be paid less.

To encourage 5.6 and 7 seater Public Rank Taxis a £1 per passenger over 4 passengers should be allowed (I believe already agreed).

Extras should rise to 40p per item of luggage or extra passenger over one passenger. The extras have not risen for many years and are industry standard across the UK. Isle of Man 50p. Removing these or the current proposal of 20p on all fares is A) a decrease in earnings. B) Discriminating against single passengers with no luggage. We will not move on removing extras.

A soiling charge of £100 should be also included (again I believe already agreed).

The current waiting time needs to be reviewed also and the speed at which a taxi travels when it switches over to waiting time should be no more than 5mph.

We also feel strongly that no further Ministerial Decisions should be made until all parties have agreed on the policy. Currently there appears to be an effort to rush things through without fully considering the full implications or impact on the Taxi-cab service or the Public's best interest.

Allowing multi tariff meters onto the rank is not proving to work in the Public's best interest as it as wide open to abuse and does not give the clarity or transparency of fares that the Minister is seeking to achieve. The current purple plated WAV vehicles should be made Public rank fares only with immediate effect.

On the 17th February this year I sent an email outlining the main points that we would and could possibly agree on going forward in an effort to remove grey areas and misunderstandings, this is still the basis of our current stance.

We have withdrawn from industrial action at this time and are pleased to hear that further dialogue will continue soon and which will hopefully reach settled agreements going forward and not the dictatorial stance which appears to be the case on certain important issues at this time.

Best Regards,

President JTDA

| From: Sent: To: Cc: Subject: Attachments:  | Antoni Miziolek 25 May 2017 11:31 Edward Noel Gordon Forrest; Chris Sampson; Tristen Dodd FW: Taxi -cab Industry Review and Fare increase image001.jpg |
|--|--|
| Dear Minister  |  |
| Apologies for the delataken over.  | ay in sending you the email y9ou requested. Unfortunately this morning's events seem to have   |
| I trust the email below  | w from the JTDA is self-explanatory.   |
| As you are aware DVS   | S has been evacuated but both Gordon and I are contactable via our Mobil phones if required.   |
| Regards  |  |
| Toni Miziolek Projects Manager Department for Infras   Jersey   JE4 8UY Email:-  | structure   States of Jersey P.O. Box 412   St Helier  |
| [tts]  |  |
| From: Gordon Forrest Sent: 05 May 2017 17 To: Cc: John Rogers < Subject: RE: Taxi -cab   |  |
|  | maday werten and rate increase   |
| Thanks for your messa<br>am back, early Wedne  | age, I am just about to leave on an extended weekend. I shall review your message as soon as esday.  |
| Best regards   |  |
| Gordon   |  |
| Gordon A Forrest Head of Driver and Vel Inspector of Motor Tra Tel. +44 (0) 1534 4486 E mail: www.gov.je <http: th="" ww<=""><td>affic<br/>600<br/>&gt;</td></http:> | affic<br>600<br>>  |
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From:

| To: Gordon Forrest < Cc: John Rogers <   |
|--|
| Cc: John Rogers <  |
|  |
| Good Afternoon Gordon,   |
| Now that I have had time to gather the thoughts and feelings of the JTDA Committee and feedback from and and in further response to your email sent to me on Wednesday, I would like to raise the following points.  |
| Only allowing any further plates to come onto the Public Rank through "unmet demand" surveys is part of our request and providing as we have already stated, that the surveys are carried out in a clear and transparent way to give a true picture and are across the whole industry including Private Hire and give us time to address any shortfall, then I feel that we can tick this part off.  |
| The main areas that immediately and seriously concern us and our members are that the "dispatching entity" document has gone to the Law Draughtsmen whilst still in draft form and as far as we know still contains parts which should never have been included. By this I mean the removal of "extras" from the fare structure and changing the distances to tenths of a mile instead of the industry standard of yards/metres and which could introduce "pennies" into the fare structure. None of the above is agreeable to us in it's current form and should be withdrawn from the Law Draughtsmen until proper agreement is reached. |
| On the subject of fares/tariffs as you know offer of 4.6% the other day.   |
| We feel that the increase should be at least 7% to take into account the lost revenue from A) not taking 1.1% last year (as it was not worth the cost of changing meters) and B) The fact that T2 has not been giving a true percentage for some time C) the current 4.6% offer gives no mention of the extra costs that were promised to be included in any future fare increases. So far we have had to finance booster seats, Enhanced DBS checks, Electronic Card machines coming online by October this year, the fact that some drivers have undertaken WAV training and the fact  |

In addition the significant increase in the charges being levied to fit meters/radios/taxi accessories which has more than doubled the cost of this service and which will no doubt also see the charge for re-programming meters following fare/tariff review also increase significantly.

I have also indicated that over the years the various tariffs have got out of kilter and that this is an opportunity to give the Minister 3 tariffs only as he indicated. This is also an opportunity to reset the tariffs and to allow a fare structure making us more equitable to other parts of the industry by giving more of an increase to Tariff 1 whilst giving the Public a reducing scale of increase over 7 mile journeys on Tariff 2.

I am proposing that Tariff 1 is the benchmark tariff from 07.00am until 11.00pm daily and should increase by 7% for the above reasons.

Tariff 2 is from 11.00pm until 07.00 am daily including Sundays and Bank Holidays or any other Public Holidays and should be (as it always was), 50% more than tariff 1 and that it should start at 50% more. However any journey over 7 miles could start to taper off and not increase by so much.

Christmas and New Year (times already discussed) should double Tariff 1, as they always used to be and is what the Public expect and will encourage more drivers to work over the festive period. No other industry would be paid less.

To encourage 5.6 and 7 seater Public Rank Taxis a £1 per passenger over 4 passengers should be allowed (I believe already agreed).

Extras should rise to 40p per item of luggage or extra passenger over one passenger. The extras have not risen for many years and are industry standard across the UK. Isle of Man 50p. Removing these or the current proposal of 20p on all fares is A) a decrease in earnings. B) Discriminating against single passengers with no luggage. We will not move on removing extras.

A soiling charge of £100 should be also included (again I believe already agreed).

The current waiting time needs to be reviewed also and the speed at which a taxi travels when it switches over to waiting time should be no more than 5mph.

We also feel strongly that no further Ministerial Decisions should be made until all parties have agreed on the policy. Currently there appears to be an effort to rush things through without fully considering the full implications or impact on the Taxi-cab service or the Public's best interest.

Allowing multi tariff meters onto the rank is not proving to work in the Public's best interest as it as wide open to abuse and does not give the clarity or transparency of fares that the Minister is seeking to achieve. The current purple plated WAV vehicles should be made Public rank fares only with immediate effect.

On the 17th February this year I sent an email outlining the main points that we would and could possibly agree on going forward in an effort to remove grey areas and misunderstandings, this is still the basis of our current stance.

We have withdrawn from industrial action at this time and are pleased to hear that further dialogue will continue soon and which will hopefully reach settled agreements going forward and not the dictatorial stance which appears to be the case on certain important issues at this time.

Best Regards,

President JTDA

| From:    |
|----------|
| Sent:    |
| To:      |
| Cc:      |
| Subject: |

Gordon Forrest 11 May 2017 16:19

Edward Noel

Chris Comment

Chris Sampson; Tristen Dodd

FW: Taxi -cab Industry Review and Fare increase

Eddie,

| Please find below my proposed response to which I am planning to send to him early tomorrow morning. As you will see from response to the email we sent out when we met at DVS last Friday, he has either completely missed the point or his members do not wish to recognise where we are with the Review. |
|---|
| I have passed my response below by and he is happy with it. Would be grateful if can ok it before I send it out.  |
| Many thanks   |
| Gordon  |

Good afternoon

Further to my email (below) and your response last Friday, 5th May, I feel there may have been some misunderstanding as to where we have now reached with the taxi review.

We regard the first stage of the negotiations as now concluded and have set out where we are as per the 4 points below.

Thank you for your message, following the conclusion of this stage of negotiations we can confirm:

- 1) Independent demand surveys will dictate the number of plates issued for access to the ranks.
- 2) We are agreeable to a 4.6% increase in the rank tariff effective from summer 2017.
- 3) Following implementation of this phase of the modernisation project the department for Infrastructure will review the progress and success of the changes in 6 months' time making sure that the public have benefitted. When doing this, we will of course also seek the industry's view.
- 4) If the plan is not driving the right behaviours for all, we will amend the strategy to suit.

I hope this helps clarify the issues we discussed last week and I am happy to assist in any further issues you may need to discuss.

Going forward, when reviewing the benefits to the public, the intention is to work closely with you and to further seek views across the industry. No doubt, some of the issues raised in your comprehensive email below will be the subject of discussion in the future, however as stated in the email, this particular stage of negotiation has been concluded as set out within my 4 points.

We look forward to continuing our dialogue with the JTDA and thank you and your colleagues for your helpful input.

Kind regards

#### Gordon

|   | · ·  |
|---|--|
| From:   | <u> </u>   |
| Sent: 05 May 2017 4:03 PM                     | <del></del>  |
| To: Gordon Forrest <                          |  |
|   | >>   |
| Cc: John Rogers <                             | >>; Antoni Miziolek  |
|   | >>; Tristen Dodd <   |
| Subject: Taxi -cab Industry Review and Fare   | eincrease  |
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| Good Afternoon Gordon,                        |  |
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| Now that I have had time to gather the tho    | ughts and feelings of the JTDA Committee and feedback from and                 |
|   | our email sent to me on Wednesday, I would like to raise the following         |
| points.                                       | our email sent to me on wednesday, I would like to faise the following         |
| points.                                       |  |
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|   | nto the Public Rank through "unmet demand" surveys is part of our              |
| request and providing as we have already s    | tated, that the surveys are carried out in a clear and transparent way to      |
|   | e industry including Private Hire and give us time to address any shortfall,   |
| then I feel that we can tick this part off.   |  |
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|   |  |
| The main areas that immediately and seriou    | usly concern us and our members are that the "dispatching entity"              |
| document has gone to the Law Draughtsme       | en whilst still in draft form and as far as we know still contains parts which |
| should never have been included. By this I    | mean the removal of "extras" from the fare structure and changing the          |
| distances to tenths of a mile instead of the  | industry standard of yards/metres and which could introduce "pennies"          |
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| Law Draughtsmen until proper agreement is     |  |
| Law braughtsmen until proper agreement i      | s reactied.  |
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| On the self of the total                      |  |
| On the subject of fares/tariffs as you know   | has been working on this and you had my views on the                           |
| offer of 4.6% the other day.                  |  |
|   |  |
|   |  |

We feel that the increase should be at least 7% to take into account the lost revenue from A) not taking 1.1% last year (as it was not worth the cost of changing meters) and B) The fact that T2 has not been giving a true percentage for some time C) the current 4.6% offer gives no mention of the extra costs that were promised to be included in any future fare increases. So far we have had to finance booster seats, Enhanced DBS checks, Electronic Card machines coming online by October this year, the fact that some drivers have undertaken WAV training and the fact that DVS charges for annual Taxi inspection and PSV Badge renewal has increased by an average of 2.5% every year.

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Best Regards,

President JTDA

| From:<br>Sent:<br>To:<br>Subject:   | Edward Noel<br>24 April 2017 19:03<br>John Rogers; Gordon Forrest; Antoni Miz<br>Fwd: Taxi-cab Industry Review  | iolek, Chris Sampson                           |
|---|---|--|
| FYI   |   |  |
| No action require other tha   | an we need to finalise our comms, focusing on the public aspect.  |  |
| May I suggest getting the li  | et al in for a briefing   |  |
| Cheers  |   |  |
| Eddie   |   |  |
| Sent from my iPad   |   |  |
| Begin forwarded message:  |   |  |
| Cc: Edward Noel <e.noel@g< th=""><th>:i.gorst@gov.je&gt;" <i.gorst@gov.je<mailto:i.gorst@gov.je>&gt;<br/>gov.je<mailto:e.noel@gov.je>&gt;, Simon Crowcroft<br/>ov.je<mailto:simon.crowcroft@posh.gov.je>&gt;</mailto:simon.crowcroft@posh.gov.je></mailto:e.noel@gov.je></i.gorst@gov.je<mailto:i.gorst@gov.je></th><th></th></e.noel@g<> | :i.gorst@gov.je>" <i.gorst@gov.je<mailto:i.gorst@gov.je>&gt;<br/>gov.je<mailto:e.noel@gov.je>&gt;, Simon Crowcroft<br/>ov.je<mailto:simon.crowcroft@posh.gov.je>&gt;</mailto:simon.crowcroft@posh.gov.je></mailto:e.noel@gov.je></i.gorst@gov.je<mailto:i.gorst@gov.je> |  |
| Chief Minister  |   | •  |
| Senator Ian Gorst   |   |  |
| Dear Chief Minister,  |   |  |
| the majority of Public Rank<br>with ourselves have been in  | president and spokesperson for the Jersey Taxi Drivers Association Taxi drivers who are not members of the Association but whose wolved in the many hours of talks and negotiations over the Taxing wing our industrial action in December 2015 we had a meeting w      | representatives along<br>-cab Industry Review. |
| Minister for TTS, Deputy No   | el and Officers from the TTS (DFI) and DVS.   | iai yoursell, the                              |

negotiations aimed at trying to work towards reaching a settled agreement between all parties involved and since

The outcome of that meeting was that you gave a directive to all concerned to commence with talks and

that time we have worked extremely hard in those negotiations to find the best way forward to improve the Taxicab service in Jersey.

Much of the work has been covered and a framework built between ourselves and Officers appointed by the Minister for DFI to negotiate with the Taxi-cab Industry both Pubic Rank and Private Hire, however there are still many important areas to be addressed, agreed and clarified, some of which is still in the stage of drafting. As an example, we are currently working on the details of what a "dispatching entity" should be, which is important to us especially as the JTDA are close to launching our own Taxi App, only to be told that this document has been sent to the Law Draftsmen.

It is with deep regret that I have to inform you that at a meeting held on Friday 21st April between the JTDA, other Public Rank representatives and the Head of DVS, Gordon Forrest and the appointed Project Manager, Tony Miziolek, we were informed that the Minister for DFI, Deputy Noel, had instructed his these Officers to inform us that the consultation and negotiations were over.

I have been duty bound to report this information back to the JTDA members and also to the other Public Rank Taxi drivers all of whom are self employed and together we will be holding a meeting on Tuesday this week to decide on our response to the cessation of talks.

The mood of the drivers can only be described as very angry at this news and I would seek your advice on how best to avoid a repeat of the action taken in December 2015 or worse.

I have also copied in Constable Simon Crowcroft as Chairman of the Environment Scrutiny Panel.

Regards,

President JTDA

From:

Antoni Miziolek

Sent:

04 December 2015 09:26

To:

Edward Noel

Subject:

RE: Rank Access and Assessable Vehicles standard

Attachments:

image001.jpg

Morning Minister

Sorry only just picked up your email from last night.

Yes I'm around this morning.

I have a meeting with Gordon to review the taxi industry letter but that can be changed.

Regards

Toni Miziolek

**Projects Manager** 

Transport and Technical Services | States of Jersey P.O. Box 412 | St Helier

| Jersey | JE4 8UY

Email:-

[tts]

From: Edward Noel

Sent: 03 December 2015 17:21

To: Antoni Miziolek < A. Miziolek@gov.je>

Subject: Re: Rank Access and Assessable Vehicles standard

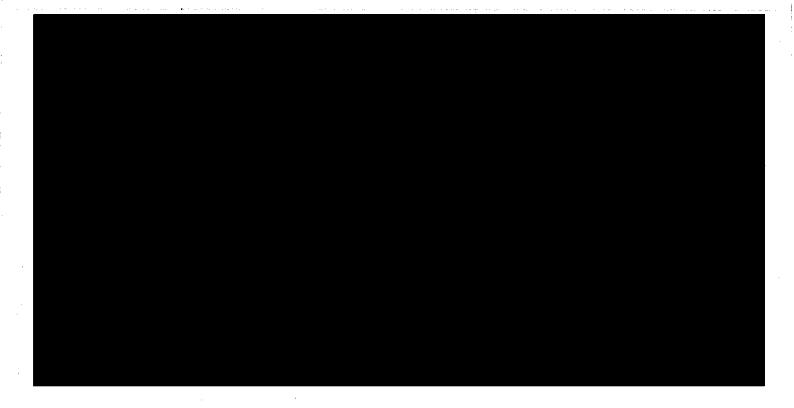
Tony

Are you around tomorrow and if so what times?

Cheers

Eddie

Sent from my iPad



From: Edward Noel

Sent: 03 December 2015 15:23

To: Antoni Miziolek

Cc: Tristen Dodd; Gordon Forrest; John Rogers;

Subject: Re: Rank Access and Assessable Vehicles standard

Can we get hard copies of this distributed and a meeting to go through the MD's and report in our diaries

We could look at the response from the industry at the same time

Happy to do tomorrow morning if Monday ministerial agenda is looking full

Cheers

Eddie

Sent from my iPad

On 3 Dec 2015, at 12:25, Antoni Miziolek <

>> wrote:

Dear Minister

I enclose our Draft Report, which set out the "accessible standard" for vehicles to access the rank from the 1st March 2016 in support of the Taxi-cab industry Regulation review.

You will see that we have included an alternative to "WAV vehicles" under appendix A and provision for 6 seater and ULE vehicles in line with VED bands which were set in the last Budget.

Appendix B indicates, but not limited to, the type of equipment/solutions that would meet the accessible standard.

Before, I issue the MD and report to for processing I would seek your feedback on the enclosed.

I trust the above is self-explanatory and in order.

Regards

Toni Miziolek Projects Manager

| Transport and Technical Se<br>  Jersey   JE4 8UY | ervices   States of Jersey | P.O. Box 412   St Helier |
|--|----------------------------|--------------------------|
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<Taxi classification and rank accessReport Draft 031215.doc>

# TRANSPORT & TECHNICAL SERVICES TAXI-CAB CLASSIFICATIONS AND PUBLIC RANK ACCESS

#### PURPOSE OF THE REPORT

To seek the support of the Minister for Transport and Technical Services, in accordance with his powers under Articles 37, 38(1) and 46 of the Motor Traffic (Jersey) Law 1935, to amend the terms 'Controlled' and 'Restricted Taxi-Cab' to 'Taxi' and 'Private Hire Cab' and update the classes of vehicle permitted to access public ranks under Article 3 of the Motor Traffic (Taxi-Cabs – General) (Jersey) Order 2002.

#### BACKGROUND

Following the Taxi-cab industry White paper consultation in 2014, a number of recommendations were made as to how the future of the industry should be regulated and what enhancements should be made for the benefit of customers. The Public consultation showed that the existing classification of restricted and controlled taxi-cabs under the Motor Traffic (Taxi-Cabs — General) (Jersey) Order 2002 not well understood and were considered confusing. It is apparent that the public are not clear as to what constraints each classification is subject to or what services could be provided by each type of taxi-cab. Examples of the publics' confusion relate to when can a taxi-cab be hailed? What fare should be charged, and when? In addition there was concern raised over the availability of accessible taxi-cabs.

Ministerial Decision MD-T-2015-0080 Taxi-Cab Regulatory Reforms Programme' states:

- 1. If the vehicle meets the access standard, it will be liveried as such and can use the ranks. This type of vehicle will be known and branded as a 'Taxi'.
- 2. If the vehicle does not meet the access standard it will be liveried as such and cannot use the ranks. This type of vehicle will be known and branded as a 'Private Hire Cab'.
- 3. Licence plate holders will be free to elect through their vehicle choice, which type of service they wish to operate 'Taxi' or 'Private Hire Cab'. Both types of taxi-cab will be bookable and hailable on street, only those vehicles which meet States accessibility standards will be permitted to call themselves a Taxi and participate in rank work.

#### DISCUSSION

#### Taxi-Cab Classifications

Currently a "controlled taxi-cab" means a taxi-cab which is able to pick up from a taxi rank, be hailed on street and has its tariffs set by the Minister. While a "restricted taxi-cab "is one that is pre booked, cannot pick up from a public taxi rank (subject to certain exemptions) and its tariffs are not controlled by the Minister.

The feedback shows the current terms used to distinguishing different types of taxi-cabs is confusing. Therefore, consideration should be given to revising the current terms used for 'controlled' and 'restricted taxi-cabs' to reflect those more generally used by other licencing authorities and commonly understood by the general public.

UK licencing authorities generally define those taxi-cabs that are permitted to pick up from public taxi ranks as "taxis" and others as "private hire". Differing restrictions are applied to these taxi-cab types by individual Licencing Authorities, dependant on the jurisdictions' specific needs and circumstances.

Under the Motor traffic (Jersey) law 1935 the term "Cab" means a vehicle being used to provide a cab service and the term "Cab Service" means a service that consists of the carriage by motor vehicle of passengers for hire or reward under a contract expressed or implied for the use of the vehicle as a whole at a fixed rate or for an agreed sum'

It is therefore proposed to change the terms used in any Order issued by the Minister from 'controlled taxi-cab' to 'Taxi' and the term 'restricted taxi-cab' to 'Private Hire Cab' as from the 1st March 2016. This will alleviate the need to change the 1935 law and prevent delay to the changes being implemented.

This change should be seen as an initial step to improve the public's understanding of the industry in line with the proposals announced in September 2015 on the future of taxi-cab regulation in the island.

It is recognised that changing the classification terms used alone will not on its own change the public's uncertainty about who can provide what service, it is only a first step in a regulatory change programme and must be accompanied with public information improvements.

#### Accessibility Standards for Taxi-Cabs

Currently the islands taxi ranks are served by 20 wheel chair accessible vehicles from a fleet of 152 controlled taxi-cabs. This is not considered sufficient to service the public needs and provided access to all, as other jurisdictions as well as local public transport services do, such as buses, ferries and aircraft.

Ministerial Decision MD-T-2015-0080 stated an increase in accessible vehicles is needed to improve accessibility to taxi-cabs for customers with disability. It has been proposed that as from 1<sup>st</sup> March 2016 any PSV badge holder who provides a vehicles which meets an 'Accessibility Standard', to be set and maintained by DVS, will be permitted to access and operate from public taxi ranks as 'Taxis', providing that they also adopted the prescribed branding.

Existing 'Yellow Plate' controlled taxi-cab drivers (rank taxis) have been provided until January 2019 to adopt these standards, should they wish to continue to have access to the public taxi rank.

Appendix A and B provides a set of technical specifications that vehicles must comply with to be considered 'accessible', it is proposed that this specification forms the Minister's 'Accessibility Standard' for taxi-cabs. The specification provides for both Wheel Chair Accessible Vehicles (WAV), which allow a customer to enter and travel in a vehicle while seated in their wheel chair, and non-WAV Accessible Ultra-Low Emissions Vehicles with alternative mobility items to assist entry and egress for customers with disability who do not require travel in a wheel chair.

There is a huge range of disability, of disable persons and lifestyles and hence needs. This proposal is intended to provide greater choice and flexibility for the public in particular those with disability, who may have limited transport options.

While it is an unknown how quickly existing 'Yellow Plate' rank drivers will purchase compliant vehicles in advance of the 2019 deadline. The proposed change in taxi rank exemptions does provide a framework to positively increase the number of accessible vehicles on taxi ranks.

The proposal does not compel a PSV badge holder who obtains or has an accessible vehicle to become a Taxi, they can continue to operate as a Private Hire Cab focusing on pre-booked work, but allows them the choice to also operate from the rank if they wish to and are willing adopt the prescribed branding.

An accessible vehicle will be identified in the short term by a designated Logo which is clearly visible to the public, enforcement authorities and other members of the Taxi-cab industry. By 2019 it is intended that all vehicles that access the taxi ranks will meet the accessible standard and as such be identifiable by a common branding. The details of branding requirements will be set out fully in a future Ministerial Decision.

#### RECOMMENDATION

The Minister is asked to:-

- 1. Agree to change the Terms in the Order from "Controlled taxi-cab" to "Taxi" and "restricted taxi-cab" to "Private Hire Cab"
- 2. To prescribe by change in the Order additional wording to Article 3 (2) of the Motor Traffic (Taxi-Cabs General) (Jersey) Order 2002 by the addition of Article 3(2) (b) the term "A Private Hire cab may stand on a taxi rank or pick up passengers on a taxi rank if it has been approved as an accessible vehicle and displays the approved identification". So as to allow all approved accessible standard vehicles to access public taxi ranks as from 1 March 2016 and be identifiable as such.

#### REASON(S) FOR DEGISION

In compliance with Ministerial Decision MD-T-2015-0080 'Taxi-Cab Regulatory Reforms Programme':

- 1. To provide taxi-cab classifications which reflect the common understanding.
- 2. To permit public service vehicles that meet the designated 'accessibility standard' and branding requirements, to access and operate from public taxi ranks.

#### **ACTION REQUIRED**

Head of DVS to advise the Taxi-Cab Industry of the Minister's decision and arrange for appropriate public information to be provided.

Written by: Senior Traffic Officer

Approved by: Director of Transport

#### **APPENDIX A**

### Accessible Standard Vehicle Requirements for access to the public taxi ranks

# Wheelchair Accessible vehicles (WAV) will meet the Accessible standard if:

# ( i.e. vehicles in which passengers may be conveyed whilst seated in the wheelchair)

- The Vehicle complies with European Community Whole Vehicle Type Approval No e11\*NKS\*0631 (ECWVTA).
- The Vehicle offered for approval has been designed and developed exclusively as a
  wheelchair accessible taxi, have M1 classification and complies in all respects to EC
  Whole Vehicle Type Approval, (E C W V T A),
  or

A UK Low Volume Type Approval (UK L V T A) eg European Whole Vehicle Type Approval (Type Approval number e11\*2001/116\*0315) or have, an Individual Vehicle Approval (IVA) certificate.

- The vehicle is able to carry at least one wheelchair bound passenger plus a minimum of four persons when operating in "non-wheelchair" mode.
- The vehicle has a separate means of securing the chair and the wheelchair occupant.
- The vehicle provides means of accessing it by the wheelchair occupant with or without assistance from the driver.
- The vehicle must be less than five years of age or has covered less than 50,000 miles for it to be licenced as a Public Service Vehicle.
- The vehicle must display a maximum of two Signs indicating that it is capable of carrying wheelchair bound passengers;
- All vehicles must have clear front and rear side glass windows, min. 70% light transmission (no dark tints).
- Vehicles emissions should be less 125g/km CO2
- Vehicles must be able to turn off its front air bag

# Non WAV vehicles may also meet the Accessible Standard if they meet the following minimum requirements if:

- The vehicle that can stow a wheel chair or lightweight portable mobility scooter.
- The vehicle provides alternative mobility items which provides easy access and egress for customers with disability eg passenger swivel seat fitted, or alternative approved mechanisms (see Appendix B).
- Vehicles emissions should be less 75g/km CO2 or no more than 175g/km if the proposed vehicle is licenced to carry six passengers or more.
- The vehicle is branded as a Taxi
- The vehicle must be less than five years of age or has covered less than 50,000 miles for it to be licenced as a Public Service Vehicle.
- Vehicles must be able to turn off its front air bag

#### APPENDIX B

Approved accessibility items to provide access and egress for customers with disabilities, may include but are not limited to the following, vehicles will be assessed and approved on the complete package of facilities presented:

#### Simple solutions

There are a number of simple solutions for getting in and out of the car, including the Handy Bar, and hand straps. Additionally leg straps can be used to 0 help persons with mobility issues raise their legs into a vehicle. (below ).

This device clips on to the latch of your car door and gives you something to lean on as you get in and out.



Another practical idea is a swivel cushion (right) which, as its name suggests, is a cushion placed on the carseat which allows you sit in sideways and then turn to the right driving position and vice versa for getting out again.

The only thing to bear in mind is that this type of cushion can also turn you whilst going round corners.



Other practical items for assisting customers with mobility issues include portable or fixed steps



#### Aids for wheelchair users

#### Simple solutions

To help you get in and out of the car you can use a transfer board (below) which bridges the gap between your wheelchair and the car seat. These are either straight, curved or angled boards, which bridge the gap between a wheelchair seat and a car seat for a person who is unable to manage a standing transfer from a wheelchair. The wheelchair is placed alongside the front passenger or driver's seat and the person in the wheelchair has to be able to lean over slightly so the board can be placed underneath them. The person then transfers via the board either independently or with the help of the driver



There are also some simple devices which enable someone to help you to transfer to and from the car – a lifting belt and disc.

The belt goes round your waist and helps someone to lift you, while your feet are put on a turning disc which helps you to turn into the car from your chair.

Once you have transferred, some assistance is probably required to get your chair or scooter into the car. Although a very lightweight transportable manual wheelchair can be folded and stowed by one person unaided, anything heavier will almost certainly be easier to transport with the aid of a ramp.







Portable track ramps, such as this telescopic aluminium set, can be used to wheel a chair or scooter into the boot, then they fold down to be easily transportable themselves. This type cannot, of course, be used for three-wheel scooters.

There are multi-fold designs available that open out into a single car ramp suitable for either a three or four wheeled scooter.

If your vehicle has a low enough floor and enough space, you can remain in your wheelchair while you propel it up a ramp.

#### More sophisticated solutions

You can have a hoist for your wheelchair which combines a wheelchair lift and storage system. There are models that store the chair on the roof of the car and also on the rear.

The Robostore system shown on the right not only picks up and stores the chair for the journey, but also delivers it to the driver's door when required, so that you can transfer into it when you reach your destination.





Another design solution, shown left, is the Carony, where the car seat slides out of the car and docks with a wheelchair base. The big advantage of this system is that it removes the need to transfer in and out of the wheelchair.

The best thing to do is to contact an experienced supplier who can assess your needs and advise you on the perfect system for you and your vehicle.

An alternative to the above are Swivel seats in general they are designed to help people with mobility problems get in and out of vehicles. They swivel out by 90 degs and can be the perfect solution for someone who struggles to get over the sill of the vehicle and safely onto the car seat.



Roof spider or Chair toppers are roof top box systems that have been developed to assist those manual wheelchair users able to transfer from their wheelchair into the vehicle seat but, not able to load the chair into the boot of the vehicle or do not have sufficient space within the boot for storage.



From:

**Edward Noel** 

Sent:

12 October 2015 08:10

To:

John Rogers; Tristen Dodd; Gordon Forrest; Antoni Miziolek

Subject:

FW: Jersey Taxi Drivers Association

**Attachments:** 

JTDA letter to Deputy Eddie Noel copies to states members and media.pdf

FYI

From:

Sent: 12 October 2015 00:30

To: Edward Noel

Cc: Paul Routier; Philip Ozouf; Alan Maclean; Ian Gorst; Lyndon Farnham; Simon Crowcroft; Philip Le Sueur; Len Norman; John Refault; Deidre Mezbourian; Juliette G. Gallichan; Christopher Taylor; Steve Pallett; Michel Le Troquer (Connetable POSMN); Sadie Rennard; John Le Maistre; Judith Martin; Geoffrey Southern; Carolyn Labey; Jacqueline Hilton; John Le Fondre; Anne Pryke; Andrew Lewis; Montfort Tadier; Tracey Vallois; Mike R. Higgins; Andrew Green; Jeremy Macon; Susie Pinel; Steve Luce; Rod Bryans; Kristina Moore; Richard Rondel; Russell Labey; JEP Newsdesk;

BBC Radio Jersey & Spotlight TV; Channel 103; Channel TV local TV

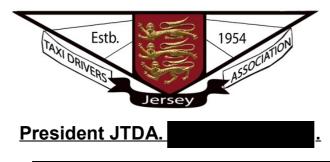
Subject: Jersey Taxi Drivers Association

Dear Deputy Noel, Minister for Transport and Technical Services,

Please read attached letter regarding the Taxi-cab Industry Review.

Regards,

President JTDA



**Email:** 

Website: <a href="http://www.jerseytaxidriversassociation.co">http://www.jerseytaxidriversassociation.co</a>.

Deputy Eddie Noel, Minister for Transport and Technical Services, South Hill Offices, St Helier JE4 8UY

10<sup>th</sup> October 2015

Dear Minister,

Now that the Taxi-cab Industry has received the bombshell of a review that has taken many years and so far £134,000 of tax payers money to produce.

You have stated in the media that the consultation is over and that the industry has had time to put forward its views and that this is now a done deal.

Myself, our members and others in the industry, both Taxi and cab drivers alike would strongly challenge this statement and counter that much of what you are proposing was never put to us during the consultation process and the reason why we are seeing such a backlash to these proposals.

In the review carried out for TTS by the UK passenger transport specialists TAS Partnership Limited, (specialists in trains, buses and coaches), one of the overriding statements that they make is "the taxi service in Jersey is not in crisis. It generally offers a reasonable service to the public".

I would now state that through some of these radical and unnecessary proposals you have effectively placed our industry into a crisis, with many involved, including their extended families, seriously worried about their futures. You have always stated publicly that you were very concerned and mindful of the effect any radical changes would have on those working in the industry.

I will state that you Minister, your predecessors, TTS Officers and the DVS, past and present, are well aware of where the main problems are and that much of this could have been sorted out around a table involving the main players from both sides Public Rank and Private Hire. This could have been achieved without calling in these so called experts and costing the tax payer £134,000 to date. Furthermore we feel that the blame for much of the public confusion in Jersey must lie mainly with your predecessors. TTS, Public Services and the DVS past and present.

Incidentally the two tier system of Public Rank and Private Hire is still the normal practice in **all** 374 council authorities throughout the UK, including Scotland. The rules in these places are enforced with serious consequences for those who do not abide by them.

A reminder here that the Taxi-cab industry costs the tax payer nothing, we are mostly self employed, ultimately a privatised entity and it is only the user who pays. Furthermore you as the Transport Minister already has control of our (Public Rank) fares.

Somewhere along the way you, your predecessors and advisers appear to have lost the focus that this review of the Taxi and Cab industry was part of the overall Strategic Transport Policy 2010. This States Policy was aimed at reducing the Island;s carbon footprint by at least 15% by 2015, a target which has failed miserably.

We now have our Transport Minister insisting that all 150 Public Rank Taxis should be wheel chair accessible, a subject which we know is particularly close to the Minister's heart. You are suggesting that drivers who have recently invested in new vehicles, including eco friendly hybrids, should buy second hand wheel chair vehicles that could be sourced from the UK at around £14,000.

What about the local economy, the local garages and support, what eco friendly wheel chair vehicle can I purchase for £14,000 ?, it would more than likely be a high mileage diesel. Is the Minister and his advisers not aware that currently there are 34 UK councils looking at banning diesel vehicles from their town/city centres.

If the Minster feels that there is such a demand to insist that all 150 Public Rank Taxis be wheel chair accessible, then why does he not propose an offer to any current PSV licence holder, a specialist licence

to provide a dedicated wheel chair taxi service. Surely having 3 or 4 of these specialist taxi-cabs, plus retaining a percentage (as we currently have 15% wheel chair) on the rank, plus the same percentage in the Private Hire (currently not obliged to have a single wheel chair vehicle), would solve the problem.

Surely a fairly reasonable solution to a perceived problem and highlights that when the existing industry is properly engaged in the decision process and not ignored as the Minister is also continuing to do so, especially when a lot of the older and disabled people and the businessman do not want to be transported in a wheel chair taxi.

The wheel chair section of this Taxi- cab Industry review is in danger of over shadowing some of the other important and equally nonsensical and badly thought through proposals. "Taxi drivers will no longer be able to take a phone call booking", what possible reason would the Minister want or even be able to enforce this idea. Personally, and haven driven a taxi for many years and like many of my colleagues, I have a circle of people, including family and friends who phone me from time to time and providing that I am not busy with clearing the rank, I will pick them up. The Minister is now stating that they would have to go through a "Booking entity" which I am going to have to pay to provide, what utter nonsense.

Then and to make it clearer for the public, he wants to introduce an optional "Booking fee", that must be stated at the time of booking. I put a question to the Minister at the recent meeting when he first rolled out these proposals, what happens if the person booking the Taxi-cab is not the person who is actually the passenger, as at a restaurant or hotel for example.

Scenario: The taxi-cab arrives and takes the passenger to their destination, fare on the meter £10 and then the driver asks for a £2 booking fee. "We were not told about a booking fee", says the now irate passenger and now you have introduced frustration, confusion and anger from both parties, passenger and driver, what about if this was a visitor to Jersey, what impression will that leave. The Minister's reply to me was that eventually everyone will have a smart phone to book the taxi themselves. So look out public the Minister is now suggesting that you must all buy a smart phone.

We have pointed out so many times to the Minister, who has actually seen for himself, that a lot of the time we struggle to access the limited amount of space on our ranks. We are the same as many businesses in Jersey where we sit around for long periods waiting for planes to land, boats to dock and large numbers of the public exiting the pubs and clubs on a Friday and Saturday night. The amount of work is simply not there any more and yet he is suggesting that Private Hire should be allowed to sit on the ranks, providing they purchase a wheel chair vehicle.

This is a further erosion of our limited work which will seriously effect our livelihoods and a further erosion of the phone service that the Private Hire are there to cover. The Private Hire companies are there to provide a valuable service, which most of the proper established companies do so. A huge amount of their daily work is providing account work for the Finance Industry, so vital to the Island, this has to be administered and importantly someone has to bank roll this service, what work you do this month you get paid for at the end of next month.

There is a cost to providing these services which we, the Public Rank do not have and so we can offer the street rank service, where people come to us. If the Minister feels that the amount being charged by the Private Hire section of the Industry is excessive, then he should be talking to those involved to see if their charges and fares are justifiable.

I could go on and on about these ridiculous proposals which were so unnecessary and that many of the perceived problems, suggestions and ideas could have been thrashed out with all side of the Industry around the table without costing the tax payer thousands of pounds.

These proposals have been badly thought through and are discriminatory in so many ways, they are not going to achieve clarity for the passenger, are not considering the Strategic Transport Policy 2010, could be in breach of health and safety, are against the European Parliament directives on wheel chair taxis and UK legislation and best practice and so much more.

The Minister has brought forward a set of proposals which are a mess and must not only be rejected by the industry but seriously bring into question his ability to be the Minister for Transport in the first place.

President JTDA

cc. States Members Local Media.