

Committee: Licensing Committee
Date: Thursday 11 June 2009
Time: 1.00 pm
Venue Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Eric Heath (Chairman)	Councillor Tony Ilott (Vice-Chairman)	
Councillor Fred Blackwell	Councillor David Hughes	Councillor Douglas Webb
Councillor Margaret Cullip	Councillor P A O'Sullivan	Councillor John Wyse
Councillor Mrs Diana Edwards	Councillor G A Reynolds	
Councillor Michael Gibbard	Councillor Rose Stratford	

Substitutes Councillor Alastair Milne Home, Councillor Neil Prestidge, Councillor Devena Rae, Councillor Trevor Stevens and Councillor Lawrie Stratford

AGENDA

1. Apologies for Absence and Notification of Substitute Members

2. Declarations of Interest

Members are asked to declare any interests and the nature of that interest which they may have in any of the items under consideration at this meeting.

3. Petitions and Requests to Address the Meeting

The Chairman to report on any requests to submit petitions or to address the meeting.

4. Urgent Business

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

5. **Minutes** (Pages 1 - 4)

To confirm as a correct record the Minutes of the meetings of the Committee held on 11 March 2009 and 20 May 2009.

6. **Minutes of the Licensing Sub Committee Meeting held on Monday 20 April 2009**
(Pages 5 - 6)

To confirm as a correct record the Minutes of the meeting of the Licensing Sub Committee held on 20 April 2009.

7. **Licensing of Taxis and Private Hire Vehicles** (Pages 7 - 37)

Report of the Head of Urban and Rural Services

Summary

The purpose of this report is to present a review of the vehicle specification documents currently used by the Licensing Authority for the licensing of Taxi and Private Hire Vehicles.

Recommendations

The Licensing Committee is **recommended** to:

- 1) Review the Policy proposals at Annex 1 of this report and authorise officers to carry out consultation on those items of Policy the Committee agree for amendment.
- 2) Note the comments at paragraphs 5.6 and 7.3 regarding future changes to the knowledge testing provisions and agree that any such changes are included in the consultation exercise.

8. **Consultation on Licensing Matters** (Pages 38 - 39)

Report of the Head of Urban and Rural Services

Summary

The purpose of this report is to seek the authority of the Licensing Committee to respond to any relevant consultation documents after discussion with the Chairman of the Licensing Committee.

Recommendation

It is **recommended** that the Licensing Committee authorise the Chairman, or in their absence the Vice Chairman, to formulate a response with officers to relevant consultation documents on behalf of the Licensing Committee.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or 01295 221587 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item. The definition of personal and prejudicial interests is set out in Part 5 Section A of the constitution. The Democratic Support Officer will have a copy available for inspection at all meetings.

Personal Interest: Members must declare the interest but may stay in the room, debate and vote on the issue.

Prejudicial Interest: Member must withdraw from the meeting room and should inform the Chairman accordingly.

With the exception of the some very specific circumstances, a Member with a personal interest also has a prejudicial interest if it is one which a Member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Queries Regarding this Agenda

Please contact Alexa Coates, Legal and Democratic Services alexa.coates@cherwell-dc.gov.uk (01295) 221591

Mary Harpley
Chief Executive

Published on Wednesday 3 June 2009

Agenda Item 5

Cherwell District Council

Licensing Committee and Service Appeals Panel

Minutes of a meeting of the Licensing Committee and Service Appeals Panel held in at Bodicote House, Bodicote, Banbury, OX15 4AA, on 11 March 2009 at 11.00 am

Present: Councillor Eric Heath (Chairman)

Councillor Fred Blackwell
Councillor Diana Edwards
Councillor P A O'Sullivan
Councillor Rose Stratford

Apologies for absence: Councillor Douglas Webb
Councillor Margaret Cullip
Councillor Michael Gibbard
Councillor Simon Holland
Councillor Victoria Irvine
Councillor G A Reynolds
Councillor John Wyse

Officers: Chris Rothwell, Head of Urban & Rural Services
Natasha Barnes, Licensing & Vehicle Parks Manager
Claire Bold, Licensing Team Leader
Sue Christie, Solicitor
Paul Manning, Assistant Solicitor
Alexa Coates, Senior Democratic and Scrutiny Officer

Resolutions

12 **Declarations of Interest**

There were no declarations of interest.

13 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

14 **Urgent Business**

There was no urgent business.

15 **Minutes**

The minutes of the meeting held on 12 August 2008 were approved as a correct record and signed by the Chairman.

16 **Exclusion of the Public and Press**

Resolved, that in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following items of

business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 7 of Schedule 12A of that Act.

17 **Hackney Carriage and Private Hire License Appeal**

The Committee considered an appeal of a decision of the Head of Urban and Rural Services to revoke a Hackney Carriage and Private Hire Drivers License as set out in the exempt minute.

The meeting ended at 12.00 pm

Chairman:

Date:

By virtue of paragraph(s) 1, 2, 3, 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

Cherwell District Council

Licensing Committee

Minutes of a meeting of the Licensing Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 20 May 2009 at 7.20 pm

Present: Councillor Eric Heath (Chairman)

Councillor Tony Illott (Vice-Chairman)

Councillor Douglas Webb

Councillor Fred Blackwell

Councillor Margaret Cullip

Councillor Diana Edwards

Councillor Michael Gibbard

Councillor David Hughes

Councillor P A O'Sullivan

Councillor Rose Stratford

Apologies for
absence: Councillor G A Reynolds
Councillor John Wyse

1 Appointment of Chairman

Resolved that Councillor Eric Heath be elected Chairman of the Licensing Committee for the 2009/10 Council year.

2 Appointment of Vice-Chairman

Resolved that Councillor Tony Illott be elected Vice-Chairman of the Licensing Committee for the 2009/10 Council year.

The meeting ended at 7.30 pm

Chairman:

Date:

Environment & Community

D Ian Davies BSc (Hons) DMS MILAM **Strategic Director Environment & Community**

Chris Rothwell BSc (Hons) FInst SRM **Head of Urban & Rural Services**

Cherwell

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*Please ask for
Direct Dial*

*Our ref **PRM0001/NOD/REVIEW**
Fax **01295 270028** Email **licensing@cherwell-dc.gov.uk***

Your ref

24 April 2009

Dear Sir/Madam

Licensing Act 2003

Decision of Review Hearing: The Angel, 102 Sheep Street, Bicester OX6 7LP

I refer to the hearing of the Licensing Sub-Committee held on 20 April 2009, at which the Sub-Committee considered an application for review of the Premises Licence in respect of the above named premises under the Licensing Act 2003. The decision contained in this letter is a decision of the Licensing Sub-Committee.

After considering all the evidence presented and any representations made at the hearing the Sub-Committee decided as follows:

Decision:

Having considered the representations of all parties the Committee resolves to take no action in this matter.

In coming to this decision, the Committee considered that the approach that they would have been minded to take is what has been achieved, namely the removal of the designated premises supervisor. The Committee will rely on the applicant police force to monitor the new designated premises supervisor and apply for further review of the licence as necessary.

Cont...

You have a right of appeal against this decision to the Magistrates' Court within 21 days of the date of this letter. The relevant Magistrates Court for the area is:

Northern Oxfordshire Magistrates Court
The Courthouse
Warwick Road
Banbury
Oxon
OX16 2AW

Tel: 01295 452000
Fax: 01295 452050

Finally, if you have any queries regarding this notice, please contact a member of the Licensing Unit on 01295 753744.

Yours faithfully

Licensing & Vehicle Parks Manager

Copies to: TLT LLP, One Redcliff Street, Bristol
Thames Valley Police Licensing, St Aldates, Oxford

**CHERWELL DISTRICT COUNCIL
LICENSING COMMITTEE MEETING**

11 June 2009

REPORT OF THE HEAD OF URBAN & RURAL SERVICES

Licensing of Taxis and Private Hire Vehicles

1 Introduction and Purpose of Report

- 1.1 The purpose of this report is to present a review of the vehicle specification documents currently used by the Licensing Authority for the licensing of Taxi and Private Hire Vehicles.
- 1.2 The Licensing Committee is asked to consider the review document and, if as a result, determines that revisions are necessary, to authorise Officers to consult on proposed Policy changes.
- 1.3 The current specifications were agreed at a meeting of the Licensing Committee on 16 July 2008 and introduced on 1 September 2008. This followed a detailed review of the previous specifications and an extensive consultation process with the trade and other interested parties, such as Thames Valley Police.
- 1.4 Since the specifications were introduced, the Licensing Authority has continued to receive feedback from the trade highlighting their concerns. In view of this, and with the benefit of 9 months of the specifications being in operation, it was felt appropriate to undertake a further review, inviting the trade to submit their views for the Licensing Committee to consider.

It also provides an opportunity for the Licensing Authority to propose further changes that help to clarify the specification requirements and to ensure that the test of ensuring public safety and accessibility are met.

2 Wards Affected

- 2.1 All Wards

3 Effect on Policy

- 3.1 The review may highlight a need for alterations or adjustments to the Policy. It is necessary for any such revision to be formally consulted on and therefore any changes that are being proposed would become effective only following a further report to the Licensing Committee that will set out the results of the consultation.

4 Contact Officer(s)

- 4.1 Chris Rothwell (Ext 1712).
Natasha Barnes (Ext 3738).

5 The Present Position

- 5.1 At a meeting on 19 March 2008 Licensing Committee considered a revised Policy document for use in the Licensing of Taxi and Private Hire Vehicles, Operators and Drivers. At this meeting the Committee gave authority to Officers to carry out a consultation on the proposed Policy documents.
- 5.2 The results of the consultation exercise were reported to the Licensing Committee on 16 July 2008 and the Committee agreed the final Policy documents for introduction with effect from 1 September 2008.
- 5.3 A number of proposals and amendments to the draft Policy documents were submitted by the Trade and were considered by the Licensing Committee at the 16 July 2008 meeting. Whilst these proposals were a valuable part of the consultation not all were accepted as it was not felt that they were in the best interests of the public. During the first 9 months of operating the new Policy documents, members of the trade have continued to raise concerns over some aspects of the Policy that they proposed in the consultation but were not included in the final Policy.
- 5.4 Officers felt that it would be timely to bring forward a planned review of the Policy to enable Committee to review trade representations. This report sets out these representations together with Licensing Authority comments to assist the Committee in understanding the Policy context and where changes might be considered.

It is also appropriate to review the Policy position in light of the current economic climate.

- 5.5 In March 2009 Officers sent a "Taxi News" letter to every Hackney Carriage and Private Hire Driver Licence Holder, this included an invitation to send any comments they have regarding the Policy Documents so that they could be considered as part of this review.
- 5.6 Licensing Officers received letters from The Cherwell Valley Hackney Carriage Association (CVHA) and the North Oxfordshire Hackney Association (NOHA) with their comments. In addition a Mr Mark Peace of Cheney Travel asked that his previous comments be reconsidered as a part of the review.
- 5.6 The Licensing Authority is also currently undertaking a review of its knowledge testing provision, it is anticipated that a new question bank will be developed and that the number of questions and therefore the pass mark will differ from that which is currently in use.

6 Background

- 6.1 The Department for Transport (DfT) guide refers to best practice in both the taxi and private hire vehicle (PHV) trades. It emphasises that each individual licensing authority has the responsibility to reach their own decisions in the light of their own views of the relevant considerations, and taking into account local circumstances. The purpose of the guide, amongst other things, is to set out the main considerations and highlight those which experience has shown to be controversial. It should be noted that the DfT are currently consulting on a revised version of this document and its contents have been considered in writing this report.
- 6.2 Households in Great Britain spend around £3 Billion on taxi and PHV journeys each year. Further substantial sums are spent by businesses and visitors on this (mostly) local transport.

- 6.3 Taxis and PHVs provide a safe and reliable means of transport for a cross section of our community including:
- children with special needs travelling to school
 - men and women travelling home late at night from town centres
 - those in rural areas who have no alternative means of transport
- 6.4 The role of licensing policy is to ensure safe and accessible services for all customers. In doing so there is a need to ensure that any licensing conditions that are set are proportionate to the policy aims they seek to achieve and this requires that the different interests of operators and their customers have to be considered and reconciled. For example, drivers may wish to see an increase in fares while passengers will not. It follows that consultation on these issues is required across a range of people who have an interest in the operation of taxis and private hire cars, not simply the drivers or operators themselves.
- 6.5 One of the policy issues that have been subject to legislative change in recent years has been accessibility for disabled people. Disability legislation passed in 1995 that applies to taxis would restrict the ability of local licensing authorities to grant taxi licences, unless they conformed to access provisions, but these have not been implemented by the government. More recent disability legislation applies to both Taxis and PHVs and sets out a general right of access to goods, services and facilities for disabled people.
- 6.6 Other legislation goes directly to the duties of the drivers themselves and does not require to be replicated in Council Policy, save to ensure that enforcement policies give due emphasis to inspection and enforcement of them, for example the requirement to hold a DVLA Drivers Licence in order to operate a motor vehicle.

7 Proposed Changes to Policy

- 7.1 In order for the Licensing Committee to consider any proposed changes, Officers have collated all responses into a table format. This is attached as Annex 1.
- 7.2 The table sets out in column form: the Policy section number; the wording of that section of the current Policy; the respondent; their comments. The table also includes details of the pre September 2009 Specification so that Committee can see any amendments that were made as a result of the last Policy review, these changes are reflected in italics. The final column gives information regarding options that are open to Committee along with an Officer recommendation and explanation.
- 7.3 The Policy governing the application for a Hackney Carriage and Private Hire Vehicle Drivers Licence is currently very specific with regards to the make up of the knowledge test. It is likely that the work that is underway to review the test will result in the need to clarify the wording of this section of the Policy.

8 The Consultative Process

- 8.1 Changes to licensing policy will only normally take place following consultation with relevant interested parties. Such consultation must take place at a time when proposals are still at a formative stage; include sufficient reasons for particular proposals to allow those consulted to give a reasoned response; adequate time must be given for the consultation; and the product of the consultation must be conscientiously taken into account when the ultimate decision is taken.

8.2 The Department for Transport (DfT) 'Best Practice Guidance' dated October 2006 suggests that:

"... consultation should include not only the taxi and PHV (private hire vehicle) trades but also groups likely to be the trades' customers. Examples are groups representing disabled people, Chambers of Commerce, organisations with a wider transport interest (e.g. Transport 2000 and other transport providers) women's groups or local traders."

8.3 A list of those with whom it is proposed to consult on these matters should the Committee consider that Policy changes are appropriate is attached as Annex 2. In addition, all the papers relevant to this consultation will be posted on the Council's website and made available to members of the public at each of the districts One Stop Shops.

9 Risk Assessment, Financial Effects and Contributions to Efficiency Savings

9.1 Risk assessment –

Risk	Likelihood	Impact	Mitigating Actions
Little or no risk associated with carrying out a formal consultation process.	Low	Low	To carry out the consultation in the way described at paragraph 8.2 and 8.3

9.2 Financial effects – minimal cost associated with production and distribution of policy amendment documents, these costs can be met within existing budget provision

9.3 Efficiency savings – None arising from consultation

10 Recommendation

10.1 It is **recommended** that the Licensing Committee

1. review the Policy proposals at Annex 1 of this report and authorise officers to carry out consultation on those items of Policy the Committee agree for amendment.
2. note the comments at paragraphs 5.6 and 7.3 regarding future changes to the knowledge testing provisions and agree that any such changes are included in the consultation exercise.

Background Papers:

- (a) Department for Transport Taxi and Private Hire vehicle Licensing 'Best Practice Guidance'
- (b) Current Private Hire Vehicle and Hackney Carriage specifications.

Specification Reference No	Current Specification	Respondent	Respondents Comments	Old Specification	Licensing Team / Comments/ Recommendations
<i>Comments in italics refer to items in the old specification that have been modified or removed with the introduction of the new specification in September 2008</i>					
1: General					
1.4	A separate lockable luggage compartment shall be provided. For non-saloon vehicles, passengers must be protected by a screen from items of luggage contained in the luggage space being propelled forward.	Cherwell Valley Hackney Association (CVHA)	Currently none of the vehicles have such a screen i.e. Fiat Doblo, E7 etc, because the seats stop any luggage from being propelled and hurting any passenger.	A separate lockable luggage compartment shall be provided. For non-saloon vehicles, passengers must be protected by a screen from items of luggage contained in the load space being propelled into the passenger compartment by the vehicle movement. <i>In the case of LPG fuelled vehicles, the vehicle will not be accepted for licensing if the LPG tank adversely impacts on the load carrying capacity.</i>	<p>1. The screen can be made from a number of different materials, as long as it provides the passengers with adequate protection.</p> <p>The Council has been acting with a flexible manner towards vehicles complying with this section since the introduction of the new policy. However, in the interest of public safety and the vehicle's driver, this will now be rigorously enforced.</p> <p>Recommendation: No change to current policy</p>
1.6	The vehicle will be right hand drive.	CVHA	What is the problem if it's a left hand drive vehicle as we are part of the European Union. We should follow all EC standards or none of them – why pick and choose?	All vehicles shall be right hand drive.	<p>1. We are governed by UK Highway Regulations, Road Safety and Passenger Safety (customer service doors on correct side of the vehicle for UK on right hand drive vehicles)</p> <p>Recommendation: No change to current policy</p>
1.7	Tinted windows which prevent clear vision into the vehicle will not be permitted.	CVHA	If the tints are factory standard then there should be no objection. Then again, some customers prefer tinted windows for Privacy etc.	Tinted windows which prevent clear vision into the vehicle shall not be permitted. <i>The light transmitted through the windscreen must be at least 75%. The side windows must allow at least 70% of light to be transmitted through them. No film is to be applied to any of the vehicle's windows.</i>	<p>The current specification takes into account the following factors:</p> <ol style="list-style-type: none"> 1. Emergency vision into vehicle during an accident 2. Enforcement capability 3. Some customers may feel intimidated 4. VOSA standards (it is illegal for front windows to prevent 75% or less light through glass as

Specification Reference No	Current Specification	Respondent	Respondents Comments	Old Specification	Licensing Team / Comments/ Recommendations
					<p>stated in old policy)</p> <p>5. Driver Safety</p> <p>Recommendation: To consider applications on a case by case basis and look at alternative conditions if exceptions from the policy are requested.</p>
1.8	A vehicle which is involved in an accident or otherwise damaged must be reported to the Council within 72 hours so that the vehicle can be inspected	CVHA	We agree that after an accident (major, not a minor one) it should be reported within 72 hours but the customer should be helped within 24 hours of the report.	<i>Local Government (Miscellaneous Provisions) Act 1976 requires that any licensed hackney carriage vehicle which is involved in an accident or damaged must be reported to the Licensing Authority within 72 hours and inspection arranged to determine what course of action is to be taken. The Licensing Officer's target is to inspect the vehicle either at the Council Offices or on site within 3 working days of notification. In cases where a stop notice has been issued by the Licensing Officer following an inspection, a mechanical certificate and a M.O.T test certificate may be required depending on the severity of the damage before the plate is re-issued; this is to ensure the vehicle is roadworthy. (Normally 28 days will be allowed for repairs, however, each case will be assessed individually and will depend on the circumstances.)</i>	<ol style="list-style-type: none"> 1. Legal requirement for all accidents (Sec 50 (3)). Without prejudice to the provisions of section 170 of the Road Traffic Act 1988, the proprietor of a hackney carriage or of a private hire vehicle licensed by a district council shall report to them as soon as reasonably practicable, and in any case within seventy-two hours of the occurrence thereof, any accident to such hackney carriage or private hire vehicle causing damage materially affecting the safety, performance or appearance of the hackney carriage or private hire vehicle or the comfort or convenience of persons carried therein. 2. Emergency appointments are available on a daily basis during the week (must only be used in an emergency and not for drivers wishing to have a more convenient appointment) 3. 72 hour period covers the weekend 4. An alternative could be to suggest Out Of Hours Support – the cost of which would need to

Specification Reference No	Current Specification	Respondent	Respondents Comments	Old Specification	Licensing Team / Comments/ Recommendations
					<p>be met through the licence fees</p> <p>5. A definition of major and minor accidents needs to be sought – this would protect both public safety and the licence holder</p> <p>Recommendation: The reporting of an accident is required by legislation as stated in point 1. Point 2 outlines the procedures in place currently to deal with such reports. The Committee are asked to consider point 4 and to permit a definition of major and minor accidents to be added to the specification.</p>
1.9	All vehicles must at all times comply with the condition and appearance requirements set out in appendix 2.	CVHA	This rule should be flexible as there are times when it will not be possible i.e. a door lock/handle is damaged but all the other doors are working. The taxi driver (customer) should be allowed to carry on working.	All vehicles must comply with the condition and appearance requirements as detailed in Appendix 2.	<p>1. Generally, infringements are given 28 days to be rectified and the vehicle remains operational. Will depend upon severity of infringement as to the time scale given.</p> <p>2. Existing policy allows flexibility and a reasonable approach towards infringements. The example presented by CVHA is not good, as such an issue would impact upon public safety by preventing egress from an exit point in the car.</p> <p>Recommendation: No change to current policy</p>

Specification Reference No	Current Specification	Respondent	Respondents Comments	Old Specification	Licensing Team / Comments/ Recommendations
2: Dimensions					
2.1	At least 1295 mm interior width measured across the widest part of the rear seat. Any vehicle which has to be modified to meet this, or any other requirement, will not be accepted.	CVHA	This should be flexible; there should be give and take of 150mm and, if it can be modified, then why is it a problem.	At least 1295 mm interior width measured across the widest part of the rear seat. Any vehicle which has to be modified to meet this requirement will not be accepted.	<ol style="list-style-type: none"> 1. As standard practice, only the largest part of the seat is measured to allow maximum width measurement. 2. To modify a seat could in turn have implications on the chassis of the vehicle and therefore safety issues 3. The specification requirements assist in restricting the number of vehicles available on the market to be a taxi and therefore protect the industry. <p>Recommendation: No change to current policy</p>
2.2	At least 1480 mm interior width measured in line with the front edge of the rear seat cushions, and at a point on the body sides between the internal faces of the bottom of the rear side window glass.	CVHA	Again same as above. Please allow another 150mm.	At least 1480 mm interior width measured in line with the front edge of the rear seat cushions, and at a point on the bodysides between the internal faces of the bottom of the rear side window glass.	As 2.1.
3 :Age and conditions of vehicle and mechanical testing					
3.3	On a date between five and six months after the vehicle has first been MOT tested, and in each year thereafter that the vehicle remains licensed, the vehicle must be tested according to the requirements of the Council's mechanical inspection certificate. That	CVHA	We totally disagree with this. Why, because until 2009 for 40 years the specification had remained the same. Now, we have a majority of computerised cars that tell the driver what needs to be replaced	<p><u>All vehicles (with the exception of Purpose Built Vehicles)</u></p> <ul style="list-style-type: none"> • For vehicles <u>under 5 years old</u> a mechanical inspection certificate will be required <u>annually</u>. • For vehicles <u>over 5 years old</u> a mechanical inspection certificate will be required every <u>six months</u>. 	<ol style="list-style-type: none"> 1. Under Section 47 of the Road Traffic Act 1988, a taxi is required to obtain an MOT from when it is 12 months old (an exception to the normal discretion period of 3 years for a domestic motor vehicle) and annually thereafter. The Council's policy requests that the vehicle is also inspected to

Specification Reference No	Current Specification	Respondent	Respondents Comments	Old Specification	Licensing Team / Comments/ Recommendations
	test can be taken at either an approved MOT testing station or at the Council's testing centre.		where and when. So by introducing this new regime it's unfair. We want as previous years. One MOT until the age of 7 years, after 7 years of age, 2 MOT's every 6 months there-after. Please do bear in mind that as prudent taxi drivers we regularly check and get our vehicles checked anyway but for the council to impose it upon us we think this is unfair. Vehicles now are much more modern and safer than vehicles of yesteryear.	<ul style="list-style-type: none"> Any vehicle which will become 7 years old during the lifetime of the licence must pass a mechanical examination by the Council's Testing Centre six months from the date of issue of licence. <p><u>Purpose Built Vehicles ("London" Type Taxis)</u></p> <ul style="list-style-type: none"> For vehicles <u>under 7 years old</u> a mechanical inspection certificate will be required <u>annually</u>; For vehicles <u>over 7 years old</u> a mechanical inspection certificate will be required every <u>six months</u>; Vehicles which will become 10 years old during the lifetime of the licence must pass a mechanical examination by the Council's Testing Centre every six months. 	<p>its required standard six months after its MOT has occurred.</p> <ol style="list-style-type: none"> As the MOT is required by legislation, the Council is only requesting the vehicle is tested once, five to six months after the MOT has taken place. Previously, vehicles have been getting their MOT and Council mechanical tests simultaneously. The second test is worthless if carried out at the same time. By spacing the two tests out throughout the year, the vehicle can be assured to be maintained to a high standard and therefore keeping the standard of taxis high across the district. <p>Recommendation: No change to current policy</p>
		North Oxfordshire Hackney Association (NOHA)	Objection to the increased number of tests being required.		<p>As 3.3. There is no increased number of tests requested.</p> <p>Recommendation: No change to current policy</p>
3.4	The Council will not grant a new Taxi licence to any vehicle which is more than 5 years old when presented to be licensed for the first time.	CVHA	Renewable Licences should be in accordance with the 7 year rule and only new Taxi Licenses have to be under 5 years.	<p><u>All vehicles (with the exception of Purpose Built Vehicles)</u></p> <ul style="list-style-type: none"> Any vehicle more than 7 years old will not be licensed unless the vehicle is in an <u>exceptionally well maintained condition</u>. <p><u>Purpose Built Vehicles ("London" Type Taxis)</u></p> <ul style="list-style-type: none"> Any vehicle more than 10 years 	<ol style="list-style-type: none"> All vehicles that are presented to be licensed for the first time will be required to be less than 5 years old. Vehicles that are currently licensed and are presented for license renewal can be renewed up until they are 7 years old. Other factors that have been taken into consideration when determining this section of the policy resolve around higher

Specification Reference No	Current Specification	Respondent	Respondents Comments	Old Specification	Licensing Team / Comments/ Recommendations
				<p><i>old will not be licensed unless the vehicle is in an exceptionally well maintained condition. For definition of exceptionally well maintained please refer to Section 4.</i></p>	<p>mileage on older vehicles and environmental concerns such as higher emissions from older vehicles.</p> <ol style="list-style-type: none"> 4. Taxis are subject to business use and therefore are likely to have a higher mileage. 5. The government has just introduced a scrappage for domestic vehicles 10 years old or over, implying a vehicle for business use may have a far shorter life span. 6. Due to the economic climate, the implementation of this clause has been delayed for nine months. Prior to this delay, the trade were consulted on this proposal six months before the implementation of the policy. <p>There are several options open to the Committee:</p> <ol style="list-style-type: none"> 1. No change 2. Further extension to the delay in introducing age limit 3. Add conditions to the licences in respect of the conditions of the vehicles 4. Consider limiting vehicles by mileage or emission levels instead of age <p>Recommendation:</p> <p>The Licensing Authority has discretion to make exception to the Policy where good reason requires it to do so. License holders can submit a Business case with supporting</p>

Specification Reference No	Current Specification	Respondent	Respondents Comments	Old Specification	Licensing Team / Comments/ Recommendations
					<p>information if they consider their vehicle should be treated as an exception to Policy.</p> <p>Recommend that this discretion continues.</p> <p>Any additional costs incurred by selecting options 2,3 or 4 would need to be met by the licence fee (for example due to increased inspections)</p>
3.5	The Council will not renew the licence of any vehicle once it is more than 7 years old.	CVHA	The council is being unfair. If the vehicle is in a good condition, is well maintained and naturally passes the depot test then it should be passed. Why have different rules for us and different rules for others. Take example of other government departments and councils helping their residents i.e. Bailing them out, subsidising buses etc, already it is very hard to scrape a living with so many Taxi's on the road and the employment market is nearly dead. Most businesses are closing.	As Above.	<p>1. It is unclear exactly what is being requested here. On one hand, there appears to be opposition to the 7 year limit and a request to remove this. By removing this limit, the trade will be open to more vehicles being accepted as taxis as requirements will have lowered. However, on the other hand there is opposition to delimiting and opening up the trade to more vehicles which will have the adverse effect to what has been originally requested.</p> <p>Recommendation: No change to Policy, but in light of current economic climate Committee may wish to consider a further extension of the period of grace for the 7 year age restriction to apply.</p>
		NOHA	Concerns over the current economic climate and the age of vehicles.		No suggestions for alternatives put forward by NOHA.

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					Recommendation: See 3.5 above
		Cheney Travel	The (current) vehicles sourced (and bought by Cheney Travel), under the guidance of the District Council Representatives, are likely to be over 7 years old in the near future.		No suggestions for alternatives put forward by Cheney Travel. Recommendation: See 3.5 above
3.6	All vehicles submitted for inspection, for example when a new or renewed licence is being granted, must have a mechanical inspection certificate completed by an authorised MOT testing centre. This certificate must be dated less than 14 days prior to the inspection date.	CVHA	We request that it should be at least 28 days to give further flexibility and opportunity to the Taxi Driver who already is suffering in this economic hardship.	<i>All vehicles submitted for inspection must have a mechanical inspection certificate completed by an authorised MOT testing centre. This certificate must be dated no more than 14 days prior to the inspection date.</i>	<ol style="list-style-type: none"> 1. All licence holders are advised of their appointment dates and times, with the Council, at least one month in advance giving the licence holder suitable time to book the vehicle in for required tests. 2. Doubling the permitted time limit may result in issues arising with the vehicles. Many defects can occur in a 14 day period, such as bald tyres on high mileage vehicles. Recommendation: No change to current policy
4: Additional requirements for vehicles licensed to carry more than four people					
4.1	Individual seats must be at least 400 mm wide measured across the widest part of the seat cushion.	CVHA	There should be flexibility of 100mm per each seat.	Seats provided for one person shall be at least 405 mm wide.	<ol style="list-style-type: none"> 1. The flexibility requested is a 25% increase or decrease to a vehicles seat dimension. This potentially could have an impact upon safety and comfort issues for customers 2. As standard practice, only the largest part of the seat is measured to allow maximum width measurement.

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					<p>3. Modifications, such as seat padding, will be considered and will be assessed on a case by case basis.</p> <p>4. Such restrictions assist in restricting the number of vehicles available on the market to be a taxi and protect the industry.</p> <p>Recommendation: No change to current policy</p>
4.2	Seats designed to accommodate up to two people must be at least 800 mm wide, measured across the widest part of the seat cushion.	CVHA	There should be flexibility of 150mm per double seat.	A row of seats provided for two persons shall be at least 865 mm wide.	<p>1. This section of the policy has been clarified to avoid confusion over the potential removal of a third seat from a row to permit access/egress which would result in turning a three seat row into a two seat row.</p> <p>Recommendation: No change to current policy</p>
4.3	A row of seats designed to accommodate up to three people shall be at least 1250 mm wide measured across the widest part of the seat cushion.	CVHA	There should be flexibility of 250mm per triple seat.	A row of seats provided for three persons shall be at least 1295 mm wide.	As 4.2.
4.4	Rear doors may be allowed to provide access to seating, provided that unobstructed access may be gained via these doors to all passenger seats, excepting the passenger seat next to the driver.	CVHA	Not clear as to what this means.	<i>At least three bodyside doors for passengers with a separate means of access for the driver. Rear doors may be included in this number as long as unobstructed access may be gained via these doors to all seats. Seats which have to be lifted to gain such access will not be acceptable.</i>	<p>1. Unobstructed access to all passenger seats must be available. Therefore, seats may need to be removed from a vehicle to maintain this access. It is not acceptable for a customer to have to climb over a seat to get access to a door.</p> <p>Recommendation: No change to current policy</p>

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4.5	Folding or moving seats which are so constructed to provide access to other seats, to which there is no direct access, will not be accepted.	CVHA	Why have different rules, the same rules should apply to all vehicles. I.e. there is a folding seat in all London Cabs.	<i>At least three bodyside doors for passengers with a separate means of access for the driver. Rear doors may be included in this number as long as unobstructed access may be gained via these doors to all seats. Seats which have to be lifted to gain such access will not be acceptable.</i>	<p>1. The flip down seats built into London Style Cabs do not obstruct access/egress for the vehicle, due to their automatic 'flip' nature. Other vehicles with static seats that simply fold are not acceptable.</p> <p>Recommendation: No change to current policy</p>
5: Vehicles specially constructed or adapted for the carriage of passengers in wheelchairs					
5.2	Suitably modified people carrier type vehicles may be licensed and will normally be required to meet the specification for vehicles licensed to carry more than four persons. Further advice may be obtained from the Council's licensing service.	CVHA	We need further clarification on this – it remains ambiguous.	Suitably modified "people carrier" type vehicles may be deemed acceptable for licensing. The vehicle will generally have to comply with the requirements relating to vehicles which carry 5 or more passengers, <i>pending the publication of a National Specification for taxi vehicles</i> . Further advice may be sought from the licensing authority at Cherwell District Council.	<p>1. All vehicles suitably modified or adapted for the carriage of passengers in wheelchairs must meet the requirements of section 4.</p> <p>2. Each case will be assessed on an individual basis. It is difficult to clarify the matter any further without knowing the precise vehicle concerned.</p> <p>Recommendation: No change to current policy</p>
5.3	The vehicle will have to have a satisfactory arrangement for ramps, steps, handrails, and storage of wheelchairs. Fixing of wheelchairs must also be to the satisfaction of the Council. The vehicle must be capable of taking a wheelchair with the passenger suitably anchored with any safety belt or harness for the user.	CVHA	The advice of the council needs to be very clear in black and white.		<p>1. If the policy is more specific, the number of vehicles suitable to be licensed will be limited. As mentioned above, each case will be assessed on its own merits.</p> <p>2. Alternatively, a definitive specification will assist the Licensing Inspectors in their duties and give strict guidelines to all applicants that will have to be adhered to.</p>

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	The dimensions for the door aperture giving access for wheelchair based persons must also be to the satisfaction of the Council. Further advice may be obtained from the licensing service.				Options open to the Committee: <ol style="list-style-type: none"> No change Make policy more specific and create definitive specification for all applicants to adhere to and limit vehicles suitable to apply More specific policy giving clear advice as requested by CVHA Recommendation: Recommend Committee agree Option 3 above.
5.4	The most important considerations in deciding whether or not a vehicle is suitable to be licensed as a HCV are the safety and comfort of the passengers. Vehicles to be used for passengers in wheelchairs must have European Whole Vehicle Type Approval, a British National Type Approval, or British Low Volume Type Approval.	CVHA	Please use one type approval, either British <u>or</u> European.	<i>It is important to ensure that any new vehicle to be used as a Hackney Carriage is of a standard that, above all else, ensures the comfort and safety of the passenger. Any vehicle presented for licensing must be designed and developed specifically for use as a wheelchair accessible taxi, have M1 classification and comply in all aspects to EC Whole Vehicle Type Approval, (E C W V T A), or UK Low Volume Type Approval (U K V T A). (This will also apply to existing vehicles on replacement.)</i>	<ol style="list-style-type: none"> We are governed by UK Highway Regulations, Road Safety and Passenger Safety (as customer service doors on correct side of the vehicle for UK on right hand drive vehicles) Please note, a vehicle can be classified as European Whole Vehicle Type Approval and then re-classified under British National Type Approval Permitting only one Type will exempt a large number of vehicles from entering the trade. Recommendation: No change to current policy in order to give the Trade access to the widest range of vehicles.
5.5	The Council's preference is for side loading vehicles, but will not refuse permission for rear loading vehicles.	CVHA	OK accepted.	The Council's preference is for side loading wheelchair accessible vehicles; however it will not refuse rear loading vehicles. <i>Both the Spinal Injuries Association and Radar have raised concerns about the suitability of rear loading vehicles, principally as</i>	Recommendation: No change to current policy

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				<i>the wheelchair occupant has to be wheeled into the road to be loaded and electric wheelchairs have difficulty getting over kerbs. In addition, if the vehicle is struck in the rear the wheelchair occupant is in a vulnerable position and may well become trapped.</i>	
Requirements for All Vehicles					
6: Markings, signs and advertisements					
6.1	Company Name The name of the Company and the telephone number may appear on the vehicle subject to the prior approval of the Council. This would normally be along the top edge of the windscreen.	CVHA	OK	Company Name The name of the Company and the telephone number may appear on the vehicle subject to the prior approval of the Council. This would normally be along the top edge of the windscreen.	Recommendation: No change to current policy
6.2	a) Colour, markings and signs All vehicles shall be white. Purpose built "London Taxis" shall be exempt from this requirement. A "London Taxi" is an FX4 or Metrocab type of vehicle. Converted "people carrier" vehicles are <u>not</u> classed as a London Taxi. The shade of white shall be approved by the Council prior to the vehicle being licensed. All paintwork shall be factory standard. b) The word "TAXI" shall be shown on both front doors <u>affixed</u> to the	CVHA	a) Vehicles should be in any 2 colours. I.e. white and silver (WAV should be in any colour.) London Taxis/Metro Cabs etc. the council should not be so stringent on the shades of white as it is practically impossible to determine the same shade of white. All paintwork should appear to be satisfactory and not according to factory standards. b) This should be up to	a) All vehicles shall be white. Purpose built "London Taxis" shall be exempt from this requirement. A "London Taxi" is an FX4 or Metrocab type of vehicle. Converted "people carrier" vehicles are <u>not</u> classed as a London Taxi. The shade of white shall be approved by the Council prior to the vehicle being licensed. All paintwork shall be factory standard. b) The word "TAXI" shall be shown on both front doors <u>affixed</u> to the vehicle in black block letters, 15 cm high. c) A roof sign shall be provided which is capable of being illuminated at night. The roof	In response to CVHA's comments, the Committee are asked to consider the following options: 1. a) COLOUR- It is the view of the Licensing Authority that a single colour for all HCVs (except purpose built) achieves the best position in terms of public recognition and in assisting effective enforcement. The Committee could consider moving to allow an additional colour, but the Licensing Team do not recommend this approach. Any change to the Council's Policy on single colour HCV's has adverse impact on PHV's as, to ensure recognition of the colour as an HCV, the policy would have to

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	<p>vehicle in black block letters, 15 cm high.</p> <p>c) A roof sign shall be provided which is capable of being illuminated at night. The roof sign shall display only the word "TAXI" and shall not display any other distinguishing marks or telephone numbers. The Council will, without prior approval, allow the R4 or R5 type sign supplied by Halda Limited. A roof sign of similar dimensions, but supplied by another firm, may be provided subject to prior approval from the Council as to the size, wording and colour before obtaining and fitting the sign.</p> <p>d) A windscreen sign shall be provided displaying the words "FOR HIRE". This sign shall be capable of being illuminated when the vehicle is plying for hire and shall be capable of being switched off when the vehicle is hired. The letters shall be out of a green background and the sign shall be 240 mm x 55 mm x 50 mm as supplied by Halda Limited. A sign of similar</p>		<p>the owner of the Taxi as to what size and colour the words need to be in. it should be flexible as nobody applies to the 15cm rule as some vehicles are bigger than others etc.</p> <p>c) This should be at the discretion of the owner. It's their business; let him/her decide.</p> <p>d) Same as C. we already use orange and green. No company i.e. Halda should be supported by the council.</p> <p>e) The advert size should be up to the owner of the taxi. Advertising should be: Non religionist Non sexist Non political</p> <p>g) why all vehicles and their owners should be eligible for equal opportunity; why the discrimination?</p>	<p>sign shall display only the word "TAXI" and shall not display any other distinguishing marks or telephone numbers. The Council will, without prior approval, allow the R4 or R5 type sign supplied by Halda Limited. A roof sign of similar dimensions, but supplied by another firm, may be provided subject to prior approval from the Council as to the size, wording and colour before obtaining and fitting the sign.</p> <p>d) A windscreen sign shall be provided displaying the words "FOR HIRE". This sign shall be capable of being illuminated when the vehicle is plying for hire and shall be capable of being switched off when the vehicle is hired. The letters shall be out of a green background and the sign shall be 240 mm x 55 mm x 50 mm as supplied by Halda Limited. A sign of similar dimensions, but supplied by another firm, may be provided subject to prior approval from the Council, before obtaining and fitting the sign.</p> <p>e) Advertisements may appear on the vehicle subject to the prior approval of the Licensing Authority. The overall size of the advert must not exceed 45 cm x 25 cm. Approved advertising will be:- i non racist; ii non-sexist; iii non-disablist</p>	<p>remove the use of this colour by PHV's and consequently would increase costs to the PHV licence holder.</p> <p>Recommendation No change to current Policy</p> <p>2. a) WAV's- We could review the list of vehicles that the Council would describe as purpose built on an annual basis, in line with industry developments. A new list could then be created of Council approved purpose built vehicles that are exempt from the single colour restriction.</p> <p>Recommendations Amend the wording of exemption to reflect "purpose built" vehicles as specified by the Council. Officers to hold a list of vehicles specified as "purpose built" that is reviewed annually The policy should give a definition of "white" paint The policy should give a definition of 'factory standard'</p> <p>3. b) TAXI SIGNAGE-Ensuring that the vehicle is clearly identified as a taxi is vital in the interests of public safety. The importance of the size of the letters is vital to those with impaired vision. - Introduction of door stickers, to be supplied by the Licensing Team in ensure uniformity to sign on the doors. Costs will need to be met</p>

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	<p>dimensions, but supplied by another firm, may be provided subject to prior approval from the Council, before obtaining and fitting the sign.</p> <p>e) Advertisements may appear on the vehicle subject to the prior approval of the Licensing Authority. The overall size of the advert must not exceed 45 cm x 25 cm. Approved advertising will be:-</p> <ul style="list-style-type: none"> i. non racist; ii. non-sexist; iii. non-disablist <p>and should not cause offence to the general public or any section of the community, or refer to tobacco or alcohol products unless as part of a health education or similar campaign.</p> <p>g) Advertising may be applied to the whole of the vehicle if the vehicle is a purpose built Taxi.</p>			<p>f) and should not cause offence to the general public or any section of the community, or refer to tobacco or alcohol products unless as part of a health education or similar campaign.</p> <p>g) Advertising may be applied to the whole of the vehicle if the vehicle is a purpose built Taxi.</p>	<p>by licence fee.</p> <p>Recommendation That officers consult on the option of supplying door stickers</p> <p>4. c) TAXI ROOF SIGN- As with 3, it is imperative to public safety to ensure the taxi is easily recognised. Implementation of an integral 'taxi' sign on all HCVs to assist with ensuring vehicles are easily recognised for public safety and enforcement.</p> <p>Recommendation No change to current policy</p> <p>5. d) WINDSCREEN SIGN- officers note the comments of CVHA.</p> <p>Recommendation That research to be carried out as to other options available and if necessary amend the Policy to specify criteria and remove supplier.</p> <p>6. e) ADVERTISEMENT- officers note the comments of CVHA.</p> <p>Recommendation words 'non-Political' should be included. Size of the advert to remain at the discretion of the Council.</p> <p>7. g) ADVERTISING ON PURPOSE BUILT VEHICLES – Such vehicles are readily identifiable by their shape and size as a taxi. Many domestic vehicles have</p>

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					<p>businesses advertising upon them. By limiting the types of vehicles open to advertisements, the possibilities of confusion amongst the public through their perception a taxi is limited.</p> <p>Recommendation No change to current Policy</p>
7: Taximeter					
7.1	<p>The taximeter fitted to a vehicle must comply with the following requirements:-</p> <p>a) the meter shall be fitted with a key, flag or other device the turning of which will bring the machinery of the meter into action and cause the word "HIRED" to appear on the face of the meter;</p> <p>b) the meter must be capable of being locked so that when the meter is not in use no fare is recorded;</p> <p>c) when the meter is in use the fare shall be displayed in clearly legible figures;</p> <p>d) the word "FARE" shall be printed on the face of the meter in plain letters to show, clearly, that the fare shown</p>	CVHA	Agreed	<p><i>If a taximeter is fitted to a vehicle it must comply with the following requirements:-</i></p> <p>a) the meter shall be fitted with a key, flag or other device the turning of which will bring the machinery of the meter into action and cause the word "HIRED" to appear on the face of the meter;</p> <p>b) the meter must be capable of being locked so that when the meter is not in use no fare is recorded;</p> <p>c) when the meter is in use the fare shall be displayed in clearly legible figures;</p> <p>d) the word "FARE" shall be printed on the face of the meter in plain letters to show, clearly, that the fare shown applies;</p> <p>e) the meter shall be fitted so that all letters and figures on the meter can be clearly visible to any person travelling in the vehicle;</p> <p>f) the letters and figures shall be illuminate at night;</p>	<p>Recommendation: No change to current policy</p>

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	<p>applies;</p> <p>e) the meter shall be fitted so that all letters and figures on the meter can be clearly visible to any person travelling in the vehicle;</p> <p>f) the letters and figures shall be illuminate at night;</p> <p>g) the meter shall be affixed to the vehicle with seals so that no unauthorised person can alter or tamper with the meter without the seal being broken.</p> <p>h) All meters shall be automatic clock/calendar controlled.</p>			<p>g) the meter shall be affixed to the vehicle with seals so that no unauthorised person can alter or tamper with the meter without the seal being broken</p> <p>h) All meters shall be automatic clock/calendar controlled.</p>	
8: Equipment					
8.1	<p>The following equipment shall be provided:-</p> <p>a) Spare wheel and tyre – properly stowed to protect passengers' luggage;</p> <p>b) Jack;</p> <p>c) Wheel brace;</p> <p>d) 1 litre foam or 1 kg powder fire extinguisher</p>	CVHA	<p>d) Fire extinguisher should be fixed in the vehicle anywhere the driver/owner finds suitable</p> <p>f) should again be up to the driver/owner. It should not be a condition of the Licence etc.</p>	<p>The following equipment shall be provided:-</p> <p>a) spare wheel and tyre – properly stowed to protect passengers' luggage;</p> <p>b) jack;</p> <p>c) wheel brace;</p> <p>d) 1 litre foam or 1 kg powder fire extinguisher manufactured to BS5423:1987 fixed between the</p>	<p>1. d) FIRE EXTINGUISHER-The location is stated as a matter of safety so it is easily accessible to the driver and any persons who may come across the vehicle in the event of an emergency, e.g. the emergency services.</p> <p>Recommendation</p> <p>No Change to current Policy.</p> <p>2. f) MIRRORS- Legal</p>

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	<p>manufactured to BS5423:1987 fixed between the driver's door and seat (note the device must be fixed in a clip specially for the purpose of retaining the device);</p> <p>e) First aid kit of a sufficient size (note this must be secure and readily accessible and kept clean and fully provisioned at all times);</p> <p>f) Nearside and offside exterior rear view mirrors.</p>			<p>driver's door and seat (note the device must be fixed in a clip specially for the purpose of retaining the device);</p> <p>e) first aid kit of a sufficient size (note this must be secure and readily accessible and kept clean and fully provisioned at all times)</p> <p>f) nearside and offside exterior rear view mirrors.</p>	<p>requirement is only to have one exterior rear view mirror on the right hand side of the vehicle as long as there is an internal rear view mirror. In the event that an internal rear view mirror is not available, external mirrors must be provided to both sides of the vehicle. A minimum Class 1 mirror is required internally and class 2 and 3 externally, as defined in the Road Traffic Construction and Use regulations. This policy recommends two external mirrors on all vehicles as a matter of driver and public safety, permitting the driver to have the best vantage point of everything externally and internally occurring in his vehicle.</p> <p>Recommendation</p> <p>This policy recommends two external mirrors on all vehicles as a matter of driver and public safety, permitting the driver to have the best vantage point of everything externally and internally occurring in his vehicle.</p> <p>Further Recommendations:</p> <ol style="list-style-type: none"> 1. Marking fire extinguishers and first aid kits with licence numbers to eliminate 'sharing' of equipment and to ensure compliance with licence conditions 2. Stipulating the location of the First Aid Kit and other equipment items (see d above)

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9: Radio equipment					
9.1	If radio equipment is fitted to the vehicle for operational requirements, such equipment must be properly fixed to the satisfaction of the Council.	CVHA	Again it should be up to the owner/driver's satisfaction as he/she will use it and should know how to get it fitted etc.	If radio equipment is fitted to the vehicle for operational requirements, such equipment must be properly fixed to the satisfaction of the Council	<p>1. The Council approves the fitting of such equipment as a matter of safety, e.g. the possibility of equipment becoming lose and moving whilst the vehicle is operational</p> <p>Recommendation: No change to current policy</p>
10: Display of information					
10.1	<p>For the purpose of clarity it is hereby required that each vehicle must</p> <p>a) be capable of displaying a full fare scale visible to passengers;</p> <p>b) contain a badge satisfactory to the Council showing the licence number of the vehicle;</p> <p>c) be capable of displaying the Passenger Charter as approved from time to time by the Council.</p>	CVHA	c) There is no Passenger Charter – neither do we welcome any new one as we all work to very high standards already.	<p>For the purpose of clarity it is hereby required that each vehicle must:</p> <p>a) be capable of displaying a full fare scale visible to passengers;</p> <p>b) contain a badge satisfactory to the Council showing the licence number of the vehicle;</p> <p>c) be capable of displaying the Passenger Charter as approved from time to time by the Council.</p>	<p>1. c) PASSENGER CHARTER- There is currently no Passenger Charter. If a charter is produced, it will be required to be displayed by the Council and consulted upon. Local Government are currently under pressure to produce such charters.</p> <p>Recommendation: No change to current policy</p> <p>Further Recommendations: To identify that the fare card should be prominently displayed at all times, in a specified location</p> <p>To research and consult on the possibility of displaying licence stickers on the windows which incorporate the licence number.</p>
Final	PLEASE NOTE – ANY	N/A	N/A	N/A	The wording in relation to consultation

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Paragraph at end of specification	FUTURE CHANGES TO THIS SPECIFICATION AS A RESULT OF NEW LEGISLATION OR GOOD PRACTICE WILL BE SUBJECT TO CONSULTATION WITH THE HACKNEY CARRIAGE ASSOCIATION, PRIOR TO COMMITTEE APPROVAL				of future changes to be updated and clarified to cover all representative bodies
Appendix 1: Condition and appearance of vehicle					
Vehicle Exterior					
Page 29	<p>Body Damage: Any damage must be repaired as and when it occurs. All work should be completed to a professional standard, with any applicable anti-corrosion guarantees taken into consideration. Obvious evidence of repair such as colour, mismatch or mis-alignment between panels is unacceptable.</p> <p>Dents: Minor dents (up to 10mm) are acceptable as long as the paint surface has not been penetrated so that bare metal is visible or corrosion has set in. If multiple dents occur on a single panel, no matter how small, the panel should be repaired or replaced.</p> <p>Paintwork: Small areas of stone chipping, door edge chipping and light scratches</p>	CVHA	<p>Dents:</p> <p>Minor Dents should be up to at least 25mm. More flexibility should be levied in favour of the Taxi Driver/Owner.</p> <p>Paintwork:</p> <p>Stone chips etc. up to 50mm should be accepted. More flexibility should be afforded to the Taxi Driver/owner. All repairs should be satisfactory irrespective of the manufacturers recommended standards as these vehicles are working Taxi's and not vehicles in a showroom for sale etc. multiple dents should be remedied by</p>	<p>Body Damage: Any damage must be repaired as and when it occurs. All work should be completed to a professional standard, with any applicable anti-corrosion guarantees taken into consideration. Obvious evidence of repair such as colour, mismatch or mis-alignment between panels is unacceptable.</p> <p>Dents: Minor dents (up to 10mm) are acceptable as long as the paint surface has not been penetrated so that bare metal is visible or corrosion has set in. If multiple dents occur on a single panel, no matter how small, the panel should be repaired or replaced.</p> <p>Paintwork: Small areas of stone chipping, door edge chipping and light scratches (up to 25mm) are acceptable, relative to the vehicle's age and mileage, as long as they have not penetrated through to the base metal and caused corrosion. If stone chippings have penetrated</p>	<ol style="list-style-type: none"> DENTS- Cherwell's taxis reflect the character of the area. If they are allowed to be used in a damaged condition it may be damaging to the esteem in which the Cherwell District is held by visitors and those living in the area. The comfort of passengers may be adversely affected by having to use a taxi which is in a damaged and unsightly condition. This in turn can damage the customer's confidence in the vehicle and in turn demote the trade. PAINTWORK- the standard of the repair carried out is left to the discretion of the licence holder. However, a general standard must be set for all licence holders to adhere to and ensure a common approach. Therefore, it is recommended that all paintwork repairs

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	<p>(up to 25mm) are acceptable, relative to the vehicle's age and mileage, as long as they have not penetrated through to the base metal and caused corrosion. If stone chippings have penetrated through the metal, suitable touching up should be carried out immediately to prevent further paint deterioration.</p> <p>Exterior paintwork should be free from major abrasions (more than 25mm) and have a good gloss and colour. Colour mismatch between panels, or poorly fitting panels, are unacceptable. All repairs to the body work must be suitably re-rust proofed up to the manufacturers recommended standards.</p> <p>Bumper Sections & Rubbing Strips: Provided these are not broken, cracked or deformed a limited amount of scuffing and score marks are acceptable.</p> <p>Window Glass: Cracks or damage within the drivers sight line are not acceptable and would require windscreen replacement or, if relatively minor, repair using resin impregnation to MOT</p>		<p>the owner of the vehicle. It should be entirely left to his/her discretion.</p> <p>Bumpers etc: A bumper is put on a vehicle but when it touches another item, scuffs, cracks etc will appear, that is what it is for. All to a reasonable level should be acceptable.</p>	<p>through the metal, suitable touching up should be carried out immediately to prevent further paint deterioration.</p> <p>Exterior paintwork should be free from major abrasions (more than 25mm) and have a good gloss and colour. Colour mismatch between panels, or poorly fitting panels, are unacceptable. All repairs to the body work must be suitably re-rust proofed up to the manufacturers recommended standards.</p> <p>Bumper Sections & Rubbing Strips: Provided these are not broken, cracked or deformed a limited amount of scuffing and score marks are acceptable.</p> <p>Window Glass: Cracks or damage within the drivers sight line are not acceptable and would require windscreen replacement or, if relatively minor, repair using resin impregnation to MOT standards. Light scratches and minor chipping around the periphery of the windscreen is accepted as fair wear and tear.</p> <p>Lamp Glasses/Lens: All lamps must be operational. Minor scuff marks or scratches are acceptable, but holes or cracks in the glass or plastic covers of lamp units are not.</p>	<p>continue to be carried out to factory standard.</p> <p>4. BUMPER- the bumper is placed on a vehicle for safety reasons and once damaged, it becomes inoperative, similar to using a motor cycle helmet. A damaged bumper could imply damage has been caused to the chassis of the vehicle, dependant upon the level of impact. Bumpers are also in place to offer some protection to pedestrians when a collision occurs as well as the passengers in the vehicle as the bumper is designed to absorb some of the impact.</p> <p>Recommendation: The option is open for the Committee to consider the opinion put forward by the trade and the points listed above. 1 to 4. The recommendation is for no change to be made to current policy.</p>

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	<p>standards. Light scratches and minor chipping around the periphery of the windscreen is accepted as fair wear and tear.</p> <p>Lamp Glasses/Lens: All lamps must be operational. Minor scuff marks or scratches are acceptable, but holes or cracks in the glass or plastic covers of lamp units are not.</p>				
Vehicle Interior					
Page 31	<p>Interior Trim: The interior should be clean and tidy with no visible burns, tears or permanent staining to the seats, headlining or carpets. Wear and soiling through normal use is accepted, as are any repairs that are not readily visible.</p> <p>Luggage Area: Surface scoring and light blemishes that reflect normal use are acceptable, but floor coverings and surrounding trim panels should not be torn or split.</p> <p>Door Aperture Tread Area: A reasonable amount of scuffing to the door and luggage area treads and sills is acceptable providing paintwork has not been</p>	CVHA	<p>Vehicle Interior: Further flexibility should be exercised in favour of the Taxi Driver as one of the items listed are very difficult to uphold. Please remember these are WORKING TAXI's – not showroom vehicles.</p>	<p>Interior Trim: The interior should be clean and tidy with no visible burns, tears or permanent staining to the seats, headlining or carpets. Wear and soiling through normal use is accepted, as are any repairs that are not readily visible.</p> <p>Luggage Area: Surface scoring and light blemishes that reflect normal use are acceptable, but floor coverings and surrounding trim panels should not be torn or split.</p> <p>Door Aperture Tread Area: A reasonable amount of scuffing to the door and luggage area treads and sills is acceptable providing paintwork has not been damaged down to bare metal and aperture seals are not torn.</p> <p>Controls: All original controls must be intact and operate correctly. If replacement has</p>	<p>This specification sets out all the requirements of the policy and ensures the standards are consistently applied. Different standards could be an option although no alternatives have been suggested</p> <p>Recommendation: There is a need to set standards to ensure consistent, fair and transparent licensing. In the absence of any alternative proposals it is recommended that there is no change to current policy</p>

Specification Reference No	Current Specification	Respondent	Respondents Comments	Old Specification	Licensing Team / Comments/ Recommendations
	<p>damaged down to bare metal and aperture seals are not torn.</p> <p>Controls: All original controls must be intact and operate correctly. If replacement has been necessary, e.g. due to theft, then equipment of a similar value and specification, preferably of the same manufacture as the original, should have been fitted. All odometer alterations must be reported and any evidence of unauthorised odometer changes is unacceptable.</p> <p>Rubber Seals: Normal wear will cause a certain amount of damage and splits to rubber door and other seals, but any evidence of neglect or abuse is unacceptable. If a seal becomes displaced it should be refitted immediately to avoid it becoming trapped or torn.</p>			<p>been necessary, e.g. due to theft, then equipment of a similar value and specification, preferably of the same manufacture as the original, should have been fitted. All odometer alterations must be reported and any evidence of unauthorised odometer changes is unacceptable.</p> <p>Rubber Seals: Normal wear will cause a certain amount of damage and splits to rubber door and other seals, but any evidence of neglect or abuse is unacceptable. If a seal becomes displaced it should be refitted immediately to avoid it becoming trapped or torn.</p>	
Appendix 2: Wheelchair accessible vehicle requirements					
	Vehicles, which have been confirmed to comply with the specification, and have as a result become licensed, shall remain compliant with these standards throughout the duration of the licence.	CVHA	<p>a) near side entry to vehicles for wheelchair use is incorrect as we have rear entry for WAV's as well.</p> <p>b) Dimensions should</p>	<p>Vehicles, which have been confirmed to comply with the specification, and have as a result become licensed, shall remain compliant with these standards throughout the duration of the licence.</p> <p>When presented, each vehicle must have a designated space to</p>	<p>1. Appendix 2 stipulates the requirements of a Wheelchair Accessible Vehicle (WAV). Section 5 of the report specifically refers to modifications made to vehicles in respect of WAV and broadens the options open to the licence</p>

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	<p>When presented, each vehicle must have a designated space to accommodate at least one wheelchair user. This space will be included in the total number of persons permitted to be carried.</p> <p>Doors:</p> <p>All doors must be capable of being opened from the inside.</p> <p>There must be at least four doors. Vehicles without a nearside door are not acceptable.</p> <p>Seating Arrangements:</p> <p>The maximum number of passengers a vehicle may carry is eight. Access to every seat must be unobstructed without the need for seats to be folded or removed. Seats must not be sideways to the direction of travel.</p> <p>Any occasional seats must be so arranged as to rise automatically when not in use. Any occasional seats must not obstruct doorways.</p> <p>Seat belts must be fitted for use by every passenger capable of being carried.</p>		<p>be equal to London/Metro Cabs.</p> <p>Doors: Accepted but if further flexibility could be applied, we would welcome it.</p> <p>Seating arrangements: Same spec as applied to London/Metro Cabs should be used across the board.</p> <p>Dimensions: Why should it be a nearside door as this goes against what is being practised i.e. Fiat Doblo's, VW Caddy etc, etc. Floor to height ceiling where disabled passengers sit, should be approx. 1000mm.</p> <p>Wheelchair Access: Policy is not very clear, it needs more clarification.</p>	<p>accommodate at least one wheelchair user. This space will be included in the total number of persons permitted to be carried.</p> <p>Doors: All doors must be capable of being opened from the inside. There must be at least four doors. Vehicles without a nearside door are not acceptable.</p> <p>Seating Arrangements: The maximum number of passengers a vehicle may carry is eight. Access to every seat must be unobstructed without the need for seats to be folded or removed. Seats must not be sideways to the direction of travel. Any occasional seats must be so arranged as to rise automatically when not in use. Any occasional seats must not obstruct doorways. Seat belts must be fitted for use by every passenger capable of being carried.</p> <p>Dimensions: A nearside door must be used for wheelchair access. The door and doorway must be so constructed as to permit an unrestricted opening across the doorway of at least 30³/₄ "(780mm). The minimum angle of the door when opened must be 90 degrees (The minimum angle will not be relevant in the case of a sliding door). Floor to ceiling height where the disabled passenger will sit, 53¹/₈"</p>	<p>holder.</p> <p>2. a) REAR ACCESS-paragraph 5.5 specifically mentions 'The Council's preference is for side loading vehicles, but will not refuse permission for rear loading vehicles.' Therefore, the Council has given consideration to the different options available to licence holders and also the Council's responsibility to provide a taxi service to persons using wheelchairs, and ensured a flexible approach that also includes a high level of public safety.</p> <p>Recommendation: No change to current policy.</p> <p>3. b) DIMENSIONS-CVHA's comments in relation to dimensions are an option open to the Committee to consider. Details of the dimensions of the LTI TX4 Taxi are available to the Committee if required. The measurements do differ slightly from current policy and may result in restrictions to certain vehicles being able to enter the trade.</p> <p>Recommendation: No change to current policy.</p> <p>4. Doors: Officers note the comments of CVHA</p> <p>Recommendation: Clarify within the policy that nearside door access is required for passengers to the rear.</p>

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	<p>Dimensions:</p> <p>A nearside door must be used for wheelchair access. The door and doorway must be so constructed as to permit an unrestricted opening across the doorway of at least 30¾" (780mm). The minimum angle of the door when opened must be 90 degrees (The minimum angle will not be relevant in the case of a sliding door).</p> <p>Floor to ceiling height where the disabled passenger will sit, 53½" (1350mm).</p> <p>Wheelchair Access:</p> <p>A ramp or ramps for the loading of a wheelchair and occupant must be available at all times for use at the nearside passenger door. An adequate locating device must be fitted to ensure that the ramp/ramps do not slip or tilt when in use. Provision must be made for the ramps to be stowed safely when not in use. The storage of the ramps when not in use must not impede access or egress of passengers. They can be folded but must be ridged in use.</p>			<p>(1350mm).</p> <p>Wheelchair Access:</p> <p>A ramp or ramps for the loading of a wheelchair and occupant must be available at all times for use at the nearside passenger door. An adequate locating device must be fitted to ensure that the ramp/ramps do not slip or tilt when in use. Provision must be made for the ramps to be stowed safely when not in use. The storage of the ramps when not in use must not impede access or egress of passengers. They can be folded but must be ridged in use. There must be a slip resistant surface on the ramp/ramps with outer edges coloured. Anchorages must be provided for the wheelchair and chair bound passenger. Restraints for wheelchair and occupant must be independent of each other. Belts attached to a wheelchair in order to assist a person to remain in it whilst travelling will not be acceptable. Vehicles must be capable of transporting a folded wheelchair as luggage. Anchorages must also be provided for the safe storage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment. All anchorages and restraints must be so designated that they do not cause any danger to other passengers.</p> <p>Luggage:</p> <p>The vehicle must be able to carry a reasonable amount of luggage (safe from inclement weather). Luggage should be stored securely and not</p>	<p>5. Seating arrangements: This is a request that may result in reducing the trades access to vehicles and result in further costs being imposed upon licence holders (purchase of new vehicles to adhere to policy) therefore contradicting many of CVHA's earlier requests.</p> <p>Recommendation: No change to current policy.</p> <p>6. Wheelchair access: The following minor changes to be made to wording to aid clarification:</p> <p>... A ramp or ramps for the loading of a wheelchair and occupant must be available at all times for use at the passenger door...</p> <p>... The ramps can be folded but must be ridged in use...</p> <p>Remove:Anchorages must be provided for the wheelchair and chair bound passenger. Restraints for wheelchair and occupant must be independent of each other....</p> <p>And replace with ... All anchorages and restraints must be located to not cause any danger to other passengers...</p> <p>Recommendation: That amendments suggested at 6 are</p>

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	<p>There must be a slip resistant surface on the ramp/ramps with outer edges coloured.</p> <p>Anchorage must be provided for the wheelchair and chair bound passenger. Restraints for wheelchair and occupant must be independent of each other. Belts attached to a wheelchair in order to assist a person to remain in it whilst travelling will not be acceptable.</p> <p>Vehicles must be capable of transporting a folded wheelchair as luggage. Anchorage must also be provided for the safe storage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment.</p> <p>All anchorages and restraints must be so designated that they do not cause any danger to other passengers.</p> <p>Luggage:</p> <p>The vehicle must be able to carry a reasonable amount of luggage (safe from inclement weather). Luggage should be stored securely and not stored in such a way as to hinder</p>			<p>stored in such a way as to hinder access to a door.</p> <p>Miscellaneous:</p> <p>The flooring of the passenger compartment must be covered with a non slip material, which can be easily cleaned.</p> <p>Grab handles must be placed at door entrances to assist the elderly and disabled. Grab handles should be highly visible.</p> <p>All entrances and exits must be sufficiently illuminated at night.</p> <p>The provision of a step for assisted entry is recommended. The step must be covered with a slip resistant surface. In the case of vehicles with a high floor height, a step will be required.</p>	<p>incorporated into policy</p> <p>7. Miscellaneous: Vehicles with a high floor height will require a step.</p> <p>Recommendation</p> <p>Minimum height for such a step to be researched and included in the consultation exercise.</p>

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	<p>access to a door.</p> <p>Miscellaneous:</p> <p>The flooring of the passenger compartment must be covered with a non slip material, which can be easily cleaned.</p> <p>Grab handles must be placed at door entrances to assist the elderly and disabled. Grab handles should be highly visible.</p> <p>All entrances and exits must be sufficiently illuminated at night.</p> <p>The provision of a step for assisted entry is recommended. The step must be covered with a slip resistant surface. In the case of vehicles with a high floor height, a step will be required.</p>				

Before determining the policy the Licensing Authority will consult:

1. the Chief Officer of Police for the Licensing Authority's area;
2. the Anti-Social Behaviour Team for that area;
3. the Highways Authority for that area;
4. such persons as the Licensing Authority considers to be representative of holders of Hackney Carriage Licences issued by that Authority;
5. such persons as the Licensing Authority considers to be representative of holders of Private Hire Licences issued by that Authority;
6. such persons as the Licensing Authority considers to be representative of women's groups in the area;
7. such persons as the Licensing Authority considers to be representative of the elderly in the area;
8. such persons as the Licensing Authority considers to be representative of child protection organisations; and
9. such other persons as the Licensing Authority consider to be representative of businesses and residents in its area.

Agenda Item 8

**CHERWELL DISTRICT COUNCIL
LICENSING COMMITTEE MEETING**

11 June 2009

REPORT OF THE HEAD OF URBAN & RURAL SERVICES

Consultation on Licensing Matters

1 Introduction and Purpose of Report

- 1.1 The purpose of this report is to seek the authority of the Licensing Committee to respond to any relevant consultation documents after discussion with the Chairman of the Licensing Committee.

2 Wards Affected

- 2.1 All Wards

3 Effect on Policy

- 3.1 Some matters that are consulted on could lead to legislative change that would need to be reflected in Council Policy.

4 Contact Officer(s)

- 4.1 Chris Rothwell (Ext 1712).
Natasha Barnes (Ext 3738).

5 Background

- 5.1 From time to time the Licensing Authority is asked by various bodies to comment on licensing related matters and in some cases Licensing Officers would like to seek the views of the Licensing Committee.
- 5.2 The methods of consultation used by the bodies vary widely and as a result can leave the Licensing authority with a very restricted period for response.
- 5.3 The Licensing Committee meets on a demand only basis and therefore it can be difficult to call a meeting in sufficient time to discuss the matters that are for consultation.

6 Proposal

- 6.1 It is proposed that Licensing Officers will discuss relevant consultations with the Chairman in order to draft a response.
- 6.2 In the absence of the Chairman, this discussion will take place with the Vice Chairman.

9 Risk Assessment, Financial Effects and Contributions to Efficiency Savings

9.1 Risk assessment –

Risk	Likelihood	Impact	Mitigating Actions
Little or no risk associated with responding to consultation	Low	Low	To respond after discussion with Chairman / Vice Chairman of the Licensing Committee in order to reach an informed view prior to response

9.2 Financial effects – None arising from discussion with Chairman/Vice Chairman

9.3 Efficiency savings – None arising from discussion with Chairman/Vice Chairman

10 Recommendation

10.1 It is **recommended** that the Licensing Committee authorise the Chairman, or in their absence the Vice Chairman, to formulate a response with officers to relevant consultation documents on behalf of the Licensing Committee.

Background Papers:

None