



Cabco Hackney Carriage Drivers Association
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REPORT TO

WEST BERKSHIRE COUNCIL

LICENSING WORKING GROUP

AUGUST 2010

By: Kevin Archibald – Cabco Hackney Carriage Drivers Association
Rodney Nemeth – Cabco Hackney Carriage Drivers Association

Introduction

This report is produced to confirm those items discussed at the Licensing Committee Working Group meeting on 03 August 2010, at Faraday Road council offices.

Attendees: Cllr. Jeff Beck – Chairman
Cllr. Gwen Mason
Cllr. Ieuan Tuck
Cllr. Andrew Roles
Cllr. Tony Linden
apologies were accepted from Cllr. Geoff Findlay

Brian Leahy – WBC Licensing Team
Alison Church – WBC Legal

Kevin Archibald – Cabco
Rodney Nemeth – Cabco

The items on the Agenda for discussion were presented on separate sheets numbered from 1 to 9. This report will follow that basic numbering system for each section.

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”

- 1.1. Our experience of NVQ Level 2 Road Passenger Vehicle Driving is that this standard is inadequate, and does not really fulfil the requirement of producing better or safer drivers.
- 1.2. We have no experience of VRQ BTECH training, and therefore cannot comment.
- 1.3. Driving Standards Agency Hackney Carriage/Private Hire is the most appropriate for new drivers.

2. a condition on all disabled access vehicle licences as follows; “The vehicle to which this license 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.

- 2.1. We are not sure if this condition is necessary. If all drivers licenses have a condition attached as in (3) below, then this condition becomes unnecessary.
- 2.2. The date of implementation will need to be reviewed. Not all current hackney carriage driving licence holders will have completed the course that is currently being held, and could therefore be forced into driving their vehicles illegally as from 1 November 2010.

3. Members approve a condition for applicants for all Hackney Carriage Driver’s License 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 license from 1 November 2010

- 3.1. This should be a condition all new license applications as well as renewals.
- 3.2. The date of implementation will need to be reviewed. Not all current hackney carriage driving licence holders will have completed the course that is currently being held. We believe notice that this condition will apply should be given allowing all existing license holders adequate time

complete a course before their renewal date.

4. Retain the frequency of council vehicle test.

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.

4.1. Current frequency of testing should be retained.

4.2. We believe that the council test need not necessarily include the important mechanical inspections as required by an MOT test, but that an MOT test should have been done within one month of the Council Test. It could be done at the same time by the same contractor if the vehicle owner so desires.

4.3. This should also apply to those vehicles that need interim testing, as an interim test is pointless without an MOT test being done at or around that same time.

5. Impose an age limit on vehicles. Options are as follows;

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

5.1. Imposing a requirement to provide a brand new vehicle would we believe be too draconian.

5.2. We would recommend a 3 year age limit for first time applicants.

6. 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.

6.1. We do not agree with this condition. Some vehicles can cost in excess of £30,000 and owners of these vehicles would expect a reasonable 'shelf life' to get a return on their investment.

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

7.1. We would support this condition.

7.2. As a company, this is a similar condition to that imposed on our own members. In addition to requiring that they replace any vehicle over 8 years old at renewal, we also require that the replacement vehicle be

less than 5 years old when licensed.

8. 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.

Should other considerations be given in reviewing specifications to taxis for considering the non-wheelchair disabled, the elderly and the infirm?

- 8.1. We fully support a condition requiring that only vehicles which are initially manufactured from new, to a wheelchair/disability standard should be considered.
- 8.2. We would like members to consider the removal of the family exemption on the transfer of existing licenses.
- 8.3. As a trade we believe that a mixed fleet is essential. This is fully supported by Val Witton, Steve Doel and the various representatives of the elderly and disabled.
- 8.4. Without the removal of the family exemption, the fleet will slowly lose its diversity, and saloon style cars will eventually disappear. If the vehicle is transferred to anyone other than a family member, the conditions on its license change to force it to become a Wheelchair Accessible Vehicle only, thus depriving the fleet of a saloon style vehicle.

9. 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 1st 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 specification as of implementation date.

- 9.1. Having been to court with the Council over this condition twice previously, and won, we are perhaps not the best organisation to consult on this item.
- 9.2. We would however support the notion that these cars are allowed to return to normal saloon style vehicles with the grandfather rights that the others already have.