

**WOKINGHAM  
BOROUGH COUNCIL**

**MEETING OF THE  
LICENSING AND APPEALS COMMITTEE**

**ON**

**THURSDAY 27 MARCH 2008**

**AT**

**6.30PM**

**AGENDA**

**Civic Offices  
Shute End  
Wokingham  
Berkshire**

**Susan Law  
Chief Executive**

# THE COUNCIL'S VALUES



**WOKINGHAM  
BOROUGH COUNCIL**

## Aiming for Excellence

When we are being excellent we...

- **focus on the customer and the local community**
  - by doing things based on customer expectations, not what's easiest for us
  - by treating each customer as an individual and getting the small things right for them
  
- **behave as one organisation**
  - by taking pride in the achievements of the whole Council and everyone's part within it
  - by thinking of the impact of our actions on the rest of the organisation and partners
  - by working together with other services and partners to provide the services local people need
  
- **are creative and flexible**
  - by looking for opportunities to improve services and being open to change
  - by trying new things, facing challenges and learning from mistakes as well as our successes
  
- **work effectively**
  - by focusing on outcomes, planning well and doing what we say when we say we'll do it!
  - by being flexible, responsive, determined, good at teamwork and communication
  
- **manage resources properly**
  - by making best use of our staff, budgets and other resources
  
- **manage ourselves and others well**
  - by treating people fairly, making them feel included and valued for who they are and what they do
  - by only accepting high standards from ourselves and our colleagues
  - by our managers being accessible and communicating well, while showing that they value staff

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# WOKINGHAM BOROUGH COUNCIL

To: The Chairman and Members of the Licensing and Appeals Committee

A Meeting of the **LICENSING AND APPEALS COMMITTEE** will be held at the Civic Offices, Shute End, Wokingham on **THURSDAY 27 MARCH 2008 AT 6.30PM**

Susan Law  
Chief Executive  
17 March 2008

**Members:-** Pauline Helliard-Symons (Chairman), Andrew Bradley (Vice Chairman), Chris Bowring, Mrs UllaKarin Clark, Gerald A Cockroft, Mrs K Gilder, Kirsten Miller, Mr D Morgan, Sam Rahmouni, Patti Sherratt, Malcolm Storry, Pam Stubbs and Bob Wyatt

ITEM NO.	WARD	SUBJECT	PAGE NO.
47.00	None Specific	<b>MINUTES</b> To confirm the Minutes of the Meeting of the Committee held on 21 January 2008.	1
48.00	None Specific	<b>APOLOGIES</b> To receive any apologies for absence	
49.00		<b>DECLARATIONS OF INTEREST</b> To receive any declarations of interest	
50.00		<b>PUBLIC QUESTION TIME</b> To answer any public questions	

The Council welcomes questions from members of the

public about the work of this Committee

Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Committee or an item which is on the Agenda for this meeting. For full details of the procedure for submitting questions please contact Democratic Services on the numbers listed below or go to [www.wokingham.gov.uk/publicquestions](http://www.wokingham.gov.uk/publicquestions)

Explanatory leaflets are also available in the Civic Offices and Libraries.

<b>51.00</b>		<b>MEMBER QUESTION TIME</b> To answer any member questions	
<b>52.00</b>	None Specific	<b>HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY CONSULTATION</b> To consider a report on the draft policy and consultation responses.	<b>5</b>
<b>53.00</b>	None Specific	<b>TAXI LICENCE FEES</b> To consider a report on the proposed fees and consultation responses.	<b>44</b>
<b>54.00</b>		<b>ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT</b> A Supplementary Agenda will be issued by the Chief Executive if there are any other items to consider under this heading	

#### CONTACT OFFICERS

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This is an agenda for a Meeting of the Licensing and Appeals Committee

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**MINUTES OF A MEETING OF THE  
LICENSING AND APPEALS COMMITTEE  
HELD ON 21 JANUARY 2008 FROM 7.30PM TO 9.00PM**

*Present:- Pauline Helliar-Symons (Chairman), Andrew Bradley (Vice Chairman), Mrs UllaKarin Clark, Gerald A Cockroft, Mrs K Gilder, Kirsten Miller, Sam Rahmouni, Patti Sherratt, Malcolm Storry and Pam Stubbs*

*Also present:- Steve Richardson, Public Protection Manager  
Julia O'Brien, Principal Environmental Health Officer  
Liz Sykes, Legal Assistant  
Neil Allen, Senior Lawyer  
Allan Tiplady, Senior Democratic Services Officer*

**36. MINUTES**

The Minutes of the meeting of the Committee held on 29 November 2007 were confirmed as a correct record and signed by the Chairman subject to the following corrections.

Item 25 Apologies: - Add an apology from Mrs UllaKarin Clark

Item 26 Declarations of Interest:: - In the second paragraph amend number 31 to read 30, number 32 to read 31 and number 35 to read 34.

**37. APOLOGIES**

Apologies for absence were submitted from Chris Bowring and Mr D Morgan

**38. DECLARATIONS OF INTEREST**

Sam Rahmouni declared a personal and prejudicial interest in Items 41.00 Private Hire, School and Community Services Policy Consultation and 42.00 Taxi Licensing Fees, on the grounds that he was the paid driver of a home to school transport vehicle and left the room while the items were considered.

**39. PUBLIC QUESTION TIME**

There were no public questions.

**40. MEMBER QUESTION TIME**

There were no Member questions.

*Sam Rahmouni, having declared a personal and prejudicial interest in items 41 and 42 at the beginning of the meeting, left the room and played no part in the consideration and decision on these items.*

**41. PRIVATE HIRE, SCHOOL AND COMMUNITY SERVICES CONSULTATION POLICY**

The Committee considered a report that sought approval for the revised Private Hire, School and Community Services Policy.

In discussing the matter the following points were noted:

- 1) The points made in the submission from ASP Express (Wokingham) Ltd had been covered in the revised Policy and this would be advised to the submitter in writing.
- 2) The comments contained in the submission from the Council's Access Officer had been incorporated into the updated Policy.
- 3) The wording of the section related to Relevance of Convictions – Indecency Offences was of concern with the view expressed that it should be as tight as possible, because licence holders would be transporting children.

**RESOLVED:** That:

The Private Hire, School and Community Services Policy be adopted with the following amendments and corrections:

- 1) In paragraph 1.1.3 delete the word "after" that follows the word "tests".
- 2) Replace Section 1.2.1 with the following:  
"To prove their identity, all applicants must provide an authenticated form of photographic identification (for example photographic driving licence or national identification card). Applicants from outside the EU must provide;
  - a) a passport with a valid stamp from the Home Office to say that they have leave to remain in the Country indefinitely or
  - b) a valid UK visa (student visas will not be accepted) that has at least six calendar months remaining at the time of application.

A licence will only be granted until the expiry of the visa and will only be renewed or extended with the production of their passport and another valid visa issued by the Home Office. Wokingham Borough Council reserves the right to verify, at any time, a licence holder's entitlement to remain in the UK. We will not accept letters issued by the Home Office when an application is pending."

- 3) Appendix One – Indecency Offences - paragraph 2:

Amend to read:

"Where the applicant has an indecency conviction involving children, an application will not normally be entertained except in exceptional circumstances."

- 4) Appendix One – Drug Related Offences – paragraphs 1 and 2 :

Amend to read:

"Where the applicant has a drug related conviction an application will not normally be entertained except in exceptional circumstances."

"If, in exceptional circumstances, an application is considered, applicants will normally be required to show a period of at least 5 years free from drugs and/or 5 years after detoxification treatment if they were an addict.

*UllaKarin Clark, Malcolm Storry and Kay Gilder declared a personal interest in Item 42, Taxi Licensing Fees, on the grounds that they are members of Town Councils where taxi licence holders are also members.*

## **42. TAXI LICENSING FEES**

The Committee considered a report on proposals to increase taxi licensing fees and to undertake a consultation exercise. It was noted that the second page of the report (page 35 of the agenda) was incorrect and was replaced by the correct page, tabled at the meeting.

In discussing the matter the following points were noted:

- 1) Funds from taxi licence fees were used to cover costs and to undertake taxi service related works in the Borough and this should be explained in the consultation document.
- 2) The fees proposed generally align with those in neighbouring authorities.

### **RESOLVED:**

That the Committee approve the proposal to consult with the existing drivers and operators, together with the public via a newspaper notice, with a view to increasing the fees for all categories of service by the Taxi Licensing Service by the Retail Price Index level as at May 2007, (4.3%).

*Sam Rahmouni returned to the meeting.*

## **43. TAXI LICENSING POLICY**

The Committee considered a report proposing consultation on a revised policy for the licensing of drivers, operators and vehicles.

In discussing the matter the following points were noted:

- 1) Appendix One – Indecency Offences and Drug Related Offences should both be changed in line with the changes made to the related sections under the Private Hire, School and Community Services Policy considered under item 41 of this meeting.
- 2) Sideways seats in stretched limousines would no longer be permitted because it was a legal requirement for seatbelts to be installed, which cannot be done with a sideways seat.
- 3) Disabled access will be required for all new vehicles.
- 4) Stretched limousines will be exempt from the age restriction requirements, but there were specific provisions for them.
- 5) Fire extinguishers need to be vehicle specific as covered under section 7.2 of the policy.

**RESOLVED:** that:

- 1) The draft Taxi Licensing Policy be approved for consultation with drivers and operators, subject to the following amendments,
  - a) Appendix One – Indecency Offences – paragraph 2 to be amended to read; “Where the applicant has an indecency conviction involving children, an application will not normally be entertained except in exceptional circumstances.”
  - b) Appendix One – Drug Related Offences – paragraphs 1 and 2 to be amended to read; “Where the applicant has a drug related conviction an application will not normally be entertained except in exceptional circumstances.” “If, in exceptional circumstances, an application is considered, applicants will normally be required to show a period of at least 5 years free from drugs and/or 5 years after detoxification treatment if they were an addict.
  - c) Appendix One – Existing Licence Holders paragraph to be deleted and the provisions related to having a licence reviewed immediately on conviction to be included under the following sections of Appendix One: dishonesty, violence, indecency, drugs, traffic offences, offences under Town and Police Clauses Acts and Part II of the Local Government (Miscellaneous Provisions) Act 1976 and drunkenness.
  - d) Appendix Three – Review of Licence – table showing maximum penalty for various infringements to be amended as follows:
    - i) No fire extinguisher in vehicle to be amended to 50 points, and
    - ii) Failure to notify licensing service of a conviction within 7 days to be amended to 50 points.

and;

- 2) A report be brought back to the Licensing and Appeals Committee, following the consultation process for the policy, to be considered for adoption.

*These are the Minutes of a meeting of the Licensing and Appeals Committee*

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<b>TITLE</b>	<b>Hackney Carriage and Private Hire Licensing Policy Consultation</b>
<b>FOR CONSIDERATION BY</b>	Licensing and Appeals Committee on 27 March 2008
<b>WARD</b>	None Specific
<b>REPORT PREPARED BY</b>	Julia O'Brien – Principal Environmental Health Officer (Licensing)

**SUMMARY**

This report includes a revised draft policy, which reflects changes which were made as a result of comments received, following on from a consultation with existing drivers and operators. Other departments within the Council, which have a specific interest in Taxi Licensing, were also consulted on the policy.

Comments relating specifically to Passenger Assistant Training Scheme (PATS) and Disability Awareness (DA) were received from the Council's Access Officer, copies of which are attached to the report as Appendix Two, for Members consideration.

Comments were also received from John Lloyd, an independent trainer, who has suggested an alternative course he has devised himself, specifically for drivers, which he considers to be more appropriate than PATS.

**RECOMMENDATIONS**

Members are asked to:

- 1) Approve the Hackney Carriage and Private Hire Licensing Policy attached to this report, as amended, in the light of consultation comments received.
- 2) Authorise Officers to make the necessary presentation and layout amendments to the Private Hire School and Community Services Licensing Policy, in order to make it consistent with the Hackney Carriage and Private Hire Licensing Policy.
- 3) Consider the Access Officer's recommendations and agree or otherwise with their incorporation into the policy.

## FINANCIAL IMPLICATIONS (of the Recommendation)

### Revenue

	How much will it Cost / Save?	Is there sufficient budget (or grant funding) available?
Current Financial Year (Year 1)	£0	Yes
Next Financial Year (Year 2)	£0	Yes
Following Financial Year (Year 3)	£0	Yes

### List of Background Papers

Taxi legislation

***Please note: The Recommendation must request the Supplementary Estimate required in this year, noting the ongoing commitment in future years.***

### Impact on Equality

**Mostly neutral, of positive impact for those with a disability**

### Impact on Sustainability

**Overall positive impact**

<b>Held by</b> Julia O'Brien	<b>Service</b> Planning, Regulation and Enforcement
<b>Telephone No</b> 0118 974 6359	<b>Email</b> julia.o'brien@wokingham.gov.uk
<b>Date</b> 4 March 2008	<b>Version No.</b> Two

**NB All reports seek to identify environmental, community safety, customer care and equal opportunities implications. Consultation with residents and organisations which has or is about to take place, will also be reported.**

### SUPPORTING INFORMATION

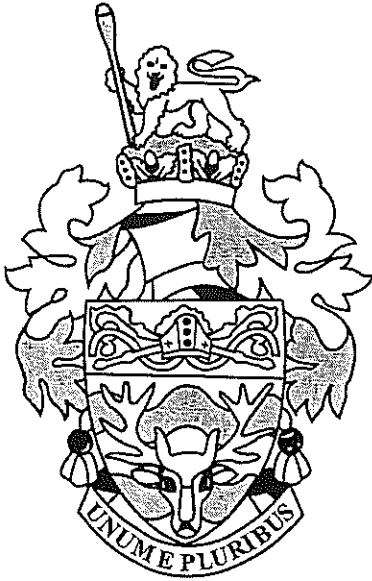
Following the discussion at the last meeting of this Committee the draft policy, incorporating the members' comments, was sent out for consultation to all existing Dual and Private Hire Drivers and Private Hire Operators, and other departments of the Council which have a specific interest in Taxi Licensing.

No comments were received from any drivers or operators. However, comments from the Council's Legal Department have lead to the rewording of certain paragraphs of the policy. The amended policy is attached to this report as Appendix One.

Comments from the Councils Access Officer have not been incorporated into the policy but are attached to the report as Appendix Two, for the Members to consider. They include a proposal to change the draft policy which members agreed should be consulted on.

The comments received from John Lloyd, an independent trainer, were in relation to an alternative course, which he has devised specifically for drivers, and which he considers to be more appropriate than PATS. His comments are attached as Appendix Three. The difficulty with this approach is the possible implications of dealing with one provider of a service without considering if any other providers are available or more suitable. The course is not recognised as a national standard and is essentially a small business enterprise run by Mr Lloyd. In comparison, PATS training is a recognised national standard and there are a number of providers which the drivers could use. In addition to this there may also be a problem with Mr Lloyd being able to provide the training regularly enough to prevent applications being unduly delayed.

The alterations made to this policy have meant that it is now inconsistent with some of the provisions of the Private Hire School and Community Services Licensing Policy. Although they are separate policies it is important for the Council to remain consistent in its approach to Licensing as a whole. It is therefore necessary to alter, where appropriate, the Private Hire School and Community Services Licensing Policy in order to achieve this consistency. These amendments are of a presentation and layout nature.



# **WOKINGHAM BOROUGH COUNCIL**

## **Hackney Carriage and Private Hire Licensing Policy**

(Private Hire School and Community Services Licensing is dealt with in a separate policy)

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# LICENSING POLICY

This policy contains the requirements that will need to be met before any Dual or Private Hire Driver Licence, Hackney Carriage or Private Hire Vehicle Licence or Private Hire Operator licence is issued by Wokingham Borough Council.

If an applicant will only be carrying out work under a contract issued by the Wokingham Borough Council's Corporate Transport Services, they will require only a Private Hire School and Community Services Licence. This is dealt with in a separate policy.

**Each application will be considered on its own merits, taking into account all the relevant circumstances and legislation, but shall be subject to the following policies.**

A licence will not be issued until the appropriate fee is paid. Where fees are paid by cheque that is subsequently dishonoured then enforcement action may be taken.

**Please Note – It is an offence to carry out Private Hire or Hackney Carriage work without the valid licences. Applicants will not be able to start working whilst their application is being processed, they must wait until the licences have actually been granted (unless it is a renewal application and their existing licences are still in effect).**

## 1.0 Policy in relation to Dual Driver and Private Hire Driver Licences

### 1.1 General

1.1.1 Wokingham Borough Council will accept applications from those who are licensed in a similar capacity with another Local Authority. However, no driver licence will be issued until the licence held with the other local authority has been surrendered.

1.1.2 All applicants, aside from those who are renewing their licence, will have three calendar months from the initial interview to complete the application process. After this time any incomplete application may be closed and any subsequent application will be treated as a fresh application.

NB – This time limit can be extended in exceptional circumstances, with the prior approval of an authorised officer of Wokingham Borough Council.

1.1.3 The applicant will be given three attempts to pass each of the required tests to become a licensed driver. If they have not passed after the third attempt no new application will be accepted for a period of three calendar months from the date of the last test. If a new application is then made after the three months, the applicant will be required to pass all the tests required by Wokingham Borough Council at the time of the new application.

1.1.4 An application for the renewal of a licence must be made prior to the expiry of the licence or it will be treated as a new application. The licence holder can apply in writing to Wokingham Borough Council to request permission for an application, made after the expiry of the licence, to be treated as a renewal application. However permission will only be granted in exceptional circumstances and at the discretion of

Wokingham Borough Council. Driving as a Private Hire or Hackney Carriage driver without a valid Private Hire or Dual Driver licence is an offence.

1.1.5 Dual Driver Licence holders will be required to comply with the current Wokingham Borough Council Hackney Carriage Byelaws in addition to the conditions detailed in this policy. A copy of these byelaws can be obtained from the Licensing Team at Wokingham Borough Council.

1.1.6 Where a licence is found to have been obtained using false or incomplete information enforcement action may be taken.

## **1.2 Fitness and Propriety**

Before Wokingham Borough Council will grant or renew a driver licence, the applicant or licence holder must satisfy the following requirements;

### **1.2.1 Identity**

To prove their identity, all applicants must provide an authenticated form of photographic identification (for example photographic driving licence or national identification card).

Applicants from outside the EU must provide;

- i. a passport with a valid stamp from the Home Office to say that they have leave to remain in the Country indefinitely or
- ii. a valid UK visa, which allows the holder to work as a Private Hire or Hackney Carriage driver (student visas will not be accepted), and which has at least six calendar months remaining at the time of application.

A licence will only be granted until the expiry of the visa and will only be renewed or extended with the production of the passport and another valid visa issued by the Home Office. Wokingham Borough Council reserves the right to verify, at any time, a licence holder's entitlement to remain in the UK. We will not accept letters issued by the Home Office when a visa application is pending.

### **1.2.2 Criminal Records Checks**

#### **Criminal Records Bureau (CRB)**

Wokingham Borough Council will check with the Criminal Records Bureau (CRB) for the existence and content of any criminal record held in the name of an applicant. Information received from the CRB will be kept in strict confidence while the licensing process takes its course and will be retained for no longer than is necessary.

All applicants, aside from those who are renewing their licence, will be required to have an enhanced CRB check. Existing driver licence holders will be subject to an enhanced CRB check every 3 years.

If another Local Authority has carried out a CRB check, Wokingham Borough Council will only accept this if it is an enhanced check and it is less than three calendar months old at the date of application.

#### **Certificate of Good Conduct**

Those who have not been continuously resident in the United Kingdom for the previous five years must also provide a Certificate of Good Conduct, as the CRB checks do not cover convictions in countries outside the United Kingdom. The

applicant should obtain this from the appropriate Embassy or High Commission and it must be in English. If this cannot be provided then the application will be refused.

**NB - Nothing in this policy shall preclude a licence holder from being required to undergo a further CRB check at anytime as directed by an authorised officer of Wokingham Borough Council.**

#### 1.2.3 Previous Convictions

In relation to the consideration of previous convictions and cautions recorded against applicants and licence holders, Wokingham Borough Council has adopted the policy set out in Appendix One.

#### 1.2.4 Medical Examination

Each applicant, on first application and at the intervals indicated below, must complete a satisfactory medical examination by Wokingham Borough Council's nominated occupational health doctor. An authorised officer of Wokingham Borough Council will arrange the appointment.

Once a licence has been granted, medical examinations will be required at the following intervals;

AGE	FREQUENCY
18 years to 49 years	Every 5 years
50 years to 65 years	Every 3 years
65 years +	Annually

A medical examination may be required at any other time, as determined by the occupational health doctor or as requested by an officer authorised by Wokingham Borough Council.

#### 1.2.5 Driving Licence

Applicants must have held a full European Union or other DVLA approved driving licence for at least 12 months prior to application (this excludes the holding of a provisional licence). This licence is to be submitted with the application form (including renewal applications) and will be checked with the DVLA. Any applicant who does not hold a DVLA licence, will be required to obtain a D58 paper counterpart from the DVLA, before a licence will be granted.

The address on the DVLA licence must be consistent with the addresses on any other paperwork submitted with the application.

We may carry out spot checks on a random basis to ascertain any changes to the status of the DVLA licence.

#### 1.2.6 Driving Standards Agency

All applicants, aside from those who are renewing their licence, are required to have passed a Driving Standards Agency (DSA) Hackney Carriage/Private Hire Test. Any applicant who will be driving a vehicle, which has been adapted or manufactured for disabled access, will also need to have passed the DSA Ramp Test, before a driver licence is issued.

If an existing driver is subject to enforcement action in relation to their driving, more than once within a period of 12 calendar months, including road traffic convictions, they will be required to undertake the DSA Hackney Carriage / Private Hire Test within three calendar months. Failure to pass the test within this time may result in the suspension of their licence until they have passed.



### 1.2.7 Knowledge of Area

All applicants are expected to have a good knowledge of Wokingham Borough and the surrounding area. They will be required to pass a test on this knowledge prior to a licence being issued. All applicants, aside from those who are renewing their licence, will be tested on this knowledge.

### 1.2.8 Highway Code and Relevant Legislation

All Applicants are expected to have a good knowledge of the Highway Code and the relevant provisions of the Local Government (Miscellaneous Provisions) Act 1976 and the Town and Police Clauses Act 1847. All applicants, aside from those who are renewing their licence, will be required to pass a test on this knowledge.

### 1.2.9 Passenger Assistant Training Scheme (PATS) Standards

All applicants, aside from those who are renewing their licence, must be able to show that they have undergone training in the assistance of disabled persons. Such training is to be provided to Passenger Assistant Training Scheme (PATS) Standards.

### 1.2.10 Disability Awareness Training

Any Licence holder wishing to renew their licence must be able to show that they have had training to Passenger Assistant Training Scheme (PATS) Standards or that they have attended Wokingham Borough Council's in-house Disability Awareness Training. Please contact the Licensing Service for details.

### 1.2.11 References

All applicants, aside from those who are renewing their licence, are required to produce, as evidence of good character, the names of two persons of suitable standing from whom references can be requested. The referees must have known the applicant, personally or professionally, for at least two years. These names must be submitted with the application form. References from relatives and/or existing drivers or operators licensed with Wokingham Borough Council will not be accepted.

## **2.0 Policy in relation to Hackney Carriage and Private Hire Vehicle Licences**

### **2.1 General**

2.1.1 Wokingham Borough Council will accept applications in relation to vehicles which are licensed in a similar capacity with another Local Authority. However, no vehicle licence will be issued until the licence held with the other local authority has been surrendered.

2.1.2 An application for the renewal of a licence must be made prior to the expiry of the licence or it will be treated as a new application. The licence holder can apply in writing to Wokingham Borough Council to request permission for an application, made after the expiry of the licence, to be treated as a renewal application. However permission will only be granted in exceptional circumstances and at the discretion of Wokingham Borough Council. Driving a vehicle, as a Private Hire or Hackney Carriage vehicle, when it does not have a valid Private Hire or Hackney Carriage vehicle licence is an offence.

2.1.3 Where a licence is found to have been obtained using false or incomplete information enforcement action may be taken.

## **2.2 Vehicle Standards**

2.2.1 No vehicle shall be licensed unless it;

- i. has undertaken and passed the Hackney Carriage and Private Hire Vehicle Test at a Wokingham Borough Council nominated garage.
- ii. is right hand drive, except where the vehicle is a stretch limousine
- iii. can carry a minimum of four passengers (excluding the driver)
- iv. has a minimum of four doors for driver and passenger access and egress.
- v. has an engine capacity of 1599cc or above
- vi. provides a clear seat width of at least 16 inches for each passenger
- vii. has a seat depth of at least 17.5 inches
- viii. has a knee space of at least 21.5 inches (measured from the rear of the seat in front to the front of seat)
- ix. has a rear height of at least 30 inches (top of the seat to the roof; measured from the point of contact between the seat cushion and the back of the seat).
- x. has no more than 8 passenger seats (in addition to the driver's seat).
- xi. has provision for every passenger to wear a seat belt. A sign must be displayed inside the vehicle requiring seat belts to be worn.

2.2.2 Vehicles with tinted windows will be considered, however, the glass on the driver's compartment must satisfy the standards contained in the Road Vehicles (Construction and Use) Regulations 1986.

2.2.3 In addition to the requirements in paragraphs 2.2.1 and 2.2.2, all vehicles must conform to the standards, as prescribed in the Hackney Carriage/Private Hire Vehicle; Manual of Inspection Standards, a copy of which can be obtained from Wokingham Borough Council.

2.2.4 At the discretion of Wokingham Borough Council, vehicles that have been involved in an accident, which have required repair, may have to pass a further inspection at one of our nominated testing stations.

## **2.3 Additional Requirements for Stretch Limousines**

2.3.1 The term "stretch limousine" in this policy will be taken to mean any lengthened saloon vehicle that has been modified with an additional body section, by a manufacturer.

2.3.2 No passenger can be carried in the front of a left hand drive vehicle.

2.3.3 The stretch limousine must be fitted with tyres suitable to its size and weight.

2.3.4 Passengers must be able to communicate with the driver at all times; there cannot be a permanent screen in place between the driver's compartment and the passengers.

2.3.5 The age restrictions detailed in paragraph 2.5 below do not apply to stretch limousines. However, stretch limousines will be subject to a Hackney Carriage and Private Hire Vehicle Test every six calendar months.

2.3.6 The seating in the vehicle must all face either forwards or backwards.

## **2.4 Insurance**

2.4.1 Evidence of valid hire and reward insurance must be produced; this must be in the form of original documents, photocopies will not be accepted.

## **2.5 Age**

2.5.1 Vehicles up to five years old from first date of registration will be subject to an annual inspection at one of Wokingham Borough Council's nominated testing stations. Where vehicles are five years or older, from the date of first registration, they will be subject to an inspection every six calendar months. If an inspection is not carried out in the month that it is due, the licence will be suspended until such a test has been passed.

2.5.2 When making a private hire vehicle licence application, a vehicle must be less than five years old from the date of first registration, unless the application is for the renewal of a licence. No private hire vehicle will be licensed if it is eight years old or older, from the date of first registration.

2.5.3 Please note that the age restrictions detailed in paragraphs 2.5.1 and 2.5.2 above do not apply to stretch limousines, vintage cars or novelty vehicles (for example a fire engine) which have been adapted to become Private Hire or Hackney Carriage Vehicles.

## **2.6 Advertising**

2.6.1 Advertising on the outside of any licensed vehicle is restricted to the name and telephone number of the owner or operator of the Hackney Carriage/Private Hire Vehicle, unless written permission is obtained from Wokingham Borough Council.

## **2.7 Temporary Replacement Vehicles**

2.7.1 An application for a temporary replacement vehicle must be made in writing to Wokingham Borough Council. It will only be considered where the licensed vehicle has been involved in an accident or is otherwise incapacitated, and then only at the discretion of Wokingham Borough Council in accordance with this policy. Any temporary replacement vehicles must be able to satisfy the criteria of a licensed vehicle (as detailed in this part of this policy).

## **2.8 Single Vehicle Approval**

2.8.1 Where a vehicle has been modified from the manufacturer's specification (in particular stretch limousines and vehicles adapted for disabled access) the applicant will be required to produce a Single Vehicle Approval in order to confirm that the vehicle is still compliant with the current safety and environmental standards. In order to apply for SVA approval you need to complete a form, which can be collected from a VOSA office or local DVLA offices.

## **2.9 Disabled Access**

2.9.1 Vehicle Standards  
A Hackney Carriage Vehicle licence will not be issued (other than by way of renewal) to any vehicle, unless it is accessible for disabled persons. All vehicles subject to a Hackney Carriage Vehicle application and those Private Hire Vehicles which have

been adapted or manufactured for disabled access must comply with the following standards in addition to those detailed in the paragraphs above;

- i. The vehicle must be able to accommodate a fully grown adult passenger **whilst seated** in their wheelchair (i.e. there must be adequate headroom for the passenger).
- ii. Seats should not have to be removed in order to accommodate a wheelchair.
- iii. The ramp(s) must be carried within the vehicle at all times. There should be suitable means of securing the ramp(s) safely away, this should include an adequate locking device to ensure that the ramp(s) do not slip or tilt when they are used.
- iv. There must be a means of securing both the wheelchair and its occupant when the vehicle is in motion.
- v. Seats must be suitable to allow all persons, in particular the elderly and disabled, easy access into and egress out of the vehicle. Additional handholds/grab rails and a portable step should be provided if necessary.

#### 2.9.2 Vehicle Type Approval

Where a vehicle has been manufactured for disabled access, the applicant will need to provide a VCA certificate confirming that the vehicle has been built in compliance with British Safety and Environmental Standards.

THE DISABILITY DISCRIMINATION ACT 1995 will, when Part V of the Act is in full force, require all hackney carriage vehicles to be accessible by those with a disability. A technical specification with regard to the dimensions and standards required of such a vehicle may be introduced by the Department of Transport under the Act at some time in the future.

### 2.10 Dispensation Certificates

2.10.1 Where the vehicle is used only for work carried out under a contract (i.e. 100% chauffeur work), the Council may issue a certificate precluding the need for the vehicle to display the external licence plate. Although the external plate will still need to be carried in the vehicle and the identification cards, provided by Wokingham Borough Council, will still need to be displayed in the front and rear windscreen of the vehicle. The dispensation will only apply for the duration of the current licence.

NB – Dispensation will not be granted unless the applicant can produce satisfactory evidence that they only carry out work under a contract.

### 3.0 Policy in relation to Private Hire Operator Licences

#### 3.1 General

3.1.1 Anyone who in the course of business makes provisions for the invitation or acceptance of bookings for a private hire journey is regarded as an Operator and must hold a Private Hire Operator Licence, unless they are covered by an exemption within the Local Government (Miscellaneous Provisions) Act 1976.

3.1.2 Any individual, group or company, which offers or advertises the services of any vehicle, with fewer than 9 passenger seats, which is provided for hire with the services of a driver, for the purposes of carrying passengers, is required to be licensed as an operator under the Local Government (Miscellaneous Provisions) Act 1976.

3.1.3 An application for the renewal of a licence must be made prior to the expiry of the licence or it will be treated as a new application. The licence holder can apply in writing to Wokingham Borough Council to request permission for an application, made after the expiry of the licence, to be treated as a renewal application. However permission will only be granted in exceptional circumstances and at the discretion of Wokingham Borough Council. Operating Private Hire Drivers and Vehicles without a valid licence is an offence.

3.1.4 Where a licence is found to have been obtained using false or incomplete information enforcement action may be taken.

### **3.2 Operator's Base**

3.2.1 Anyone who operates in more than one area will be required to hold an operator licence with the Local Authority in each of those areas.

3.2.2 An operator who has more than one operating base within Wokingham Borough does not require a separate licence for each premises, but must submit a list to Wokingham Borough Council containing all the addresses from which they run their business.

3.2.3 Planning permission or a Certificate of Lawful Use for the use or change of use of premises, whether home or commercial, should be sought from Wokingham Borough Council's Development Control Services.

3.2.4 If the premises or property are rented or leased, then the applicant must provide written authority from the landlord confirming that a business may operate from the address, at the time of application.

### **3.3 Fitness and Propriety**

Before Wokingham Borough Council will grant or renew an operator licence, the applicant or licence holder must satisfy the following requirements;

#### **3.3.1 Identity**

To prove their identity, all applicants must provide an authenticated form of photographic identification (for example photographic driving licence or national identification card).

Applicants from outside the EU must provide;

- i. a passport with a valid stamp from the Home Office to say that they have leave to remain in the Country indefinitely or
- ii. a valid UK visa, which allows the holder to work as a Private Hire Operator (student visas will not be accepted) and which has at least six calendar months remaining at the time of application.

A licence will only be granted until the expiry of the visa and will only be renewed or extended with the production of the passport and another valid visa issued by the Home Office. Wokingham Borough Council reserves the right to verify, at any time, a Licence Holder's entitlement to remain in the UK. We will not accept letters issued by the Home Office when a visa application is pending.

### 3.3.2 Criminal Records Checks

#### Criminal Records Bureau (CRB)

Wokingham Borough Council will check with the Criminal Records Bureau (CRB) for the existence and content of any criminal record held in the name of an applicant. Information received from the CRB will be kept in strict confidence while the licensing process takes its course and will be retained for no longer than is necessary.

All applicants, aside from those who are renewing their licence, will be required to have an enhanced CRB check. Existing operator licence holders will be subject to an enhanced CRB check every 3 years.

If another Local Authority has carried out a CRB check, Wokingham Borough Council will only accept this if it is an enhanced check and it is less than three calendar months old at the date of application.

#### Certificate of Good Conduct

Those who have not been continuously resident in the United Kingdom for the previous five years must also provide a Certificate of Good Conduct, as the CRB checks do not cover convictions in countries outside the United Kingdom. The applicant should obtain this from the appropriate Embassy or High Commission and it must be in English. If this cannot be provided then the application will be refused.

**NB - Nothing in this policy shall preclude a licence holder from being required to undergo a further CRB check at anytime as directed by an authorised officer of Wokingham Borough Council.**

### 3.3.3 Previous Convictions

In relation to the consideration of previous convictions and cautions recorded against applicants and licence holders, Wokingham Borough Council has adopted the policy set out in Appendix Two.

## 3.4 Drivers and Vehicles

3.4.1 The operator must ensure that any driver or vehicle operated or employed by them holds a correct and current licence, which has been issued by Wokingham Borough Council.

3.4.2 An application for a temporary replacement vehicle must be made in writing to Wokingham Borough Council. It will only be considered where the licensed vehicle has been involved in an accident or is otherwise incapacitated, and then only at the discretion of Wokingham Borough Council, in accordance with this policy. Any temporary replacement vehicles must be able to satisfy the criteria of a licensed vehicle (as detailed in section two of this policy).

3.4.3 At the discretion of Wokingham Borough Council, vehicles that have been involved in an accident, which have required repair, may have to undergo a further inspection at one of our nominated testing stations.

## **4.0 Enforcement Action**

### **4.1 General**

4.1.1 This policy will be considered in conjunction with the Council's Planning Regulation and Enforcement Policy.

4.1.2 Wokingham Borough Council's policy is to ensure that all licence holders carry out their trade in accordance with both the relevant law and the conditions attached to their licences.

### **4.2 Enforcement Options**

4.2.1 Wokingham Borough Council aims to maintain a consistent approach when making all decisions in relation to Hackney Carriage and Private Hire licensing.

4.2.2 In order to maintain a consistent approach, this policy is always considered, in addition to the Council's Public Protection Enforcement Policy, and followed where appropriate. In reaching any decision Wokingham Borough Council will also have regard to the following;

- i. the seriousness of any offences
- ii. the licence holder's past history
- iii. the consequences of non-compliance
- iv. likely effectiveness of the various enforcement options
- v. danger to the public

4.2.3 Once Wokingham Borough Council has considered all the evidence and relevant information, the following options will be considered;

- i. Take no action
- ii. Take informal action (e.g. warning letter, verbal caution)
- iii. Impose penalty points on the licence (see Appendix Three)
- iv. Statutory Notices
- v. Suspend the licence
- vi. Revoke the licence
- vii. Prosecute

### **4.3 Appeals**

4.3.1 If a licence application or renewal is refused or enforcement action is taken, the applicant or licence holder will be informed in writing.

4.3.2 As part of Wokingham Borough Council's internal processes applicants and licence holders may appeal against a decision taken by a Wokingham Borough Council officer, in respect of a licence application, revocation, suspension or any other enforcement action. Such an appeal will be heard by an Appeal Panel, made up of elected members who will consider each case on its own merits. If an internal appeal is not made within 21 days of the officer's decision letter then a further letter will be sent out confirming that the officer's decision will stand. Where permitted by statute the applicant or licence holder will then be entitled to make an appeal to the Magistrates' Court, in writing, within the statutory time frame of 21 days.

4.3.3 If an internal appeal is made, then an applicant or licence holder is also entitled to appeal against any decision taken by the Appeal Panel. This should be done by giving notice of an appeal to the Magistrates' Court, in writing, within 21 days of notification of the Appeal Panel decision letter.



## **APPENDIX ONE STATEMENT OF POLICY ABOUT CONVICTIONS: DRIVER LICENCE**

### **General**

This policy is relevant to the consideration of whether a person is “fit and proper” to hold a Dual or Private Hire Driver Licence.

By virtue of The Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) (England and Wales) Order 2003 the Rehabilitation of Offenders Act 1974 does not apply to driver licences.

**NB - Any reference to “conviction(s)” in this policy will include cautions, endorsable fixed penalties and/or convictions (both spent and unspent).**

### **Relevance of Convictions**

Although each case will be assessed on its own merits, having regard to this policy, there is an overriding issue of public safety. Wokingham Borough Council will take these into consideration when deciding whether or not an individual is a “fit and proper” person to hold a licence.

Wokingham Borough Council will check with the Criminal Records Bureau (CRB) for the existence and content of any criminal record held in the name of an applicant. Information received from the CRB will be kept in strict confidence while the licensing process takes its course and will be retained for no longer than is necessary.

A conviction will not automatically bar an applicant from obtaining a licence. In deciding whether to grant a licence, Wokingham Borough Council will consider the following;

- i. The nature of the offence
- ii. The sentence given by the court
- iii. The age of the conviction

Some discretion may be appropriate if the conviction is isolated and there are mitigating circumstances. Similarly, multiple convictions or a series of convictions over a period of time are likely to give greater cause for concern and may demonstrate a pattern of inappropriate behaviour, which will be taken into account.

**Any applicant refused a licence on the grounds that they are not a “fit and proper” person to hold such a licence has a right of appeal in accordance with paragraph 4.3 of this policy.**

The following examples afford a general guide on the action which might be taken where the applicant or licence holder has a conviction.

### **Dishonesty Offences**

Licence holders are in a position of trust and maintain close contact with members of the public. As a consequence, convictions involving dishonesty are viewed seriously by Wokingham Borough Council.

Generally a period of 3 years prior to the date of the application, free of conviction should be required before an application could be entertained.

An existing licence holder with a conviction involving dishonesty will have their licence reviewed immediately.

### **Violence**

Wokingham Borough Council has an overriding duty to protect members of the public and therefore any conviction involving violence will be considered seriously by Wokingham Borough Council.

The more serious the degree of violence involved and/or the frequency of convictions, the less likely it is that an applicant will be deemed to be a "fit and proper" person. Generally at least 3 years free of convictions of violence should be shown before an application can be entertained.

An existing licence holder with a conviction for violence will have their licence reviewed immediately.

### **Indecency Offences**

Any applicant with a conviction of a sexual or indecent nature will be expected to show a substantial period (of at least 5 years) free of such convictions, before an application can be entertained.

Where the applicant has an indecency conviction involving children, an application will not normally be entertained, except in exceptional circumstances.

An existing licence holder with a conviction involving indecency will have their licence reviewed immediately.

### **Drug Related Offences**

Where the applicant has a drug related conviction, an application will not normally be entertained, except in exceptional circumstances.

If, in exceptional circumstances an application is considered, applicants will normally be required to show a period of at least 5 years free from taking drugs and/or 5 years after detoxification treatment if they were an addict.

An existing licence holder with a drug related conviction will have their licence reviewed immediately.

### **Traffic Offences**

#### **a) Minor Traffic Convictions**

Isolated convictions for minor traffic offences (for example obstruction, speeding, failing to comply with a stop sign) will not normally be a basis on which to refuse to entertain an application. However, Wokingham Borough Council will take into consideration the number, type and period of time over which these offences have been committed. If there are several convictions then Wokingham Borough Council will normally require the applicant to show a period free of conviction of at least 6 calendar months.

In relation to existing licence holders; a conviction for an isolated minor traffic offence should not affect the validity of their licence (although it must still be reported to the

Council under the conditions of the licence), but more than one such conviction in a twelve calendar month period may cause their licence to be reviewed.

#### b) Major Traffic Convictions

An isolated conviction, without disqualification, for an offence such as dangerous driving or driving without due care and attention will require careful consideration by Wokingham Borough Council. Where there is a conviction within 6 calendar months, prior to the date of the application, or there is more than one conviction for this type of offence within the last 5 years, then this will be reviewed before a licence is granted.

An existing licence holder with a major traffic conviction will have their licence reviewed immediately.

#### c) Disqualification from Driving

Where the applicant or a licence holder has been disqualified from driving, an application will not be entertained until they have, since the period of disqualification ended, held a full driving licence for a continuous period of three years without further endorsement.

### **Convictions under the Town and Police Clauses Acts and Part II of the Local Government (Miscellaneous Provisions) Act 1976**

Convictions under these Acts are taken very seriously, as the legislation is in place to protect members of the public. In particular an application will not normally be entertained where the applicant has been convicted of an offence under the Acts at any time during the 6 calendar months prior to the application or has more than one conviction within the last 2 years prior to the application.

An existing licence holder with any conviction under this legislation will have their licence reviewed immediately.

### **Drunkness**

This covers any conviction involving drunkenness.

#### a) Not in control of a motor vehicle

An isolated conviction may not debar an applicant or an existing licence holder from obtaining/continuing to hold a licence. However, a number of convictions will usually result in a review of the "fit and proper" status of the applicant/licence holder.

#### b) In control of a motor vehicle

A serious view is taken of any convictions of driving or being in charge of a vehicle whilst under the influence of drink. Any isolated conviction may not debar an applicant, but more than one conviction involving drunkenness will give rise to grave doubts as to whether the applicant is "fit and proper" to hold a licence.

If an application is made less than 3 years after the restoration of the driving licence, the situation will be reviewed before a licence is granted.

In relation to existing licence holders, any conviction of this nature will result in an immediate review of their licence. Wokingham Borough Council will need to consider whether their conviction is an indication that they have seriously fallen below the standard required of licensed drivers.

### **Cautions and Endorsable Fixed Penalties**

For the purposes of these guidelines formal cautions and endorsable fixed penalties shall be treated as though they were convictions.

Where the conviction is not of a nature which would have any bearing on whether the applicant is a "fit and proper" person to hold a driver licence, then such a conviction will be disregarded other than in consideration of an overall adherence to law.

If you would like to discuss what effect a conviction or caution might have on your application, you may contact the Taxi Licensing Service on 0118 974 6380 or 0118 974 6476.

## APPENDIX TWO STATEMENT OF POLICY ABOUT CONVICTIONS: OPERATOR LICENCE

### General

This policy is relevant to the consideration of whether a person is “fit and proper” to hold a Private Hire Operator Licence.

**NB - Any reference to “conviction(s)” in this policy will include cautions, endorsable fixed penalties and/or convictions.**

### Relevance of Convictions

Where the applicant has a conviction which has not been rehabilitated in terms of the Rehabilitation of Offenders Act 1974, the conviction will be taken into consideration before a licence is granted. Particular attention will be paid to any relevant convictions.

A relevant conviction, for the purposes of this policy is a conviction which would mean the operator is a risk to members of the public. This would include a conviction involving any of the following (although the list is not exhaustive);

- Violence
- Indecency Offences
- Drug Related Offences
- Dishonesty Offences

Although each case will be assessed on its own merits, having regard to this policy, there is an overriding issue of public safety. Wokingham Borough Council will take these into consideration when deciding whether or not an individual is a “fit and proper” person to hold a licence.

An unspent conviction will not automatically bar an applicant from obtaining a licence. In deciding whether to grant a licence, Wokingham Borough Council will consider the following;

- i. The nature of the offence (for example whether it is a relevant conviction)
- ii. The sentence given by the court
- iii. The age of the conviction

Some discretion may be appropriate if the conviction is isolated and there are mitigating circumstances. Similarly, multiple convictions or a series of convictions over a period of time are likely to give greater cause for concern and may demonstrate a pattern of inappropriate behaviour which will be taken into account.

**Any applicant refused a licence on the grounds that they are not a “fit and proper” person to hold such a licence has a right of appeal in accordance with paragraph 4.3 of this policy.**

If you would like to discuss what effect a conviction or caution might have on your application, you may contact the Taxi Licensing Service on 0118 974 6380 or 0118 974 6476.

## APPENDIX THREE PENALTY POINT SCHEME

### General

Issuing penalty points is a means of enforcing the terms and conditions that all licence holders have to adhere to.

The penalty point scheme is seen as a way of ensuring compliance with the conditions of the licence and serves as an "early warning" system to drivers and operators who fail to satisfy the conditions of their licence(s).

Please Note – Penalty points will be issued in accordance with the Enforcement Action Policy in Section Four of this document.

All licence holders that have penalty points recorded against them will be given notice in writing explaining the reason(s) for the allocation of penalty points and their numerical value.

Once the penalty points have been on record for twelve calendar months, and if the licence holder has not had any enforcement action taken against them by the Council during those twelve months, then their penalty points will reduce in value by 50% (i.e. from 50 points to 25 points). This will continue to occur every twelve calendar months, assuming no further enforcement action is taken. If the total number of penalty points is the equivalent of 20 points or below then at the end of the year, they will be cleared from the record.

### Review of Licence

Any licence holder who has accumulated 100 points or more will have their licence reviewed immediately. Further appropriate enforcement action may be necessary.

The following guide shows the maximum number of points that Wokingham Borough Council will award for various infringements:

INFRINGEMENT	LICENCE SUBJECT TO THE POINTS	MAXIMUM PENALTY
Using bus/Taxi lane (except Hackney Carriage Vehicles)	Private Hire Vehicle Licence Private Hire Driver Licence	20 points
Refusal to accept Wokingham Borough Council travel tokens	Any Licence	20 points
No fire extinguisher in vehicle	Any Licence	50 points
Failure to notify the licensing service of a conviction within 7 days	Dual Driver Licence Private Hire Driver Licence Private Hire Operator Licence	50 points
Failure to properly display Wokingham Borough Council vehicle licence plate	Any Licence	25 points
Failure to notify licensing service of change of address within 7 days	Any Licence	10 points
Failure to contact licensing service as	Any Licence	5 points

instructed or to provide documents as requested by Wokingham Borough Council (points will be awarded per document)		
Faulty tyre	Any Licence	30 points (per tyre)
Private Hire Vehicle displaying a Taxi roof sign	Private Hire Driver Licence Private Hire Vehicle Licence	50 points
Hackney Carriage Vehicle failing to display Taxi roof sign	Dual Driver Licence Hackney Carriage Vehicle Licence	20 points
Overcharging	Dual Driver Licence	100 points
Lack of local area knowledge	Dual Driver Licence Private Hire Driver Licence	25 points
Aggressive / violent / abusive behaviour	Dual Driver Licence Private Hire Driver Licence Private Hire Operator Licence	100 points
Private Hire Vehicle parking in a Taxi rank	Private Hire Driver Licence Private Hire Vehicle Licence	30 points
Licence fee cheque being dishonoured and the payment needs to be acquired by other means.	Any Licence	10 points
Operator failing to keep proper records	Private Hire Operator Licence	40 points
Operator failing to assist an authorised officer of Wokingham Borough Council making a reasonable request in relation to enforcement duties	Private Hire Operator Licence	100 points
Fail to wear a Private Hire/Dual Driver badge	Private Hire Driver Licence Dual Driver Licence	100 points
Driving a licensed vehicle in an obviously unsafe condition	Any Licence	100 points
Behaving in any other manner contrary to the terms of the licence conditions	Any Licence	100 points

# DUAL DRIVER AND PRIVATE HIRE DRIVER LICENCE CONDITIONS

In these conditions, unless otherwise indicated;

“the Council” will mean Wokingham Borough Council

“the Driver” means a person who has been granted a licence by Wokingham Borough Council under section 51 of the Local Government (Miscellaneous Provisions) Act 1976

## **1.0 General**

1.1 Hackney Carriage Drivers Only - The holder of this licence shall comply with the provisions relating to Hackney Carriages in the Town Police Clauses 1847, the Public Health Act 1875 and Part II of the Local Government (Miscellaneous Provisions) Act 1976 as well as the current Wokingham Borough Council Hackney Carriage Byelaws. **The conditions contained in this part of the policy do not apply to the Hackney Carriage Driver Licences. However, they do apply to Dual Driver Licence holders in relation to the Private Hire Driver element of their licence.**

1.2 Private Hire Drivers Only - The holder of this licence shall comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976.

1.3 The Driver shall, on obtaining a similar licence from another local authority, immediately stop carrying out work under their Wokingham Borough Council licence. They shall then, within five working days, return the licence issued by Wokingham Borough Council to an authorised officer of the Council.

## **2.0 Conduct of Driver**

### **2.1 The Driver –**

- 2.1.1 Must wear the badge provided by the Council in such a position and manner as to be plainly visible at all times.
- 2.1.2 Must at all times be clean and tidy in his dress and person and behave in a civil and orderly manner, and not use foul or abusive language.
- 2.1.3 Shall take all reasonable precautions to ensure the safety of passengers conveyed in, or entering, or alighting from the vehicle.
- 2.1.4 Shall not drive a vehicle adapted or manufactured for disabled access without completing the DSA Ramp Test.
- 2.1.5 Shall make reasonable checks of the vehicle they are driving, to ensure that it is in good working order and is safe to drive.
- 2.1.6 Shall ensure that the vehicle they are driving displays the necessary licence plate and identification cards required by the Council.
- 2.1.7 Shall assist with the loading and unloading of luggage.
- 2.1.8 Unless otherwise directed by the hirer, shall proceed to the destination by the shortest possible route.
- 2.1.9 Shall comply with the hirer's request not to eat in the vehicle.
- 2.1.10 Shall comply with the hirer's request not to play any radio or other sound reproducing instrument of equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.



- 2.1.11 Shall provide, on the request of a passenger, a written receipt for the fare paid which describes the journey involved and states the Driver's licence number
- 2.1.12 Shall at no time cause or permit the noise by any radio or previously mentioned equipment in the vehicle which he is driving to be a source of nuisance or annoyance to any person, whether inside or outside of the vehicle
- 2.1.13 Must be affiliated to and operated by a Wokingham Borough Council licensed operator at all times.

### **3.0 Duties of the Driver**

3.1 The Driver shall return the badge and licence to the council within 7 days of the expiration of such licence, or on the demand of an authorised officer of the Council.

3.2 The Driver shall accept as payment Wokingham Borough Council Travel Tokens without surcharge to members of the public.

3.3 Any Driver changing his home address must give notice in writing to the Council within **7 days** of such change.

3.4 The Driver shall within **7 days** disclose to the Council in writing details of any conviction imposed on him during the period of the licence.

3.5 The Driver shall within **42 days** of the date of a Fixed Penalty, notify the Council in writing of any Fixed Penalty imposed on him which results in an endorsement on his driving licence.

3.6 The Driver shall notify the Council in writing within **7 days**, of any change of operator by whom he is operated.

3.7 The Driver will provide any documentation reasonably requested by an authorised officer of the Council. Failure to present the documentation within the specified time may result in penalty points being allocated.

### **4.0 Passengers**

4.1 The Driver shall not convey or permit to be conveyed in a licensed vehicle a greater number of persons than that prescribed in the licence for the vehicle.

4.2 The Driver shall not allow there to be conveyed in the front of the vehicle any child below the age of ten years, unless licensed for 8 passengers, or more than one person above this age.

4.3 The Driver shall not without consent of the hirer of the vehicle convey or permit to be conveyed any other person in that vehicle.

4.4 Where the Driver is driving a left hand drive stretch limousine, they will not permit any passengers to travel in the front of the vehicle.

4.5 The Driver must carry any recognised assistance dog (e.g. guide or hearing dog) travelling with a passenger and they may not make any additional charge for doing so.

## **5.0 Lost Property**

5.1 The Driver shall immediately after the termination of any hiring of a licensed vehicle or as soon as practicable thereafter carefully search the vehicle for any property which may have been accidentally left there.

5.2 If any property accidentally left in a licensed vehicle by any person who may have been conveyed therein is found or handed to the Driver, he must carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of the owner, to the local police station.

## **6.0 Animals**

6.1 The Driver shall not convey in a licensed vehicle any animal belonging to or in the custody of himself or the proprietor or operator of the vehicle.

6.2 Any other animal belonging to or in the custody of any passenger which at the Driver's discretion may be conveyed in the vehicle shall only be conveyed in the rear of the vehicle. Please refer to paragraph 4.6 above in relation to assistance dogs.

## **7.0 Copy of Conditions**

7.1 The Driver shall at all times when driving a licensed vehicle carry with him a copy of these conditions and shall make them available for inspection by the hirer or any other passenger on request.

## **8.0 Deposit of Copy Licence**

8.1 If the Driver is permitted to drive a licensed vehicle of which the proprietor is someone other than himself, he shall before commencing to drive that vehicle deposit a copy of his driver licence with that proprietor.

**FAILURE TO ADHERE TO ANY OF THE CONDITIONS OF THIS LICENCE MAY RESULT IN ENFORCEMENT ACTION. ANY ENFORCEMENT ACTION TAKEN WILL BE IN ACCORDANCE WITH THE COUNCIL'S ENFORCEMENT POLICIES.**

# HACKNEY CARRIAGE VEHICLE LICENCE

## CONDITIONS

In these conditions, unless otherwise indicated;

“the Council” will mean Wokingham Borough Council

“the Proprietor” means the person who has been granted the licence by Wokingham Borough Council under section 47 of the Local Government (Miscellaneous Provisions) Act 1976

“the Vehicle” means the vehicle that is specified on the licence granted under section 47 of the Local Government (Miscellaneous Provisions) Act 1976

### 1.0 General

1.1 The Proprietor shall comply with the provisions relating to Hackney Carriages in the Town Police Clauses 1847, the Public Health Act 1875 and Part II of the Local Government (Miscellaneous Provisions) Act 1976.

1.2 The Proprietor shall, on obtaining a similar licence from another local authority, immediately stop carrying out work under their Wokingham Borough Council licence. They shall then, within five working days, return the licence issued by Wokingham Borough Council to an authorised officer of Wokingham Borough Council.

### 2.0 Identification Plates and Cards

2.1 The identification plate and cards shall remain the property of the Council at all times.

2.2 The plate must be securely fixed to the rear exterior of the Vehicle using the Council's approved backing plate and permanent fixings. **Velcro, adhesive, magnets and brackets are not acceptable.** The security of the plate will be checked as part of the scheduled vehicle test (Hackney Carriage and Private Hire Test). The licence plate will be fixed with security toggles under the supervision of an authorised officer of the Council. The Council reserves the right to inspect the plate at any time.

2.3 All Vehicles must display the licence cards, provided by the Council, in the front and rear windscreen at all times.

### 3.0 Maintenance of Vehicle

3.1 The Vehicle, along with all its fittings and equipment shall at all times when the Vehicle is in use be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements (including in particular those contained in Road Vehicles (Construction and Use) Regulations 1986, as amended), shall be fully complied with.

3.2 If the Vehicle fails a Hackney Carriage and Private Hire Test the Proprietor or driver of the Vehicle must present the Vehicle for a Hackney Carriage and Private Hire Test again within 14 days or return the licence plate to the Council. Until a pass certificate is issued the Vehicle shall not be used as a Hackney Carriage.

3.3 The Proprietor of the Vehicle shall provide a copy of all Hackney Carriage and Private Hire Test certificates to the Council within 7 days of receiving them.

3.4 If the Vehicle has been involved in an accident then the Proprietor must notify the Council within 7 days and at the discretion of the Council, the Vehicle may have to undergo a further inspection at one of our nominated testing stations.

#### **4.0 Alteration of Vehicle**

4.1 No material alteration or change in the specification, design, condition or appearance of the Vehicle shall be made without the written approval of the Council at any time while this licence is in force.

4.2 No fixtures or fittings, except those approved in writing by the Council, shall be attached to the outside of the Vehicle.

#### **5.0 Passengers**

5.1 The Proprietor of a Vehicle shall not convey or permit to be conveyed any greater number of persons than that prescribed on the licence issued by the Council and on the licence plate affixed to the rear of the Vehicle.

5.2 The Proprietor shall not allow there to be conveyed in the front of the vehicle any child below the age of ten years, unless licensed for 8 passengers, or more than one person above this age.

5.3 The Proprietor shall not without the consent of the hirer of a Vehicle convey or permit to be conveyed any other person in that Vehicle.

#### **6.0 Advertising**

6.1 Advertising on the outside of the Vehicle is restricted to the name and telephone number of the Proprietor or operator of the Vehicle. Sponsored advertising of other businesses or products or services is not permitted on the outside of the Vehicle, unless written permission is obtained from the Council.

#### **7.0 Safety Equipment**

##### **7.1 Luggage Rack**

A roof rack may be used only when excess luggage is to be carried. If the Vehicle is an estate, a suitable luggage guard must be fitted to prevent luggage entering the passenger compartment should the Vehicle stop suddenly.

##### **7.2 Fire Extinguisher**

A fire extinguisher must be provided to meet BS EN 31996 1Kg and maintained at all times and be readily available for use. This must be securely fixed in the Vehicle and must **not** be located in the passenger compartment. The fire extinguisher must be clearly and permanently marked with the Vehicle registration and Vehicle licence number. The only exception to this is for purpose built Taxis, which have a purpose-built fire extinguisher compartment already in the Vehicle.

##### **7.3 Radio Equipment**

The Proprietor shall ensure that any radio equipment fitted to the Vehicle is at all times kept in a safe and sound condition and maintained in proper working order.

## **8.0 Taximeter**

8.1 The Proprietor shall ensure the Vehicle is fitted with a taximeter approved by the Council, and that meter shall be kept in good repair and proper working order at all times. The taximeter shall be set for the current tariff agreed by the Council and shall be sealed to prevent unauthorised adjustment of that meter.

8.2 The Proprietor shall ensure the "FOR HIRE" sign or other illuminated sign is extinguished when the fare commences, and the taximeter brought into operation.

8.3 The Proprietor shall ensure that a copy of the current fare table supplied by the Council is on display inside the Vehicle at all times and that table is not concealed from view or rendered illegible when the Vehicle is for hire.

## **9.0 Insurance**

9.1 At all times during the currency of this licence the Proprietor shall keep in force in relation to the use of the Vehicle as a Hackney Carriage a policy of insurance complying with the requirements of Part VI of the Road Traffic Act 1988.

9.2 The Proprietor shall produce to the Council a new Certificate of Insurance or cover note within 7 days of the expiry of every Certificate of Insurance or cover note prior to renewal date. These must be original documents, photocopies will not be accepted.

## **10.0 Deposit of Licence**

10.1 The Proprietor shall not allow the Vehicle to be driven by any person who does not hold a current Dual Driver Licence issued by the Council.

10.2 If the Proprietor permits or employs any other person to drive the Vehicle he shall cause the driver to deposit with him, his Dual Driver Licence for retention, until such time as the driver ceases to be permitted to drive the Vehicle.

## **11.0 Display of Conditions**

11.1 The Proprietor of this Vehicle shall at all times when the Vehicle is being used by fare paying passengers have within the Vehicle for inspection by those passengers a copy of these terms and conditions.

**FAILURE TO ADHERE TO ANY OF THE CONDITIONS OF THIS LICENCE MAY RESULT IN ENFORCEMENT ACTION. ANY ENFORCEMENT ACTION TAKEN WILL BE IN ACCORDANCE WITH THE COUNCIL'S ENFORCEMENT POLICIES.**

# PRIVATE HIRE VEHICLE LICENCE CONDITIONS

In these conditions, unless otherwise indicated;

“the Council” will mean Wokingham Borough Council

“the Proprietor” means a person who has been granted a licence by Wokingham Borough Council under section 48 of the Local Government (Miscellaneous Provisions) Act 1976

“the Vehicle” means the vehicle that is specified on the licence granted under section 48 of the Local Government (Miscellaneous Provisions) Act 1976

## **1.0 General**

1.1 The holder of this licence shall comply with the relevant provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976.

1.2 The Proprietor shall, on obtaining a similar licence from another local authority, immediately stop carrying out work under their Wokingham Borough Council licence. They shall then, within five working days, return the licence issued by Wokingham Borough Council to an authorised officer of Wokingham Borough Council.

## **2.0 Identification Plates and Cards**

2.1 The identification plate and cards shall remain the property of the Council at all times.

2.2 The plate must be securely fixed to the rear exterior of the Vehicle using the Council’s approved backing plate and permanent fixings. **Velcro, adhesive, magnets and brackets are not acceptable.** The security of the plate will be checked as part of the scheduled vehicle test (Hackney Carriage and Private Hire Test). The licence plate will be fixed with security toggles under the supervision of an authorised officer of the Council. The Council reserves the right to inspect the plate at any time.

2.3 All Vehicles must display the licence cards, provided by the Council, in the front and rear windscreen at all times.

2.4 If the Proprietor has a dispensation certificate in relation to contract work, the Vehicle will still need to display the licence cards on the front and rear windscreens of Vehicle. The licence plate must be carried in the boot of the vehicle at all times, along with the dispensation certificate granted by the Council. Whilst holding a dispensation certificate all work carried out must be pre-arranged work carried out under a contract, no cash transactions must be made in exchange for hire. The dispensation certificate will only last until for the duration of the current licence.

## **3.0 Maintenance of Vehicle**

3.1 The Vehicle along with all its fittings and equipment shall at all times when the Vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements (in particular those contained in Road Vehicles (Construction and use) Regulations 1986) shall be fully complied with.

3.2 When a Vehicle fails a Hackney Carriage and Private Hire Test the Proprietor or driver of that Vehicle must present the Vehicle for another Hackney Carriage and

Private Hire Test within 14 days or return the licence plate to the Council. Until a pass certificate is issued the Vehicle shall not be used as a Private Hire Vehicle.

3.3 The Proprietor of the Vehicle shall provide a copy of all Hackney Carriage and Private Hire Test certificates to the Council within 7 days of receiving them.

3.4 If the Vehicle has been involved in an accident then the Proprietor must notify the Council within 7 days and at the discretion of the Council, the Vehicle may have to undergo a further inspection at one of our nominated testing stations.

#### **4.0 Alteration of Vehicle**

4.1 No material alteration or change in the specification, design, condition or appearance of the Vehicle shall be made without the written approval of the Council at any time while the licence is in force.

4.2 No fixtures or fittings, except those approved in writing by the Council, shall be attached to the outside of the Vehicle.

#### **5.0 Passengers**

5.1 The Proprietor of the Vehicle shall not convey or permit to be conveyed in the Vehicle, any greater number of persons than that prescribed on the licence issued by the Council and on the licence plate affixed to the rear of the Vehicle.

5.2 The Proprietor shall not allow there to be conveyed in the front of the vehicle any child below the age of ten years, unless licensed for 8 passengers, or more than one person above this age.

5.3 The Proprietor shall not without the consent of the hirer of a Vehicle convey or permit to be conveyed any other person in that Vehicle.

5.4 Where the Vehicle is a left hand drive stretch limousine, the Proprietor shall not permit any passengers to travel in the front of the Vehicle.

5.5 Any drinking vessels provided by the Proprietor or driver of the Vehicle must be made of either toughened glass or plastic.

5.6 If any passenger is under the age of 18 years, there should be no alcohol in the Vehicle.

5.7 The Proprietor shall ensure that there is sufficient means by which any person in the Vehicle may communicate with the driver.

#### **6.0 Advertising**

6.1 The Proprietor shall **not** display or permit to be displayed on or from the Vehicle any sign or notice which consists of or includes the word "Taxi" or "Cab" whether in the singular or plural or "FOR HIRE" or any word of similar meaning or appearance to any of those words whether alone or as part of another word.

6.2 Advertising on the outside of the Vehicle is restricted to the name and telephone number of the Proprietor or operator of the Vehicle. Sponsored advertising of other businesses or products or services is not permitted on the outside of the Vehicle, unless written permission is obtained from the Council.

## **7.0 Safety Equipment**

### **7.1 Luggage Rack**

A roof rack may be used only when excess luggage is to be carried. A suitable guard must be fitted in estate type vehicles to prevent luggage entering the passenger compartment should the Vehicle stop suddenly.

### **7.2 Fire Extinguisher**

A fire extinguisher must be provided to meet BS EN 31996 1Kg and maintained at all times and be readily available for use. This must be securely fixed in the Vehicle and must **not** be located in the passenger compartment. The fire extinguisher must be clearly and permanently marked with the Vehicle registration and Vehicle licence number.

### **7.3 Radio Equipment**

The Proprietor shall ensure that any radio equipment fitted to the Vehicle is at all times kept in a safe and sound condition, and maintained in proper working order.

## **8.0 Vehicle Insurance**

8.1 At all times during the period of the licence, the Proprietor shall keep in force in relation to the use of the Vehicle as a Private Hire Vehicle a Policy of Insurance complying with the requirements of Part VI of the Road Traffic Act 1988.

8.2 The Proprietor shall produce to the Council a new Certificate of Insurance or cover note within 7 days of the expiry of every Certificate of Insurance or cover note prior to renewal date. These must be original documents, photocopies will not be accepted.

## **9.0 Deposit of Licence**

9.1 The Proprietor shall not allow the Vehicle to be used as a Private Hire Vehicle by any person who does not hold a current Private Hire/Dual Driver Licence issued by the Council.

9.2 If the Proprietor permits or employs any other person to drive the Vehicle he shall cause the driver to deposit with him his Dual Driver Licence or Private Hire Licence for retention, until such time as the driver ceases to be permitted to drive the Vehicle.

## **10.0 Touting etc.**

10.1 The Proprietor shall not tout or solicit on a road or other public place any person to hire or be carried for hire in the Vehicle and shall not cause or procure any other person to do so either.

10.2 The Proprietor shall not cause or permit the Vehicle to stand on a road in such a manner as to suggest that it is standing or otherwise plying for hire or that it is a Hackney Carriage and in particular shall in no circumstances cause or permit the Vehicle to wait on any hackney carriage rank at any time.



## **11.0 Display of Conditions**

11.1 The Proprietor shall at all times, when the Vehicle is being used by fare-paying passengers, have within the Vehicle, for inspection by those passengers, a copy of these conditions.

**FAILURE TO ADHERE TO ANY OF THE CONDITIONS OF THIS LICENCE MAY RESULT IN ENFORCEMENT ACTION. ANY ENFORCEMENT ACTION TAKEN WILL BE IN ACCORDANCE WITH THE COUNCIL'S ENFORCEMENT POLICIES.**

# **PRIVATE HIRE OPERATOR LICENCE CONDITIONS**

In these conditions, unless otherwise indicated;

“the Council” will mean Wokingham Borough Council

“the Operator” shall mean the holder of a licence issued by Wokingham Borough Council under section 55 of the Local Government (Miscellaneous Provisions) Act 1976

## **1.0 General**

1.1 The holder of this Licence shall comply with the relevant provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976.

## **2.0 Records**

2.1 The records required to be kept by the Operator under Section 56(2) of the Local Government (Miscellaneous Provisions) Act 1976 shall be kept in a suitable book or in any other manner as approved by the Council.

2.2 The Operator shall enter or cause to be entered therein, before the commencement of each journey, the following particulars of every private hire booking invited or accepted by him:-

2.2.1 The name and address of the hirer

2.2.2 The time of the pick-up

2.2.3 The point of the pick-up

2.2.4 The destination

2.2.5 Information to include the vehicle used and driver

2.2.6 The details of the contract under which the work is carried out.

These records must be kept by the Operator for a period of not less than six calendar months following the date of the last entry.

2.3 The Operator shall also keep records of all vehicles operated by him. These details shall include;

2.3.1 details of the owner(s)

2.3.2 registration number

2.3.3 driver(s) of the vehicle,

2.3.4 any radio call sign used.

2.3.5 maintenance history of the vehicle

These records must be kept by the Operator for a period of not less than six calendar months following the date the vehicle ceases to be operated.

2.4 The Operator must keep up to date records of the names and addresses of all licensed drivers who are used by the Operator. The Operator shall notify the Council of the following;

2.4.1 when any driver begins service

2.4.2 when any driver's service ceases

2.4.3 any change of address of any driver in service

2.4.4 if they become aware that any driver is suffering from any illness, disability or condition which may affect the driver's ability to safely carry out their duties.

These records must be kept by the Operator for a period of not less than six calendar months following the date the driver ceases to be operated.

2.5 Except with reasonable excuse the Operator shall have at their operator base, at all times;

2.5.1 A copy of the current driver licence issued by the Council of any driver operated by them (unless the driver used is operated by another licensed operator by a sub-contract.)

2.5.2 A copy of the current vehicle licence issued by the Council of any vehicle operated by them (unless the vehicle is operated by another licensed Operator by sub-contract).

2.6 On leaving the employ of an Operator a driver or vehicle proprietor shall be entitled to receive immediately on demand the return of the copies of the licences mentioned above.

### **3.0 Standards of Service**

3.1 The Operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times.

3.2 The holder of this Licence shall in particular:-

3.2.1 Ensure that Wokingham Borough Council Travel Tokens are accepted, without surcharge, to members of the public.

3.2.2 Ensure that when a private hire vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at the appointed time and place.

3.2.3 Ensure the vehicle dispatched is licensed for such use by the Council and the driver of the vehicle is also licensed by Wokingham Borough Council and no other Council.

3.2.4 Keep clean, adequately heated, ventilated and lit any premises which the Operator provides and to which the public have access, whether for the purpose of booking or waiting.

3.2.5 Ensure that any premises used by the Operator for the purpose(s) authorised by this licence shall with any conditions attached to the licence.

3.2.6 Ensure that any waiting area provided by the Operator has adequate seating facilities.

3.2.7 Ensure that the hirer is advised that if any passenger is under the age of 18 years, no alcohol will be allowed in the vehicle.

3.2.8 Ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly.

3.2.9 Ensure that the hirer is made aware, prior to booking, of the maximum number of passengers the vehicles can carry.

### **4.0 Complaints**

4.1 The Operator shall, immediately upon receipt, notify the Council of any complaints concerning a contract for hire or purported contract for hire relating to or arising from his business and of the action (if any) which the Operator has taken or proposes to take in respect thereof.

## **5.0 Change of Address**

5.1 The Operator shall notify the Council in writing of any change of his address (including any address from which he operates or otherwise conducts his business as an Operator) during the period of the licence within 7 days of such change taking place.

## **6.0 Convictions**

6.1 The Operator shall, within 7 days, disclose to the Council in writing details any conviction imposed on him, or if the Operator is in a company or partnership, convictions imposed on any of the directors or partners, during the period of the licence.

## **7.0 Advertising**

7.1 The Operator shall not display or permit to be displayed on or from his premises or from any other place, any sign or notice which consists of or includes the word "Taxi" or "CAB" whether in the singular or plural or any word of a similar meaning except where the Operator also makes Hackney Carriages available for hire.

7.2 Advertising on the outside of any vehicle is restricted to the name and telephone number of the Proprietor or operator of the Vehicle. Sponsored advertising of other businesses or products or services is not permitted on the outside of the Vehicle, unless written permission is obtained from the Council.

## **8.0 Touting, etc.**

8.1 The Operator shall not allow drivers they operate to:-

8.1.1 tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle or

8.1.2 cause or procure any other person to tout or solicit on a road or other public place any person to hire or to be carried for hire in any private hire vehicle.

## **9.0 Insurance**

9.1 Any premises that provide access to members of the public must be covered by Public Liability Insurance which indemnifies them against any claim for loss, damage or personal injury by any person using those premises.

9.2 This insurance policy must be clearly displayed at the premises.

## **10.0 Drivers and Vehicles**

10.1 An Operator licensed by the Council may only make use of drivers and vehicles licensed by Wokingham Borough Council.

10.2 The Operator must not knowingly permit a driver to drive a licensed vehicle if he is aware that the person is suffering from any illness, disability or condition which may affect their ability to safely carry out their duties.

## **11.0 Display of Conditions**

11.1 The Operator shall display, on any premises from which he operates, for members of the public, a copy of these conditions, and the conditions attached to a vehicle and a driver licence.

### **Informative**

The Operator shall be aware that a booking accepted by telephone, or otherwise verbally, is a lawful agreement and he may be liable for breach of contract if a booking is not honoured. The accurate recording of booking details is a means of protecting yourself if such circumstances arise. If any booking is passed on to another operator, then the person who has made the booking must be informed.

**FAILURE TO ADHERE TO ANY OF THE CONDITIONS OF THIS LICENCE MAY RESULT IN ENFORCEMENT ACTION. ANY ENFORCEMENT ACTION TAKEN WILL BE IN ACCORDANCE WITH THE COUNCIL'S ENFORCEMENT POLICIES.**

## APPENDIX TWO

### Comment from the Council's Access Officer

Rather than saying that all applicants MUST be able to show they have undergone PATS training, 1.2.9 could say that all new applicants, and those who are renewing, should undergo training in the assistance of disabled and vulnerable people. Ideally this would be PATS but applicants could alternatively attend the *Wokingham Borough Council's in-house Disability Awareness Training* as soon as is achievable after the date of application or renewal.

This would mean we would have to continue the in house training, but we could do it at planned intervals to ensure enough attendees at each session.

-----Original Message-----

**From:** LLOYDONSITE@aol.com [mailto:LLOYDONSITE@aol.com]

**Sent:** 01 March 2008 17:39

**To:** Linda Taylor

**Subject:** Taxi Driver Training Options

Hi Linda,

I have attached the programme for the PATS training course that I have scanned from the Trainers' Handbook. As you will see, whilst it is very comprehensive, it covers a lot of material that your drivers do not need. The course is in Modules but everyone has to do A, B and either C1 or C2; topics from different modules cannot be mixed and matched. The delivery of the PATS Training lasts for 8hrs 30mins without breaks, realistically delivered over 2 days. The only advantage to this option is that the drivers will receive a nationally recognised certificate.

The Basic Taxi Driver Course that I have devised and delivered in North Yorkshire lasts 3hrs 30mins with a 15 minute coffee break with an optional module lasting 3 hours dealing with First Aid and Manual Handling. The advantages of this option are that it targets what the drivers need, none of the content is irrelevant, it is compact and keeps them off the road for the minimum time. The length of the course allows for 2 Basic sessions to be held in one day or 1 basic session plus the optional module.

Whilst a recognised certificate is nice to have, all you really need to have is a database which I could maintain from the course register and email updates to you as things go along.

If Wokingham Council provides a venue with refreshments and manages course delegate numbers between 10 and 15, the cost will be £40 per head per module.

I hope that this information is useful to you. Please contact me if there is anything you need to discuss. I will be working in the wilds of Wales most of this week and will answer emails when I return.

Regards

**John Lloyd**

On Site Training Company

Bringing Quality Training To The Workplace

<b>TITLE</b>	Taxi Licence Fees
<b>FOR CONSIDERATION BY</b>	Licensing and Appeals Committee on 27 March 2008
<b>WARD</b>	None Specific
<b>REPORT PREPARED BY</b>	Julia O'Brien – Principal Environmental Health Officer (Licensing)

**SUMMARY**

The proposed schedule of taxi licence fees was advertised and no objections were received during the 28 day consultation period.

**RECOMMENDATIONS**

Members are asked to:

Approve the proposed schedule of taxi licence fees with effect from 1 April 2008.

**FINANCIAL IMPLICATIONS (of the Recommendation)****Revenue**

	How much will it Cost / Save?	Is there sufficient budget (or grant funding) available?
Current Financial Year (Year 1)	£0	Yes
Next Financial Year (Year 2)	£0	Yes
Following Financial Year (Year 3)	£0	Yes

**Other relevant financial information relevant to the Recommendation/Decision**

Taxi licensing has a ring-fenced budget therefore the fee level does not effect the General Fund.

*Please note: The Recommendation must request the Supplementary Estimate required in this year, noting the ongoing commitment in future years.*



<b>Impact on Equality</b>
Mostly neutral

<b>Impact on Sustainability</b>
Overall positive impact

<b>List of Background Papers</b>
Licensing and Appeals Committee agenda – 21 January 2008

<b>Held by</b> Julia O'Brien	<b>Service</b> Planning, Regulation and Enforcement
<b>Telephone No</b> 0118 974 6359	<b>Email</b> julia.o'brien@wokingham.gov.uk
<b>Date</b> 1 March 2008	<b>Version No.</b> One

**NB All reports seek to identify environmental, community safety, customer care and equal opportunities implications. Consultation with residents and organisations which has or is about to take place, will also be reported.**

**SUPPORTING INFORMATION**

At the January meeting this Committee agreed a revised set of taxi licence fees. Members also agreed to consult with the existing drivers and operators, together with the public via a newspaper notice. If objections are received these must be considered by this Committee.

The proposal was duly published in the Wokingham Times and Reading Chronicle with the 28-day objection period finishing on 29 February 2008. All existing drivers were written to with a copy of the fees enclosed to ask for any objections. No objections have been received.

## Taxi Licensing Fees

	Existing Fee 2007/2008	Proposed Fee 2008/2009
<b>Vehicle Licences</b>		
Hackney Carriage	£205	£214
Private Hire Vehicle	£205	£214
Change of Vehicle (including new plate)	£37	£39
<b>Driver Licences</b>		
<b>Processing Fees</b>		
Private Hire (including legal knowledge test)	£61	£64
Dual Driver's (Including legal and street knowledge tests)	£61	£64
<b>Licence Fees</b>		
Private Hire Licence and Renewal	£90	£94
Dual Driver's Licence	£128	£134
Dual Driver's Licence (Renewal)	£90	£94
<b>Knowledge Tests</b>		
Legal	£14	£15
Dual Driver Street	£32	£34
Highway Code	£14	£15
Private Hire Street	£14	£15
<b>Certificate of Compliance</b>		
	£26	£28
<b>Missed Appointments</b>		
	N/A	£25
<b>Driver and Vehicle Licensing Agency Check</b>		
	N/A	£5
<b>Medical</b>		
Medical Cancellation	£78	£82
	£38	£40
<b>Replacements</b>		
Drivers Badge	£16	£17
Vehicle Plate	£37	£39
Backing Plate	£21	£22
Licence/Certificate	£16	£17
<b>Operators</b>		
Private Hire Operator 1 Vehicle	£56	£59
Private Hire Operator 2-5 Vehicles	£157	£164
Private Hire Operator 6-10 Vehicles	£312	£326
Private Hire Operator 11-15 Vehicles	£558	£582
Private Hire Operator 16-20 Vehicles	£760	£793
Private Hire Operator >21 Vehicles	£936	£977

	Existing Fee	Proposed Fee
<b>Private Hire School Community Services Scheme</b>		
Drivers Initial PHSCS Scheme Application	£36	£38
Drivers PHSCS Scheme Badge	£64	£67
Drivers Renewal PHSCS Scheme Badge	£46	£48
Vehicle PHSCS Scheme Plate	£103	£108
<b>PHSCS Scheme Operators</b>		
PHSCS Operator 1 Vehicle	N/A	£29.50
PHSCS Operator 2-5 Vehicles	N/A	£82
PHSCS Operator 6-10 Vehicles	N/A	£163
PHSCS Operator 11-15 Vehicles	N/A	£291
PHSCS Operator 16-20 Vehicles	N/A	£396.50
PHSCS Operator >21 Vehicles	N/A	£488.50

### **Refund Policy**

Where a driver, vehicle or operator licence is surrendered before expiry, half the licence fee is retained and one twelfth of the remaining fee will be refunded for each whole month remaining of the licence