

Licensing Team
September 2015

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Hackney Carriage Proprietors (Vehicle) Conditions

The conditions have been tidied up and the new conditions approved by Members in June, have been added. These are attached.

Change of Address Notification

Section 44 of the Town Police Clauses Act 1847 requires all proprietors to inform the Council of any change of address, in writing, of any of the proprietors not later than 7 days after such change. The Council charges a fee of £13 to register changes. Please note that section 44 makes it an offence to not comply with this requirement. If you do not notify us of any change of address we have no means of getting important information to you and where continuity of licence is essential you may lose this if we cannot contact you. This is also a condition for all licences.

Smoking in Taxis

As you are all aware, it is an offence for a driver to smoke in a taxi at any time. It is also an offence to allow any person to smoke in a taxi. The Council will act on evidence of anyone smoking in taxis whether working or not.

Law Commission Review

Everyone should now be aware that the Taxi and Private Hire Bill was allowed to drop by the Government earlier this year. It is not known whether the Government will restart the process at a future time.

Accident notification

The Proprietor's conditions require that any damage to a vehicle, or where any vehicle is unfit to operate as a hackney carriage through accident or other damage must be reported to the Council as soon as possible. The Council may consider suspending a licence for the anticipated period during which the vehicle will be unfit.

Sale of Taxis and Private Hire Vehicles

You must ensure that you inform the Council of the sale of any vehicle to another person and return the plate.

Legislation Changes

The Deregulation Act 2015 has made some changes to taxi and private hire legislation. The main changes are:

The issuing of 5 year private hire operator licences

Generally all PHO licences will be issued for 5 years from October 2015. A licence may be issued for a lesser period in special circumstances. This provision becomes law on the 2nd October 2015 however until consultation is completed we will still issue 1 year licences for the few operators who require a renewed licence before the 23rd October 2015. We will consider each of these 1 year licences after 23rd October on a cost pro rata basis.

The new fee structure for 5 year licences, after a consultation period of 28 days starting on the 25th September 2015 and ending on the 23rd October 2015 will be as follows:

New and renewal 1-4 vehicles £528

New and renewal 5-9 vehicles £846

New and renewal 9+ vehicles £1317



The issuing of 3 year driver licences

The Council already issues 3 year licences and again the Act allows for the issue of a licence for a lesser period in special circumstances.

The sub-contracting of private hire bookings

A person licensed under section 55 of the Local Government (Miscellaneous Provisions) Act 1976 who has accepted a booking for a private hire vehicle may arrange for another person to provide a vehicle to carry out the booking if-

- (a) The other person is licensed under section 55 in respect of the same district and the sub-contracted booking is accepted in that district.
- (b) The other person is licensed under section 55 of another controlled district and the sub-contracted booking is accepted in that district.
- (c) The other person is a London PHV operator and the sub-contracted is accepted at an operating centre in London; or
- (d) The other person accepts the sub-contracted booking in Scotland.

This provision becomes law on the 2nd October 2015.

The recent consultation on taxis

We would like to thank all of you who participated in the consultation however, regrettably, because of the diversity of answers we received, many answering questions which were not asked but were responding to different consultation forms, our legal advisors were of the opinion that any decision taken may be subject to legal challenge. The information that was provided was extremely helpful and will be used at a later date once we have been able to consider how to proceed. However, we have decided to add the responses in a collated fashion to this newsletter.

The current situation that exists for the licensing of taxis will remain in place. We will only issue new licences to wheelchair accessible vehicles. Those vehicles with swivel seats can continue to be licensed as they currently are and those with no access conditions can continue to be licensed without any access condition. The Family Exemption conditions still stand.

Carrying child buggies in taxis

It has been brought to our attention that some people request that children in buggies should be allowed to travel in a taxi without restraint. This is an extremely dangerous practice and we should remind you that it is the driver's responsibility to ensure that all passengers are conveyed in a safe and secure manner.

Disabled Lobby Group Paper Questionnaires

West Berkshire Taxi Fleet Consultation Feedback Form 2015

During the consultation period 46 feedback forms were received

Question 2

Does the current fleet meet your needs, and the needs of those you look after, in terms of accessibility and availability?

Yes 10

No 36

Question 3

If no, please us why - see additional information.

Question 4

Do you feel there should be more, or fewer, disabled access vehicles in the fleet, or is the number about right?

Fewer 0

About Right 8

More 38

Question 5

If 'fewer' or 'more' please tell us why – see additional information.

Question 6

Have you ever struggled to get a taxi with disabled access when you've needed one?

Yes 34

No 10

No Response 2

Question 7

If yes, please tell us your experience – see additional information.

Question 8

Have you ever used a taxi fitted with a front passenger swivel seat?

Yes 4

No 38

No Response 4

Question 9

If yes, please tell us your experience – see additional information.

Question 10

In your experience have you found drivers are helpful and understanding of customers with restricted mobility or any other form of disability?

Yes 25 No 16
Both 4 No Response 1

Question 11

If no, please tell us your experience – see additional information.

Question 12

If you would like to share with us anything else about your experience of using taxis in West Berkshire, Please comment. – see additional information.

Question 13

Age - Information not collated.

Question 14

Gender – Information not collated
What ethnic group do you most identify with – Information not collated.

Question 16

Do you consider yourself to have a disability?
(A disability is defined as a physical or mental impairment that has a substantial and long term effect on a person's ability to carry out normal day to day activities)

Yes 14 No 21
Prefer not to say 6 No Response 5

Question 17

Are you the primary carer for an elderly or disabled person?

Yes 12 No 21
Prefer not to say 7 No Response 6

Question 18

What is your religion or belief? Information not collated.

Question 19

What is your sexual orientation? Information not collated.

West Berkshire Taxi Fleet Survey Monkey

On Line Survey

During the consultation period 27 Questionnaire were completed on line

Question 2

Does the current fleet meet your needs, and the needs of those you look after, in terms of accessibility and availability?

Yes 9 No 18

Question 3

If no, please us why - see additional information.

Question 4

Do you feel there should be more, or fewer, disabled access vehicles in the fleet, or is the number about right?

Fewer 1 About right 6 More 13

Question 5

If 'fewer' or 'more' please tell us why – see additional information.

Question 6

Have you ever struggled to get a taxi with disabled access when you've needed one?

Yes 10 No 10

Question 7

If yes, please tell us your experience – see additional information.

Question 8

Have you ever used a taxi fitted with a front passenger swivel seat?

Yes 4 No 16

Question 9

If yes, please tell us your experience – see additional information.

Question 10

In your experience have you found drivers are helpful and understanding of customers with restricted mobility or any other form of disability?

Yes 11 No 7

Question 11

If no, please tell us your experience – see additional information.

Question 12

If you would like to share with us anything else about your experience of using taxis in West Berkshire, Please comment. – see additional information.

Question 13

Age - Information not collated.

Question 14

Gender – Information not collated.

Question 15

What ethnic group do you most identify with – Information not collated.

Question 16

Yes 7 No 10 Prefer not to say 1

Question 17

Yes 1 No 15 Prefer not to Say 2

Question 18

What is your religion or belief? Information not collated.

Question 19

What is your sexual orientation? Information not collated.

Additional Information

Question 2: Does the current fleet meet your needs, and the needs of those you look after, in terms of accessibility and availability?

Question 3

If no, please us why

- Unable to access easily.
- No Taxis are available (Wheelchair Accessible)
- More vehicles are needed for people with mobility problems
- It is not always possible to get a disabled access taxi from the town centre especially after midnight.
- Disabled friend struggles to get a taxi that suits his needs.
- More disabled access.
- Difficult to find.
- As a carer often struggle to get a wheelchair taxi.

- More often than not it is not possible to get a taxi and if they can it can be a long wait.
- On many occasions struggled to get a WAV for customer/ friend/neighbour.
- Amongst friends one of which is wheelchair bound difficult to go out in a group. Found had to wait a long time for appropriate transport.
- Every time a wheelchair accessible taxi is called for there is normally only one or two out and would be waiting about 45 minuets.
- Taxis always fail to be available when I've needed to go out on my own in my chair.
- Most taxis don't have wheelchair ability.
- Because it takes longer to get a taxi for someone who is disabled than it is for someone without a disability which is not fair.
- I personally struggle on getting a taxi for anywhere when I am with my daughter who is in a wheelchair.
- When trying to get a taxi there is never a wheelchair one available.
- Not enough taxis available for disabled people. Access can be very difficult.
- It is very difficult to get a disabled taxi most of the time we are told there isn't any available.
- Always struggle to get a car that has wheelchair access.
- When looking after my elderly mother I can never seem to get a wheelchair vehicle.
- No wheelchair access
- More vehicles with wheelchairs access.
- Not many on rank in mornings.
- Sometimes it is hard to get a taxi in the mornings and middle of the afternoon
- Hate to see people in wheelchairs having to wait in the cold and rain for a wheelchair car.
- Its never easy to obtain wheelchair car for my dad.
- On one occasion I had a disabled male out on a works do in my pub. While we run a taxi firm from here I had assured him and his friends I could get them home. I managed to get taxis for his friends, but he was left alone for over an hour waiting for a taxi.
- TAXIS NOT ALWAYS READILY AVAILABLE FOR WHEELCHAIRS USE
- We have plenty of disabled access vehicles but a lack of drivers and companies prepared to undertake the work
- Many cabs will not drive to villages outside of Newbury and if they do, the cost is prohibitively expensive.
- too many disabled access vehicles refuse to carry chairs
- Wheelchair accessible vehicles not available at key times. Vehicles not carrying equipment and conveniently being called to other runs

- Being a wheelchair user I know that if I am out and about in W.Berks if I just turn up at a taxi rank it is unlikely find either a suitable vehicle to get my wheelchair in and secured and/or find a driver either willing and/or able to take me - the same goes for flagging down a cab down or calling one of the main local taxi firms.
- Affordability. Not able to pre book in advance disabled vehicles for private use - were told that it could not be arranged for transport to and from a funeral for wheelchair bound widow
- To many saloon cars the make it difficult and painful to get in and out of with me bad knees easier access taxi's would be huge benefit to me
- It's very hard to find a wheelchair friendly taxi. I Struggle to find a taxi willing to do a regular job as I'm often told they might be needed elsewhere.
- What is the point of having a WB Taxi Fleet if it does not cover the whole of the West Berkshire area? How are our residents going to get to Doctors and Hospitals considering there is an inadequate bus service (twice a week) now to expensive to get a taxi from the Village locations into Newbury. Now costs more than £30 single fare

Question 4: Do you feel there should be more, or fewer, disabled access vehicles in the fleet, or it the number about right?

Question 5

If 'fewer' or 'more' please tell us why

- Because disabled people need a taxi for short journeys more than lazy people that can use their legs.
- So that there are more available on the roads for more people.
- There should always be taxis available to meet everyone's needs.
- Would stop embarrassment and be easier on carers.
- There isn't enough its very difficult too book one.
- Always struggling to get a wheelchair vehicle.
- Sometimes only saloons there.
- Gives everyone the same chances to get a taxi when they need one.
- Conformity – makes it easier and fairer for everyone to have the same opportunities.
- Easy & quick to order and book.
- People with disabilities wouldn't have to wait so long for a taxi. If there were more out that will pick up customers in a wheelchair.
- KNOW PEOPLE WHO WORK IN CARE HOMES AND LOOKING AFTER ELDERLY AND ARE NEVER ABLE

TO GET TAXIS

- I have been turned away from a taxi due to poor access.
- Adds to operating costs, and doesn't factor other disability options, such as car leasing.
- If all were accessible would always be able to get a taxi
- to give wheelchair users a better chance of obtaining a suitable vehicle and driver to make their required journey (see answer to Q3)
- Ones which you are able to use for private use
- to many saloon cars the make it difficult and painful to get in and out of with me bad knees easier access taxi's would be huge benefit to me
- With the amount of disabled people living in the area, there should be more adapted cars. Why disabled should be discriminated

Question 6: Have you ever struggled to get a taxi with disabled access when you've needed one?

Question 7

If yes, please tell us your experience

- When going into town, doctor's appointments, and hospital appointments.
- When visiting my sisters house.
- I was in town with my mum and it was raining and we had a lot of shopping and i was struggling to push her and we went to where the taxi was but none were suitable.
- When travelling anywhere with my daughter mainly when going from home to Newbury Hospital.
- Would have too wait until one comes available which was longer the usual.
- Called to get a taxi for an appointment and I told that there wasn't any available. I called a few companies and they all said the same.
- Waited 2 hours due to there only being two taxi available.
- Most times I order a taxi I have to wait extra time for one i can fit my mum's wheelchair in.
- No but I have seen other people have to wait.
- Very hard to hail them in the street.
- AS PREVIOUS ... PPL WORKING IN CARE HOMES STRUGGLE TO GET TAXIS FOR PEOPLE THEY WORK WITH AS WELL AS THEIR RELATIVES WITH DISABILITIES ON DAYS OUT
- I do not operate a disabled access vehicle so I pass my work on to Cabco (the largest operator in the area). They accept the booking and 9 times out of 10 I get a call on the day of the job to say they either have no vehicles available or they have "no trained drivers" (I thought we were ALL trained)
- Not had need

- Unable to get taxi around 3 pm. Not able to offer any alternative - missed appointments.
- There were no available fully accessible vehicle and/or capable driver to use it
- Phoned to book one for a funeral, for wheelchair bound widow. Was told this was not possible as they are for organisations only
- we don't have any disabled taxi's when calling for a taxi or in the taxi rank at Newbury station
- Often get told that the companies don't have disabled cars, or they don't have enough of the disabled cars to help all that need them

Question 8: Have you ever used a taxi fitted with a front passenger swivel seat?

Question 9

If yes please tell us your experience.

- No one has ever told me about these. What are they and what is the point just make them all wheelchair accessible.
- I recently had a very overweight client who would have struggled getting out of a normal car chair, this swivel chair made it a lot easier for him.
- Not heard of this before but sounds like it would help. Some of the taxis are quite high to get into this could also help the aged.
- Don't know
- Uncomfortable sitting in the seat and not safe head was touching the roof of the vehicle and seat was moving while driving.
- It's ok to have a swivel seat but this does not fix the issues of getting wheelchairs into taxis some are unable to get out of their chair.
- Never heard of this.
- Absolute nightmare! I could not believe how unsafe and uncomfortable the seat was my experience was not good at all.
- Awful for for an able bodied person. The seats are uncomfortable and too high causing neck pain - and I'm only 5'9"
- I didn't need it. It was a point of conversation on the way home. :)
- My wheelchair using colleague knocked his head on the door frame some 3 years ago. Could not be used safely for him
- It was for someone I was supporting and helped him a lot!

Question 10: In your experience, have you found drivers are helpful and understanding of customers with restricted mobility or any form of disability?

Question 11

If No, please tell us your experience.

- A handful of companies are really helpful but lots are awful – especially those with 'ordinary' cars who don't even phone their companies to get them to send a wheelchair car.
- Always understanding of needs
- No not always driver get stressed and do not seem to have full training.
- Some are yes but others can be very judgemental and will not help.
- Sometimes they don't seem keen – maybe because wheelchairs take longer.
- Several times the taxi driver has either sat in the taxi or just stood there whilst watching my mother with MS struggle getting bags into the taxis herself.
- At times they have been helpful other times they have been useless.
- I have found that some drivers can be very unhelpful and other very good. This is if you manage to get a taxi.
- Usually ok.
- UNABLE TO FLAG A TAXI WHEN NEEDED THEY JUST DRIVE PAST
- A lack of understanding.
- Drivers refuse to carry passengers - drivers will avoid eye contact if flagged down, drivers will pull away rather than take the fare.
- Again, not had need/experience
- Wouldn't even take her!
- most of the drivers are not interested in passenger's with disability's as it takes longer to get in and out of the taxi all
- We don't have any taxis in our area to comment on so why call it the West Berkshire Taxi Fleet if it is not available to all residents residing in the West Berks area

Question 12: If you would like to share with us anything else about your experience of using taxis in West Berkshire, please comment

- Difficult getting one.
- Availability of female drivers
- Always found drivers helpful with disabled people some more than others
- Always helpful when they have ramps
- Used Dolphin taxis before and found very helpful.

- Only a few drivers who want to carry out wheelchair work.
- They are rubbish when it comes to taxis that are wheelchair accessible.
- There are not enough in the area.
- It would be a lot easier if there was more taxis that are wheelchair accessible and then no one would have a problem with waiting for a taxi that was wheelchair accessible.
- I believe there should be more wheelchair taxis. They should have enough to be ready for any person. People should not have to be let down just because there's not enough wheelchair taxis.
- I think there are many people in need of disabled taxis and we should be catering for these people.
- I think if wheelchair access was made a requirement all taxis to have this it would make life a lot easier.
- Some are scruffy.
- Some cars seem very old and I am not sure how safe they are.
- Make it compulsory to have disabled vehicles in West Berkshire.
- While the rest of Berkshire shops, pubs, parks, pavements etc work at being wheelchair friendly it boggles the mind as to why our local taxis firms are not. Even when they are wheelchair accessible cars they will still refuse to pick up. Why is this?? If all drivers were wheelchair accessible and trained it wouldn't be as embarrassing or discriminative for people.
- **COULD BE WAITING A LONG TIME BEFORE GETTING A TAXI OR EVEN BEING ABLE TO GET ONE WHICH IS VERY DISTRESSING FOR THE PERSON WITH THE DISABILITY**
- in general we are a dedicated hard working bunch, however the minority let us down. We need more enforcement action by the licensing team to ensure that these people who give not only the trade but Newbury a bad name
- I'd like to see WBC removed from the price-setting of local taxi rates. It adversely affects supply and demand, even if the trade wants you to help them hide behind your tariffs. License the drivers by all means, but let the market decide the price...then we'll have all the taxis we need.
- As we are right on border with Hampshire, then most of our taxis come from there I see little point in completing this survey unless you have had experience of traveling as/with a disabled person
- In answering yes to Q9 - only drivers who have the right vehicle and are willing to use it

- all taxi's should be disabled friendly as visitors to West Berkshire do not have a clue on what taxi operators have disability friendly taxis
- It would be good if all cars were able to have wheelchair friendly cars , we should not be victimised because of being handicapped
- Fares are too expensive and drivers will charge double fare at peak times for one way journey.
- In Barcelona, in recession hit Spain, 50% of taxis are hybrid vehicles. In West Berkshire it is 0! Not a single electric or hybrid vehicle. We have VERY poor air quality on the Burger King roundabout yet I regularly see taxis parked up with their nasty polluting diesel engines running. Frankly this situation is completely unacceptable. It feels like Britain in the 1960s and it is about time WBC took some action to sort it.
- I have always found the taxi drivers to be understanding and accommodating where possible. Drivers have also phoned in for a more appropriate vehicle if the one they have arrived in is not suitable!

WBHPHA

Responses to consultation letter consultation letter dated 12 January 2015

16 Responses Received

Option 1: Leave the swivel seat condition in place until any change in legislation requires a review:

Agree 3 Disagree 11 Don't Know 2

Option 2: Require all taxis to become wheelchair accessible by a date to be decided by the Committee

Agree 13 Disagree 1 Don't Know 2

Option 3: Allow all swivel seated vehicles to become free of disabled access conditions

Agree 0 Disagree 16 Don't Know 0

Option 4: Require all swivel seated vehicles to become wheelchair accessible vehicles by a date to be determined by the Committee.

Agree 13 Disagree 2 Don't Know 1

WBHPHA

Wheelchair access vehicle survey

16 Responses Received

QUESTION 1: How many Wheelchair jobs have you done off a West Berkshire rank in the past 6 months

8

QUESTION 2: How many wheelchair bookings have you done in the last 6 months

278

QUESTION 3: Based on the 2 answers above, do you think that in West Berkshire there is a need for an all wheelchair fleet or should we have a mixed fleet of Wheelchair and Saloon vehicles?

Wheelchair Fleet 1

Mixed Fleet 15

Independent trade responses

Responses to consultation letter dated 12 January 2015

Option 1: Leave the swivel seat condition in place until any change in legislation requires a review:

Agree 10

Option 2: Require all taxis to become wheelchair accessible by a date to be decided by the Committee

Agree 3

Option 3: Allow all swivel seated vehicles to become free of disabled access conditions

Agree 9

Option 4: Require all swivel seated vehicles to become wheelchair accessible vehicles by a date to be determined by the Committee.

Agree 2

Hackney carriage conditions

Hackney Carriage Proprietors (vehicle) Licence Conditions

A hackney carriage proprietor is an owner or part/co owner of a vehicle, or where a vehicle is subject to a leasing contract, hiring agreement or hire purchase, a proprietor is

the person in possession of the vehicle under the agreement. See Guidance Note Section C 1. In each case the proprietor requires a Hackney Carriage Proprietors Licence from West Berkshire District Council (the Council), before he/she is legally entitled to use the vehicle for plying for hire.

The holder of every Hackney Carriage licence (the Proprietor) shall comply with the provisions relating to hackney carriages contained in the following legislation:

Town Police Clauses Act 1847 (the 1847 Act)

Part II Local Government (Miscellaneous Provisions) Act 1976 (the 1976 Act)

West Berkshire District Council Byelaws Relating to Hackney Carriages

Road Traffic Act 1988 Part 11 (a) Construction and Use of Vehicles and Equipment

Motor Vehicles (Tests) Regulations 1981

The Equality Act 2010 (sections 168 – 171 for the carriage of guide dogs etc)

The West Berkshire Council Hackney Carriage Proprietors (Vehicle) Licence Conditions

Every person holding such a licence should be aware of and become familiar with the provisions of this and any other relevant legislation and if necessary seek their own legal guidance on the statutory requirements of the above Acts.

Any person aggrieved by any conditions attached to their licence may appeal to a Magistrates' Court within 21 days of a licence being issued.

Any person who is refused a licence or has a licence revoked or suspended may appeal to a Magistrates' Court with 21 days of such action being taken by the Council.

1. General Duties

The Proprietor shall:

- a) inform the Council's Licensing Officers in writing, any change of permanent address within 10 days of such change.
- b) only permit drivers who hold a hackney carriage driver's licence for the relevant zone, where appropriate, to drive his/her vehicles within the zone for which the vehicle is licensed. The area (zone) in which a vehicle licensed by the Council shall be permitted to ply for hire, shall be determined by the Council and is currently within the area which is legally administered by West Berkshire District Council.

- c) retain the hackney carriage driver's licence of any person he/she permits or employs to drive a hackney carriage whilst that person is in their employment and shall return the licence to the driver, once that contract has ceased, or to the Council if the licence has expired.
- d) ensure that any arrest, caution, charge or conviction for criminal offences, including driving offences, of him/herself or any driver employed by them, where known, shall be notified to the Council's Licensing Officers, in writing, within 7 days.
- e) ensure that a fully charged and serviced fire extinguisher which contains either dry-powder or aqueous film forming foam (AFFF) is available in the vehicle. It must comply with 'BS.5423' "British Standard Specification for Portable Fire Extinguishers," have a minimum test rating of 8A or 21B (this should be marked on the side of the extinguisher) and be of a suitable size (minimum sizes of 1kg for dry powder and 0.9kg for AFFF would be satisfactory). Vehicles first licensed after 1 August 2015 must provide a fire extinguisher which complies with BS EN3. The fire extinguisher must be legibly marked with the hackney carriage vehicle licence number.

The fire extinguisher must be kept secure in the vehicle (for example, in a quick release bracket, where practicable) and must be positioned so that it is readily available for use. However, it is necessary to ensure that its position does not interfere with the proper driving of the vehicle, and does not encourage mischievous or malicious use of the extinguisher.

- f) ensure that a first aid kit is provided and contains the following;

| Item | Number Required |
|-------------------------------|-----------------|
| No. 16 Dressing | 2 |
| No.2 Ambulance Dressing | 3 |
| No.3 Ambulance Dressing | 2 |
| Airstrip Handy (Pack of 12) | 2 |
| Antiseptic Wipes | 10 |
| Crepe Bandage 7.5cm by 4.5m | 2 |
| Triangular Bandage - Calico | 2 |
| First Aid Scissors | 1 |
| Large Safety Pins | 6 |
| Small Safety Pins | 6 |
| First Aid Kit Carried Sticker | 1 |
| First Aid Guidance Leaflet | 1 |

The kit shall be kept on the vehicle and be located in a position which is easily accessible to the driver. The kit

shall be legibly marked with the hackney carriage vehicle licence number.

2. The Vehicle

The Proprietor shall:

- a) ensure that all passenger/s are able to easily communicate with the driver at all times.
- b) provide adequate windows as detailed in the specification of the vehicle and ensure that the means of opening them works efficiently at all times. Where a vehicles windows have this shall be notified to the Council's Licensing Officers who reserve the right to refuse a licence or apply conditions as appropriate.
- c) ensure that vehicle's are not fitted with one or more blacked out windows nor shall they be so modified. Exceptions for those vehicles which have darkened windows as standard specification for the vehicle from manufacture and that are in accordance with the current VOSA standards may be made at the discretion of the Council's Licensing Officers.
- d) cause the seats to be properly covered and cushioned and be in good repair at all times.
- e) cause the floor to be covered with carpet or matting as specified by the manufacturers of the vehicle or to the approval of the Council's Licensing Officers.
- f) ensure that within reason, the exterior of the vehicle is kept clean and presentable.
- g) if the vehicle is an estate car, ensure that provisions for the safe securing of luggage are provided and used.
- h) ensure that all seat belts or restraints are securely fixed to the vehicle.
- i) ensure that no material alteration or change in the vehicle's specification, design, condition or appearance is made without prior approval, in writing, from the Council's Licensing Officers.
- j) ensure that the vehicle is presented promptly for test and or inspection at the request of the Council, at such times and places as the Council's Licensing Officers may reasonably require during the period of the licence.
- k) ensure that the vehicle is roadworthy at all times whilst licensed. Where a vehicle becomes temporarily unroadworthy, the proprietor shall inform the Council's Licensing Officers of the nature of the defect and the period during which it is anticipated the vehicle will be off the road. Temporary suspensions may be placed upon the vehicle at the discretion of the Council's Licensing Officers.
- l) Where any vehicle has been adapted from manufacturer's specification, for any purpose, with the intention of applying for a licence, the owner must

- provide an Individual Vehicle Approval certificate (IVA) prior to the vehicle being considered for licensing. Failure to provide this information may mean that the vehicle is not deemed suitable to hold a licence. This decision shall be at the discretion of the Council's Licensing Officers.
- m) Any taxi which is licensed as a wheelchair accessible vehicle (WAV) shall have available on the vehicle at all times whilst working, suitable approved equipment (ramps, hoist, winch or other lifting device) for facilitating wheelchair access into the vehicle.
 - n) Straps, belts of other safety restraining equipment as is necessary to ensure that the travelling customer is kept secure and safe whilst in the vehicle shall be provided and all such equipment shall be in full working order and where non metal fabrics are used, not broken, frayed or torn.
 - o) All ramps and other non manufacturer's standard equipment which is provided as disabled access facilities must be stamped or otherwise indelibly marked, if of metal construction, with the registered number of the vehicle and all non metal equipment similarly marked by means approved by the Council. Both types of marking shall be of such proportions as to be easily readable and in the case of non metal equipment, shall be indelible. Any vehicles fitted with a swivel seat shall ensure that the seat is in good repair and is tested regularly to ensure free movement.
 - p) Where a temporary licence is applied for in the event of a vehicle having to be taken off the road due to accident damage or breakdown, a licence may be issued for a period of one month. This may be extended in exceptional circumstances for a further two months in total, at one monthly interval's.
 - q) Any temporary replacement vehicle will be required to be like for like. i.e. if a wheelchair accessible vehicle is replaced, it must be substituted with a similar accessible vehicle. If a swivel seated vehicle is replaced it must be substituted for a wheelchair accessible vehicle. All vehicles which are not required to provide disabled access by virtue of the licence may be substituted by any suitable vehicle.
 - r) The proprietor shall ensure that any system of communications, including mobile phones, installed or used in the vehicle, are capable of being operated on a hands free basis and do not hinder the drivers ability to drive safely and in accordance with road traffic law.

3. Vehicle Age and Testing

- a) Vehicles of any age may be presented for initial licensing, or re - licensing. However, the Council will only consider vehicles which are safe and suitable for the purpose of becoming or remaining a hackney carriage. The Council therefore reserves the right to consider the age of a vehicle, along with any other material factors that it may consider relevant at the time.
- b) Land Rovers and other similar vehicles and three door vehicles will not normally be considered for licensing.
- c) Each hackney carriage vehicle presented for licensing must have a valid MOT if over 1 year from first registration. A valid MOT must be presented for each renewal of the vehicle licence.
- d) Vehicles from 6 to 8 years old will require an interim test certificate at the 6 month stage and those over 8 years old will require the test three times per year. Each test will be required to be to the same standard of a VOSA MOT and certification will be required to be produced. This may not always be a standard MOT certificate as some garages are refusing to supply them, however a statement from the garage certifying that a valid test has been carried out to VOSA MOT standard will be acceptable. The MOT can be carried out by any garage or person qualified and certified by VOSA.
- e) All vehicles failing the inspection will be refused a licence until such time as defects identified are remedied and the vehicle has been re - inspected and passed as suitable to operate as a taxi.
- f) The age of imported vehicles will be considered to be from the date of first registration of the vehicle whether registered in this country or abroad, with the same criteria, a) and c) above, applying.

4. Vehicle identification marks

- a). The identification plate issued and owned by the Council bearing the number and vehicle details, granted in respect of the vehicle, shall be clearly visible and be securely fixed to the rear exterior surface of the vehicle, at all times, in a position which is not higher than the lower edge of the rear window. Brackets can be supplied for the correct fixing of the plate. The plate remains the property of the Council at all times. It should be noted that the plate is not the licence, but is a legal requirement to indicate the number of passengers carried within the vehicle.
- b) The identification plate shall at no time be wilfully defaced or obstructed from public view.
- c) The licence/plate cannot be transferred without the permission of the Council and can only be transferred

with the vehicle to which it currently applies.

- d) The licence/plate cannot under any circumstances be sold or leased.
- e) The proprietor shall ensure that the licence number of the vehicle and the number of persons permitted to be carried is displayed prominently in the vehicle, in the form of the identification badge or sticker provided by the Council. This will be in a position within the vehicle, which all passengers can read easily. This notice must not be obscured.
- f) The proprietor shall ensure that tables or scales of charges, as determined by the Council, are displayed inside the vehicle in such position as to be clearly visible to the hirer and passengers. These must be permanently displayed in the front of the vehicle and readily available to passengers in the rear, at all times.

5. Advertising

- a) All advertising on the exterior surfaces of the vehicle must comply with the British Code of Advertising Practice, Sales Promotion and Direct Marketing and is the responsibility of the agency or individual seeking the Council's approval, to ensure that they do so. Approval must be sought from the Licensing Team before works are carried out by supplying photographs or other images of the advertising material. With the exception of those subjects in section 5. b) most other forms of advertising will receive approval.
- b) Advertising containing political, ethnic, religious, sexual or controversial texts, those for massage parlours or escort agencies, nude or semi nude figures, those seeking to involve the driver as an agent of the advertisers, those likely to offend public taste or those that seek to advertise more than one company, other than the taxi company, will not be approved.
- c) The above conditions 5. a) and b) are applicable from 23 September 2015 for newly licensed vehicles and for those vehicles which currently have advertising material displayed externally, a moratorium is in place until the 23rd September 2015 in order for retrospective permissions to be granted.

6. Roof Signs (General)

- a) A single roof sign shall be fitted to each taxi and meet the following conditions and specification:
- b) Roof signs shall be kept clean and in good repair and at all times be securely mounted on the vehicle roof, with the main face showing the Council logo facing forward. The sign is to be positioned forward of the pillar between the front and rear doors, wherever possible. Vehicles with

glass or fibreglass roofs or similar must attach the sign at the foremost point on the roof, where suitable magnetic adhesion is possible.

- c) The proprietor shall provide a roof sign to the following specification: (unless the vehicle is a London Cab or other similar vehicle which was manufactured as a taxi and produced with a built in sign).

7. Roof Signs (Saloon Cars, Minibuses, Galaxy's and similar)

- a) The roof sign will have dimensions of: 60.5 centimetres long, 17.5 centimetres wide at the middle point. 11 centimetres high at the rear middle point and 3 centimetres high at the front middle point. These dimensions will not include any raised lip or edging. Reference should also be made to any illustrative art work, or model signs, provided by the Council to show the approved design.
- b) The roof sign shall be white in background colour. When lit, the sign must show red to the rear but not red to the front and sides. No other colours will be permitted.
- c) The roof sign must be connected to the taximeter to be automatically controlled. The roof sign must be lit when the taximeter is not active and not lit when the taximeter is in use.
- d) The front face of the roof sign shall show the words "TAXI", "LICENSED BY" followed by the West Berkshire Council Corporate Logo. The licence number shall be shown, within a circle, on both sides of this wording. TAXI shall be in capitals, in Ariel font and approximately 2.5 inches (65mm) in height. The circles shall be approximately 5.5 inches (135mm) in diameter and have the number cut out, 2.5 inches (45mm) high in Ariel font. The front face will not show anything else. The words and the circles will be in Kelly Green (pantone 335c).
- e) The rear face of the roof sign shall show the licence number (once only) to the same specifications as on the front. The number may be positioned anywhere on the rear face at the discretion of the licensee. The licensee may use the remaining space for any reasonable use. Examples of reasonable use include the word "TAXI", the name of the proprietor and the telephone number of the proprietor. This text does not have to be green, (although the number does). All inappropriate or unauthorised signage will be required to be removed.

8. Roof Signs (Wheelchair Accessible Taxis)

- a) In the case of wheelchair accessible vehicles, the front face of the roof sign will show the words "TAXI"

- “LICENSED BY” followed by the West Berkshire Council Corporate Logo. The licence number shall be shown, within a circle, on the off side of the sign. The sign specification shall be that as a) to e) above other than the near side of the sign will show a wheelchair logo in white on a blue background. The wheelchair logo will be in reflex blue. The logo shall be 4 inches (100mm) square.
- b) It may be necessary for some wheelchair accessible taxis to display the sign on the front bulkhead of the vehicle due to height restrictions. Other than this variation, there shall be no other variations from the specification.
 - c) In the event of the Council's Licensing Officers not being satisfied that a roof sign meets the specification, the conditions of the vehicle licence will be deemed to have been breached and the proprietor requested to remedy the defect. The licence holder of the vehicle may then be subject to a penalty within any point's scheme should one be in existence at the time and if not suitably rectified may have the sanction of law imposed.
 - d) Vehicles which are purchased as custom constructed taxis that have a sign provided by the manufacturer, which is not a sign fitted into the fabric of the vehicle, must comply with the above specification.

9. Door Signs

- a) The proprietor shall provide door signs to the following specification:
- b) the door sign will be manufactured, designed and maintained for the intended purpose.
- c) door signs will be kept clean, in good repair and permanently mounted and will be positioned on the top part of both front doors of the vehicle.
- d) the door sign shall be white and show the words “West Berkshire Council in the form of the Council's logo”, below the word “TAXI” “LICENSED BY”, in green, as specified above for roof signs. The licence number will also be shown within a circle, as specified for the front of the roof sign, but only once and to the left of the wording. This sign shall be the only permitted sign attached to the front doors of the vehicle.
- e) the sign shall be a minimum of 15 inches (380mm) by 6 inches (150mm).
- f) the sign will be made of self adhesive vinyl or similar and be permanently displayed. It cannot be of magnetic type. Door signs for use in the event of a temporary vehicle being approved may be provided, on loan for the duration of the use of a replacement vehicle, by the Council.
- g) all vehicles, including “London Cabs” or other similar types, will display these door signs. Vehicles which have

a council approved, “all over” advertising livery, may be exempt of this requirement.

- h) minor variations from the specification may be permitted at the discretion of the Council's Licensing Officers. Any variations granted will be confirmed in writing and may be subject to conditions.
- i) in the event of the Council's Licensing Officers not being satisfied that a door sign meets the specification, the conditions of the vehicle licence will be deemed to have been breached. The licence holder of the vehicle may be subject to a penalty within any point's scheme should one be in existence at the time and if not suitably rectified may have the sanction of law imposed.

10. Taximeters

- a) The proprietor shall ensure that all vehicles, of which they are the proprietor, have taxis meters fitted, which have been sealed by an authorised representative of the Council.
- b) The proprietor shall ensure that the driver of any vehicle fitted with a sealed taximeter, charges a fare calculated from the point in the District from which the hirer commences the journey and shall not charge a fare which exceeds that displayed upon the taximeter at the completion of the journey, except for any additional charges as specified in the scale of fares approved by the Council.
- c) The proprietor shall notify the Council's Licensing Officers immediately upon becoming aware that the taximeter seal is broken.
- d) The proprietor shall ensure that a vehicle fitted with a taximeter shall not operate unless the meter is working correctly and has been checked and sealed by an authorised representative of the Council.

11. Disabled Accessibility

- a) Those taxis licensed before April 2001, the group presently not subject to conditions requiring disabled access, will continue to be free from conditions relating to disabled access, subject to any national legislation or change in the Council's conditions which might be introduced at a later date.
- b) Applicants who were granted licences subject to disabled conditions and who met those conditions by providing either wheelchair access or a swivel seat shall remain subject to those conditions unless either national legislation or West Berkshire Council conditions are introduced at a future date.
- c) All taxis first licensed from 15th March 2005 will be granted on the condition that vehicles provide full

wheelchair accessibility.

- d) If a taxi proprietor transfers whole or in part his/her interest in a hackney carriage proprietor's licence, that transfer shall, subject to the family exemption, be treated as a grant of a new licence for the purpose of applicability of the disabled access condition. Therefore, the disabled access condition requiring the provision of a fully wheelchair accessible vehicle will be applied to that licence with immediate effect from the date that licence is transferred.

12. The Family Exemption

- a) Any transfer by a hackney carriage proprietor of an interest in his/her licence, in whole or in part, which is limited to a transfer of such interest to a member of the proprietors immediate family as defined below, shall not be affected by the disabled access condition to any greater extent than the licence would have been affected had the transfer not occurred. Therefore, upon a transfer to a family member of an interest in a hackney carriage proprietor's licence, the relevant disabled access condition applicable to that licence immediately before the transfer was effected will remain in force.
- b) For the purposes of the above condition, "immediate family" shall mean the:-
- Mother or Father
 - Spouse or Partner
 - Children
 - Brothers or Sisters
 - Step-Mother or Step-Father
 - Step-Children
 - Step-Brothers or Step-Sisters of the hackney carriage proprietor, but shall not extend to any additional family member.
- c) Where it is claimed upon the transfer of an interest in a hackney carriage proprietors licence that the family exemption applies, it shall in every case be for the proprietor of the licence to prove that a family relationship exists within the above definitions.

Please note that any other condition may be attached to a licence which is considered reasonably necessary by the Council. Local Government (Miscellaneous Provisions) Act 1976 section 47.