

<b>Title of Report:</b>	<b>Hackney Carriage Licensing</b>
<b>Report to be considered by:</b>	Licensing
<b>Date of Meeting:</b>	13th September 2010
<b>Forward Plan Ref:</b>	

**Purpose of Report:** To consider outcomes of the Taxi Working Group's deliberations on matters deferred from the Licensing Committee Meeting on 30<sup>th</sup> March 2010

**Recommended Action:** To consider the report and options/recommendations provided

**Reason for decision to be taken:** Undertaking from the Committee to the taxi trade

**Other options considered:** None

**Key background documentation:** Licensing Committee Reports 8<sup>th</sup> September 2009 & 30<sup>th</sup> March 2010

Portfolio Member Details	
<b>Name &amp; Telephone No.:</b>	Councillor Hilary Cole - Tel (01635) 248542
<b>E-mail Address:</b>	hcole@westberks.gov.uk
<b>Date Portfolio Member agreed report:</b>	1 <sup>st</sup> September 2010

Contact Officer Details	
<b>Name:</b>	Brian Leahy
<b>Job Title:</b>	Senior Licensing Officer
<b>Tel. No.:</b>	01635 519209
<b>E-mail Address:</b>	bleahy@westberks.gov.uk

### Implications

**Policy:** Although the Council has an existing policy for the issuing of taxi vehicle licences, conditions of vehicle suitability and driver application conditions, these may be revisited from time to time as legislation or social changes occur.

**Financial:** The cost of undertaking a demand survey is estimated at £14,000. £5,000 of this can be met from existing budgets. If members agree to the recommendations of this report, the remainder will be recovered from an above inflation increase in Hackney Carriage Vehicle Licences.

**Personnel:** None: However there could be increased work implications for Officers should certain proposals be adopted.

**Legal/Procurement:** The Council has a duty to licence hackney carriage vehicles and may attach conditions to licences as it considers reasonably necessary. There are procurement implications for the re-tendering process for vehicle inspections.

**Property:** None

**Risk Management:** Any changes to operational requirements will result in an update to the Service Risk Register.

**Equalities Impact Assessment:** An impact assessment will be carried out subject to the outcomes of the meeting.  
For advice please contact Principal Policy Officer (Equalities) on Ext. 2441.

**Corporate Board's View:** to be completed after the Corporate Board meeting

**NOTE: The section below does not need to be completed if your report will not progress beyond Corporate or Management Board.**

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	

## Introduction

### 1. Taxi Working group

- 1.1 Members will recall that at the Licensing Committee meeting held on the 30<sup>th</sup> March 2010, they decided to defer some decisions and to task a working group of Members to hear submissions from the trade and interested parties, before placing recommendations and/or options to the next Licensing Committee Meeting. This group consisted of Councillor's Beck ( co-opted as new Chairman of the Licensing Committee ), Mason, Findley, Tuck, Rowles and Linden.
- 1.2 In order to refresh Members memories the deferred items are listed as Appendix A:
- 1.3 In order to try to simplify the questions, Officers decided to extend the questions individually. Officers have noted the fact that some of the parties addressing the working group felt that the question alterations were not helpful and were not pre-distributed. This is the reason for the presentation of extracts from the original report (Appendix A) and the list of questions asked by the working group, together with answers (Appendix B). To try to clarify this confusion, Officers have included in the question/ answer section the number of the original report item in brackets (ie. 9.2.1 through to 9.2.6) .
- 1.4 Some of the organisations interviewed have provided written submissions, which whilst helpful for Members, makes giving a general synopsis of answers difficult. For this reason the verbal submissions have been listed at Appendix B and written submissions are shown as Appendices C, D and E.

### 2. Working Group Conclusions

- 2.1 The group met to discuss all of the proposals put forward by the trade and to try to determine a strategy for training and vehicle licensing for the foreseeable future. As the replies, both written and verbal, show, there is not a consistency of opinion on a number of matters and as was expected there were some differing values placed upon accessibility between the trade and those operating within the field of disability, both through the Alliance and as a disabled transport provider and trainer, the Transport Officer.
- 2.2 Members of the group have carefully considered all of the comments and submissions made in order to take the general consensus where they thought that suggestions were practical, achievable and of need. The Group appreciate that regardless of their recommendations to this Committee, not everyone will be fully satisfied.

### 3. Recommendations

- 3.1 The working group recommend that officers make an approach to the Driving Standards Agency with a view to engaging them in the training of all new drivers, both hackney carriage and private hire, from a date to be determined at this Meeting, however the "Z" module for disabled training is not to be included and this module is to be carried out by the Council's in house training team. At present this training incurs a cost to the council which is being met internally.

Members are advised that in the current financial situation in which the Council finds itself, a consideration may have to be made towards some cost recovery. Any financial incurrence towards training costs will be a matter for service managers to consider.

- 3.2 The group recommend that all drivers who are licensed with the Council prior to the date set for 3.1 above are to undertake training through the Driving Standards Agency within 3 years of this recommendation being agreed.
- 3.3 The group recommend that the current frequency of vehicle test remains at;
- Initial inspection upon first being licensed;
- Inspection once per year – vehicles up to 6 years old;
- Inspection twice per year – vehicles between 6 & 8 years old;
- Inspection three times per year – vehicles over 8 years old, unless changes are made to the maximum age of a vehicle. (section 3.6)
- 3.4 The group recommend that the current “Halfway Garage or Council” inspection be replaced with an inspection which consists of a standard MOT. This could mean that some vehicles will have to have the equivalent of an MOT twice or three times per year ( subject to section 3.6) and will incur costs to the licence holder. The amount of such cost will be negotiated with the garage carrying out the inspections, once tender documents are agreed.
- 3.4.1 This would leave the cosmetic check side of the test, which is generally non mechanical to be considered. The options are;
- 3.4.1.1 officers to carry out the cosmetic test prior to any licence being issued based upon one inspection per year or more frequently where conditions are not being met or complaints are received,
- or
- 3.4.1.2 the cosmetic test to be included in the tender documents for the provision of the test required at 3.4 of this Report.
- Under 3.4.1.1 there would be a cost to the Council in Officer time required to carry out the test, however under 3.4.1.2 the cost would be absorbed by the fee paid to the garage/s carrying out the testing.
- 3.5 The Group recommend that the measured mile and meter seal, with a certification requirement, be reintroduced. These tests were carried out by the previous garage contracted to do the annual inspection but were discontinued when the last tender for garage services was carried out in 2007. If Members agree to this recommendation, the tenders will be advertised in the early part of 2011 with a view to a new contract being issued at the termination of the current extended contract in July 2011.
- 3.6 The group recommend that vehicles up to 3 years old will be licensed as taxis for an initial licence and that vehicles over 8 years old will not be licensed for renewals. This will apply to all types of vehicle.

- 3.7 The Group recommend that all wheelchair accessible vehicles presented for licensing as taxis which are not manufactured as such from new, must have formal documentation confirming that any conversion has been carried out to the required EC standard. Vehicles which are not so documented will be refused a licence.
- 3.8 The group further recommend that items 3.1, 3.2, 3.3, 3.6 and 3.7 if approved in principal, are subject to a 12 week consultation with all Hackney Carriage Licence holders and possibly through publication on the Council's website. Although a large proportion of licence holders are represented by the two Associations there are licence holders who have not yet been asked for their opinions particularly where new conditions limit the life of a taxi or where there are potential financial implications. Consultation would be by personal letter to each licence holder. Twelve weeks has been recommended by referring to the Government's own published Code of Practice which recommends that consultations should last for a minimum of twelve weeks, however this is a matter for members to decide.
- 3.9 As previously reported, in the report of the Meeting held on the 8<sup>th</sup> September 2009, Officers have made Members aware that it is some considerable time since the Council commissioned a "Demand Survey". Such a survey is recommended by DfT and OFT to be carried out approximately every three years. Initial enquiries made to organisations which carry out taxi/transport surveys indicate that a survey would include most of the issues contained in this report, identified as recommendations for Member decision, as well as other areas of interest and concern to both the Council and the trade.
- 3.10 The group therefore recommend that Officers commission a survey to address the following issues;
- 3.10.1 the public perception of taxi services throughout the district;
- 3.10.2 whether the current/proposed age policy is suitable;
- 3.10.3 the benefits and disadvantages (and for whom) that will arise if hackney carriage numbers are either permitted to increase, be maintained or reduced;
- 3.10.4 the means by which the public engage Hackney Carriages and if the public demand is being adequately met;
- 3.10.5 patterns of demand for Hackney Carriage service provision at ranks, both existing and proposed;
- 3.10.6 the demand, supply and suitability of Hackney Carriages for disabled people and wheelchair users.
- 3.11 The group have been advised by Officers that there are still some issues which remain unresolved from previous meetings such as the swivel seat and the Family Exemption. Officers recommend that these matters are deferred to allow any survey to address the issues, wherever possible. If Members are in agreement that a survey is necessary, they can consider the outcomes of the survey together with the future of swivel seats and the Family Exemption before signing off decisions at sections 3.1, 3.2, 3.3, 3.6 and 3.7.

- 3.12 The benefits of undertaking a twelve week consultation are that it is believed that a survey can be conducted within that period and the conclusions of the consultants can be addressed together with the views of licence holders.
- 3.13 There are, of course, financial implications involved in the commissioning of a survey. Rather than cover this subject again in detail Members are referred to Section 4 of the 8<sup>th</sup> September 2009 Committee Report which explains the background regarding surveys and the funding of such.
- 3.14 If Members are minded to commission a survey, funding up to a maximum of £5000 can be found from within the existing budget for the licensing service . Initial estimates following the submission of quotes are that a survey will cost in the region of £14000. If the survey fee (less £5000) is apportioned through the trade in the form of added fees for next year the addition per hackney carriage vehicle licence would be £45. If the cost were spread over a longer period, say three years, then £15 would need to be added to each new and renewed licence. These increases would be in addition to the usual inflationary increase, currently estimated at 1.5%. This would represent an increase above inflation of either 30% (for one year) or approximately 10% (for 3 years) of the total cost of a Hackney Carriage Vehicle licence (currently £147 including all elements).
- 3.15

## **12. Appendices:**

*Appendix A – Extract from Licensing Committee report dated 8<sup>th</sup> September 2009*

*Appendix B – Questions and answers from Working Group meeting dated 3<sup>rd</sup> August 2010*

*Appendix C - Appendix C – Submission from CABCO*

*Appendix D - Submission from Theale Taxis & Chauffeur Hire*

*Appendix E - Submission from West Berkshire Hackney & Private Hire Association*

**Local Stakeholders:** *West Berkshire Hackney Carriage Vehicle Proprietors (vehicle) Licence holders.*

*CABCO Members Association.*

*West Berkshire Hackney & Private Hire Association*

*Disability Alliance and other representatives of the disabled, elderly and infirm.*

*Members of the public.*

**Officers Consulted:** *Paul Anstey, Steve Doel, Valerie Witton*

## APPENDIX A

- 9.1.2 *Members approve a condition for applications for all Hackney Carriage Driver's Licence renewals, under section 46 of the Town Police Clauses Act 1847 as follows; "A requirement of application is that all applicants must provide a certificate of competence in disabled access training, issued by a training body approved by the Council, prior to any application being considered".*

*Officers recommend that this condition, if adopted, applies to all applications for a licence from 1 November 2010. Note:- the trade associations, the West Berkshire Disability Alliance and the Council's Access Officer have been consulted upon this item however a definitive date for implementation was not specifically addressed.*

OR

- 9.1.3 *Members approve a condition for all applications for Hackney Carriage Driver's licences, (renewals and new licences) as follows; "A requirement of application is that all applicants must have achieved either NVQ Level 2 Road Passenger Vehicle Driving, VRQ BTECH training or appropriate modules of the Driving Standards Agency Hackney Carriage/Private Hire Test".*

*Officers recommend that this condition, if adopted, applies to all applications for a licence from 1 April 2011. Note:- it is recommended that if this item is approved, it be in principle, so that further consultation can be undertaken with hackney carriage licence holders due to some personal costs being incurred on the part of the applicant.*

## 9.2 Vehicles

- 9.2.1 *Members to approve a condition on all disabled access vehicle licences as follows; "The vehicle to which this licence applies may only be driven by a person who has achieved either NVQ Level 2 Road Passenger Vehicle Driving, VRQ BTECH training or appropriate modules of the Driving Standards Agency Hackney Carriage/Private Hire Test".*

*Officers recommend that this condition, if adopted, applies to all applications for a licence from 1 April 2011. Note; it is recommended that if this item is approved, it be in principle, so that further consultation can be undertaken with hackney carriage vehicle licence holders, due to the possibility of some personal costs being incurred. **Note: In considering this item Members should be aware that there may be an approach from the trade for some financial assistance in adopting this type of training, which will have budget implications.***

OR

- 9.2.2 *Approve a condition on all disabled access vehicle licences as follows; "The vehicle to which this licence applies may only be driven by a person who has attended a course approved by the Council, in disabled access training".*

*Officers recommend that this condition, if adopted, applies to all disabled access vehicles including those with swivel seats, from 1 November 2010. Note:- the trade associations, the West Berkshire Disability Alliance and the Council's Access Officer have been consulted upon this item however a definitive date for implementation was not specifically addressed.*

- 9.2.3 *Retain the frequency of council vehicle test (5.1 above) (subject to there being no changes to the age policy (9.2.5 refers). If changes to the policy were made then the frequency of test would have to be reviewed) but upgrade the test to include important mechanical inspections as required by a standard MOT, meter seal test and to run a measured mile. These additional items, if this option is adopted, to be included in the specification which goes out to tender for the new contract applicable from 1 July 2010. There are likely to be increased costs to the trade from garages contracted to do this additional work. As previously stated consultation with trade associations are ongoing regarding these specifications.*

*However*

- 9.2.4 *Members have the option to adopt the following policy as an alternative or select individual items for implementation or further consultation;*
- 9.2.5 *Impose an age limit on vehicles. Options are as follows;*
- 9.2.5.1 *1<sup>st</sup> time applicants should provide a brand new vehicle to a wheelchair specification determined by the Council.*
- 9.2.5.2 *All taxis licensed as above, should be refused a renewed licence once the vehicle is presented for renewal and is over 5 years old.*
- 9.2.5.3 *All taxis regardless of licensing specification, wheelchair access, swivel seat or protected status should be refused a renewed licence if over 8 years at the time of renewal.*
- 9.2.5.4 *In any case, where applicable, when a replacement vehicle is presented it should be no older than 5 years from the date of first registration.*
- 9.2.5.5 *No vehicle conversions for wheelchair accessibility should be licensed. That is to say, only vehicles which are initially manufactured from new, to a wheelchair/disability standard should be considered. It is important to note that although the Council's current disability conditions only apply to wheelchair and swivel seat access there are other disabilities which should be provided for in any public service transport policy. Although these options in 9.2.5 have been the subject of a previous report, officers recommend that a full trade consultation be carried out and the item brought back to committee for decision in September 2010*
- 9.2.6 *Adopt a condition which determines that all swivel seated vehicles are unsuitable for licensing as hackney carriages in that they are unfit for purpose, from 1<sup>st</sup> April 2012. In considering this proposal Members are reminded of the Judges' comments following an appeal in 2004 against replacing some saloon cars with disabled access facilities. "the operation of the swivel seats leaves a lot to be*



*desired and did very little in achieving easy access to the vehicle and would be greatly detrimental to the comfort of passengers being carried in it". Officers recommend that if this option were to be adopted that replacement vehicles can only be licensed if they meet the full wheelchair accessibility standard.*

## APPENDIX B

### Question 1 (9.2.1)

**“The vehicle to which this licence applies may only be driven by a person who has achieved either NVQ Level 2 Road Passenger Vehicle Driving, VRQ BTECH training or appropriate modules of the Driving Standards Agency Hackney Carriage/Private Hire Test”.**

#### Answers

KENIKABS: Disabled awareness training carried out by the Council is satisfactory and no further training is required other than for new drivers

CABCO: see supporting letter at Appendix C

DISABILITY ALLIANCE: No view other than the interviewee would like to attend the Council training as he has heard good reports about it.

TRANSPORT OFFICER: Has a problem with the disability module of the DSA programme however would support DSA generally with the DAT being given as current i.e. by the Council.

WBHPHA: Do not support either NVQ or BTECH. Would be happy for the council to explore DSA and they fully endorse the DAT. If DSA were to be adopted then the current knowledge test could be discontinued thus freeing up the knowledge test fee which could be used by the applicant towards DSA training. DSA to become a requirement for all new drivers only, unless an existing driver commits a road traffic offence (not defined) then DSA would become a requirement. Also see supporting letter at Appendix E.

THEALE TAXI & CHAUFFEUR HIRE: See supporting letter at Appendix D

### Question 2 (9.2.2)

**“a condition on all disabled access vehicle licences as follows; “The vehicle to which this licence applies may only be driven by a person who has attended a course approved by the Council, in disabled access training”.**

**Officers recommend that this condition, if adopted, applies to all disabled access vehicles including those with swivel seats, from 1 November 2010.**

#### Answers

KENIKABS: Agree, however implementation date needs to be re examined.

CABCO: See supporting letter at Appendix C

DISABILITY ALLIANCE: Agree

TRANSPORT OFFICER: Agree

WBHPHA: Agree with a provisional implementation date of April 2011.

THEALE TAXI & CHAUFFEUR HIRE: See supporting letter at Appendix D

### Question 3 ( 9.1.2 )

**“Members approve a condition for applications for all Hackney Carriage Driver’s licence renewals, under section 46 Town Police Clauses Act 1847 as follows; “A requirement of application is that all applicants must provide a certificate of competence in disabled access training, issued by a training body approved by the Council, prior to any application being considered”**

### Answers

KENIKABS: Agree, date to be confirmed.

CABCO: See supporting letter at Appendix C

DISABILITY ALLIANCE: Agree

TRANSPORT OFFICER: Agree

WBHPHA: Agree

THEALE TAXI & CHAUFFEUR HIRE: See supporting letter at Appendix D

### Question 4 (9.2.3)

**“Retain the frequency of council vehicle test and upgrade the test to include important mechanical inspections as required by a standard MOT, meter seal test and to run a measured mile. These additional items, if this option is adopted, to be included in the specification which goes out to tender for the new contract applicable from 1 July 2010”.**

### Answers

KENIKABS: Retain the frequency and adopt a full MOT for each required inspection. Officers should be used to carry out the non MOT items currently required on the inspection, prior to the licence being issued.

CABCO: See supporting letter at Appendix C

DISABILITY ALLIANCE: N/A

TRANSPORT OFFICER: The test should be upgraded to include wheelchair restraints as part of the inspection. Steve Doel may be able to carry out these checks prior to the issuing of a licence.

WBHPHA: Retain the frequency of test. Meter test and seal, and running of the measured mile, to be reintroduced. Certificate to be issued to confirm that these

have been carried out before the licence is issued. Where a vehicle has to have more than one inspection per year the full MOT should be carried out. Officers should be used to carry out the non MOT items currently required on the inspection, prior to the licence being issued.

THEALE TAXI & CHAUFFEUR HIRE: See supporting letter at Appendix D.

#### **Question 5 (9.2.5.1)**

**Impose an age limit on vehicles.**

**Part 1. First time applicants should provide a brand new vehicle to a wheelchair specification determined by the Council.**

#### **Answers**

KENIKABS: No, brand new is not necessary.

CABCO: See supporting letter at Appendix C.

DISABILITY ALLIANCE: No, brand new is not necessary.

TRANSPORT OFFICER: No, brand new is not necessary. A specification for wheelchair accessible vehicles should be introduced.

WBHPHA: No, brand new is not necessary. Vehicles should be under 5 years at first licensing.

THEALE TAXI & CHAUFFEUR HIRE: See supporting letter at Appendix D.

#### **(9.2.5.2)**

**Part 2. All taxis licensed as 1 above, should be refused a renewed licence once the vehicle is presented for renewal and is over 5 years old.**

#### **Answers**

KENIKABS: No.

CABCO: See supporting letter at Appendix C.

DISABILITY ALLIANCE: N/A

TRANSPORT OFFICER: N/A

WBHPHA: All vehicles should be no older than 5 years old for first licensing with no upper age limit.

THEALE TAXI & CHAUFFEUR HIRE: See supporting letter at Appendix D.

( 9.2.5.3)

**Part 3. All taxis regardless of licensing specification, wheelchair access, swivel seat or protected status should be refused a renewed licence if over 8 years at the time of renewal.**

**Answers**

KENIKABS: No

CABCO: See supporting letter at Appendix C.

DISABILITY ALLIANCE: N/A

TRANSPORT OFFICER: 6 – 7 years of age is preferred maximum age for wheelchair accessible vehicles

WBHPHA: No upper age limit should be imposed.

THEALE TAXI & CHAUFFEUR HIRE: See supporting letter at Appendix D.

**Question 6; parts 1 & 2 (9.2.5.5)**

- 1. No vehicle conversions for wheelchair accessibility should be licensed. That is to say, only vehicles which are initially manufactured from new, to a wheelchair/disability standard should be considered.**

**Answers**

KENIKABS: Age specification as previously stated to apply however the vehicle should be built to a standard (to be determined) with a 5 year implementation period.

CABCO: See supporting letter at Appendix C

DISABILITY ALLIANCE: Generally any agreed age limit should determine that the council maintain a mixed fleet of vehicles of not less than 50% of the fleet being wheelchair accessible vehicles and the other 50% being made up of saloons and saloons fitted with swivel seats. Although swivel seats are in no way a fit all they are useful to some people. In addition drivers who are not medically fit to assist persons who are confined to a wheelchair should not be licensed to drive a wheelchair accessible vehicle.

TRANSPORT OFFICER: A mixed fleet is preferred and conversions would be acceptable subject to meeting all legal specifications for size and appendages such as restraints, eye bolts, webbing etc. All converted works to be certificated by an appropriate recognised body or tester.

WBHPHA: EC standards to apply to any converted vehicle within the age specification and certification presented to the council prior to licensing. Not in favour of vehicles which require the passenger to travel backwards. Doblo's and

other similar vehicles are fine (subject to specification). Not in favour of van conversions.

THEALE TAXI & CHAUFFEUR HIRE: See supporting letter at Appendix D.

### **Question 7 (9.2.6)**

**“Adopt a condition which determines that all swivel seated vehicles are unsuitable for licensing as hackney carriages in that they are unfit for purpose, from 1<sup>st</sup> April 2012.**

**If the above option is considered how should members deal with those vehicles which are currently fitted with a swivel seat and would therefore not meet the specification as of implementation date.**

### **Answers**

KENIKABS: Yes, subject to the vehicles being licensed as protected status saloons. Believe that there are not enough disabled customers to warrant the current approximate 54% disabled access fleet.

CABCO: See supporting letter attached at Appendix C.

DISABILITY ALLIANCE: If swivel seats are removed the vehicles should be replaced by fully wheelchair accessible vehicles in order to maintain the approximate 50% balance as we currently have.

TRANSPORT OFFICER: If the swivel seats were removed it would disadvantage a small number of taxi users. Aware that the seats are not popular with the trade because of the interaction required between the customer and the driver in operating the seat. However believes that this may be overcome through an extension of the councils disabled access training.

THEALE TAXI & CHAUFFEUR HIRE: See supporting letter at Appendix D.

WBHPHA: See supporting letter at Appendix E.

## APPENDIX C

### Submission from CABCO

Dear Councillors,

Please find attached written confirmation of our responses to the Working Party Meeting last week.

Kind regards,

**Kevin Archibald**

Cabco Limited

Further attachment required

## APPENDIX D

Submission from Theale Taxis & Chauffeur Hire

# Theale Taxis & Chauffeur Hire

17 High Street Theale Reading RG7 5AH

01189 302 345 Fax 01189 303 035

E-mail [thealetaxis@btconnect.com](mailto:thealetaxis@btconnect.com)

RJ & DA Brown

Est. 1961

---

Sunday, 01 August 2010

Dear Councillors,

Responses to the issues for consideration, which remained unresolved between Sections 9 - Members Options and Recommendations and 9.2.6 of the report presented to members

at the committee on 30th March 2010. The same numbers are used for ease of reference:-

### **9.1 Training**

9.11 No further Action

9.12 The lead time of three months is reasonable for existing licensed drivers to prepare for training. As licences are valid for three years, drivers should be encouraged to apply for training at latest two months prior to renewing their licence. The training given at this stage is very basic; I feel that with so many disabilities there is so much more to learn. Departments within the council need to engage with each other, as I understand that School Transport services also deliver training for contracted drivers and escorts. I would be in favour of a rolling program of constructive training.

9.13 Driving Standards Agency (DSA). Don't dismiss this; I believe that this would be better assessment of the driver's ability to drive, coupled with this the DSA also test drivers on disabled access and handling, a certificate of competence is issued that is Nationally recognised.

#### **Information from DSA Web Site (See Appendix 2)**

### **9.2 Vehicles**

9.21 See 9.13 Above

9.22 Why make another condition when it's covered in 9.12

Swivel Seats - did we not advise you this was not the answer, and here we are again. Are you going to get it right this time!!

All Swivel seats are fitted to saloon vehicles. If you really want to make amends, all swivel seat vehicles should be able to return to saloon car status, whether you went



in this direction as advised by Officers, or the decision was yours the elected members, you got it wrong. In the trade we have Multi Purpose Vehicles (MPV). The biggest loop hole was to use the manufactures Recreational Seat, as a swivel seat, as way of not going fully disabled access, owners swapped seats from side to side and adapted seat mounts to make do, and yes your Officers allowed this to happen, without safety certification.

9.23 Retain 5.1 Full MOT (See below Appendix 1)

9.24 Further consultation that's today. We have waited a long time for this date to become available, and we are only given four working days to consult with all parties to ensure that we all agree, for the time to be limited to 20 minutes is not long enough. The consolation process should have been all interested persons invited round a table to debate. I hope you will now take on board the comments suggestions and invite us back sooner and fine tune the results with all interested parties.

9.25 Yes

9.25.1 1<sup>st</sup> Time Applicants Wheelchair access vehicles Up to Three years old and run on as 9.25.3 suggests.

9.25.2 Please define as above Do you mean 9.25.1 if you do, No as per 9.25.3

9.25.3 All to be retired after Ten Years (so eleven working years)

9.25.4 Replacement Vehicles up to old five years first application.

9.25.5 No Converted Vehicles only approved manufactures. Steve Dole and Val Witton to discuss. At the training days to which I have attended three, because this council has made bad decisions most of the vehicles are not fit for purpose or the equipment associated with the use of the vehicle. A True Example: A vehicle licensed by your officers, tested by your approved garage, used by its owner. Did not have any anchorage points to secure a wheel chair in the vehicle, this only came to notice as and when this driver was shown the correct methods of fixing at his training day!

9.25.6 See 9.22 Also we must be mindful of other disabilities. A partially sighted or a blind passenger with a guide dog, feels lost sat in a spacious vehicle and prefers the front seat, having pushed the seat back. This gives room in the front foot well for the dog, lying down in the front foot well, if an air bag is fitted.

I totally disagree with officer's recommendations that swivel seat owners, who complied with council's policy, including those who went through the courts, must meet the full wheelchair accessibility. Its time to allow them to revert, to saloon car status. As we are aware all new applications are Wheelchair accessible vehicles, and we need to keep a mixed balance fleet.

If you insist on this policy West Berks Taxis will ALL be Wheelchair Accessible, due to the rushed, hush hush, meetings that went on in this council, when the family exemption rules were passed. How long before this council is challenged by the able bodied, we don't require a full wheelchair taxi fleet. The amount of enquires made and journeys undertaken are minimal. As you will be aware the council put into the district, I believe 13 vehicles that are capable of carrying able and passengers in wheel chairs.

The views expressed in this correspondence are mine; I have been involved in the Taxi/Private Hire trade since September 1982 first licensed with Reading Borough Council having driven saloon cars, and then London style black cabs.

In 1986 Newbury District Council started to licence Taxis in the District, I was the fifth plate issued and continually licensed since then, now operating ten vehicles within West Berks.

Regards

Richard J Brown

APPENDIX E

Submission from West Berkshire Hackney & Private Hire Association

**From:** RICHARD BROWN [mailto:richardjohnbrown@btopenworld.com]

**Sent:** Mon 16/08/2010 00:03

**To:** Jeff Beck

**Subject:** Re: Licensing Working Group

Jeff,

The association's response to 9.2.6 after talking to members this will effect, and those who have written, the attached letters received from drivers for your information. The request from you at the meeting was to keep it short and simple. I have spoken to many drivers / owners, i have read committee reports, dating back to the year 2000.

The only way forward to maintain a mixed fleet of Taxi's is to allow all the swivel seated owners to revert back to saloon vehicles, and the removal of the condition, to allow the owner to transfer his licence.

Short and to the point as requested, there is so much more to discuss, i look forward to another meeting with you as the finer points are never discussed and its usually left interperation, thats one of this councils failings.

If i may add, at the meeting you chaired, i must say the introduction of points numbered 1 to 9 by Brian Leahy was very cofusin and we should have been given notice of this format, as i started to give my responses as per the licensing committee report, and was halted.

Regards

Richard

Further attachment required