

**MINUTES OF A MEETING OF THE  
LICENSING AND APPEALS COMMITTEE  
HELD ON MONDAY 10 JANUARY 2011 FROM 7.00PM TO 7.50PM**

*Present:- Barrie Patman (Chairman), Chris Bowring (Vice Chairman), Kay Gilder, Mike Gore, Pauline Helliard-Symons, Ken Miall, Kirsten Miller (arrived 7:25pm during item 39), Chris Singleton, Malcolm Storry, Pam Stubbs and Dee Tomlin*

*Also present:-*

*Julia O'Brien, Principal Environmental Health Officer (Licensing)  
Steve Richardson, Health and Protection Manager  
Madeleine Shopland, Senior Democratic Services Officer*

**PART I**

**33. MINUTES**

The Minutes of the meeting of the Committee held on 1 November 2010 were confirmed as a correct record and signed by the Chairman.

**34. APOLOGIES**

Apologies for absence were submitted from Councillors Sam Rahmouni and Bob Wyatt.

**35. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**36. PUBLIC QUESTION TIME**

There were no public questions.

**37. MEMBER QUESTION TIME**

There were no Member questions.

**38. ANIMAL BOARDING LICENCE – DRAFT HOME BOARDING CONDITIONS**

The Health and Protection Manager informed the Committee that the Animal Boarding Establishments Act 1963 had required the licensing of boarding premises for a number of years. The premises (normally 'kennels' or 'catteries') were commercial activities. Recent years had seen a growth in Petsitters or Home Boarders, where animals boarded at domestic premises. The National Association of Registered Petsitters recognised that a licence was applicable to boarding. Pet sitting ranged from dog walking to boarding for one or more days. The Council had not previously licensed home boarders. However, legislation stated that a boarding establishment could also be in a private domestic dwelling, not necessarily in a purpose built premises.

During the discussion of this item the following points were made:

- Whilst full commercial boarding operations had a set of standard conditions in place, not of all these were appropriate for home boarding. Officers had developed a set of conditions for home boarders. It was proposed that these be consulted on with relevant associations such as the RSCPA, the National Petsitters Association, local vets and also local pet sitters. The fee charged for this activity would be the same as for a standard kennel.

- It was noted that depending on the nature of the premises and the number of animals boarding at one time, planning permission may be required. Officers were aware of some home boarders who boarded up to 6 dogs at a time.
- A number of Members felt that the conditions may be difficult for Pet sitters to wholly implement. The Health and Protection Manager indicated that headings in the proposed conditions in italics in the report had been taken directly from the legislation. He agreed that some conditions may be onerous but emphasised that safeguarding the safety of residents and the animals was integral.
- In response to a question as to whether the conditions were intended to fit all the Health and Protection Manager commented that it was hoped that they would.
- A Member questioned whether controlling the noise of the animal should be referred to. The Health and Protection Manager commented that this was already covered by the Environmental Protection Act. The proposed conditions had included what the relevant legislation had indicated could be considered.
- It was clarified that in season bitches and entire males should be kept apart so that they did not breed. This did not necessarily mean that they could not be boarded together.
- A Member asked how the Council would judge whether there was sufficient space available for the animals. The Health and Protection Manager stated that this was subjective and depended on the number and size of the animals being boarded.
- Inspections would be carried out by the Council's Animal Warden and by a vet. The Council would set a maximum limit for the number of animals which could be cared for at one time.
- In response to a question regarding animals having their own individual bowls Members were informed that this was a management issue for the individual Petsitter.
- Animal waste could be disposed of in domestic waste so long as it was sufficiently bagged up.
- Members were notified that there was a sliding scale for fees in line with the number of animals being boarded.
- The Committee questioned the use of the word 'training' for staff. It was noted that Petsitters were not required to have a formal qualification but it was important that any staff knew what to do in an emergency. The Health and Protection Manager agreed to relook at the wording of that particular condition.
- The suitable size of quarters was discussed. It was noted that there were limits for the size of quarters in commercial premises as animals were kept separately. However, animals were kept together in domestic premises.
- The Licensee would be required to make an assessment of the risks of home boarding to include the risk to or caused by children who were likely to be at the property.
- The conditions applied only to those who were boarding animals for commercial purposes and not those who looked after animals on behalf of a friend as a favour.

**RESOLVED:** That it be agreed that consultation be carried out in relation to the attached set of standard conditions for Home Boarding of Dogs attached as appendix one to the report.

### **39. HACKNEY CARRIAGE TARIFF REVIEW**

Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 allowed the Council to fix the rates for fares and other related charges in connection with the hire of Hackney Carriages. The Committee agreed in March 2005 to review the taxi tariffs annually.

During the discussion of this item the following points were made:

- In May 2010 the Committee had agreed adopt the drivers preferred option to increase the flag distance, decrease the increment distance and to add the time variation.
- The views of all 94 Hackney Carriage drivers and the larger operators had been sought in November 2010. 18 drivers had responded. 8 had asked for a change, 9 no change and 1 had not given a view either way. Drivers asking for change had asked that there be a reduction in the initial yardage from 880 to 600 yards. Short journeys would become more expensive as a result.
- The Chair noted that the Department of Transport guidelines indicated that the interests of the public should be the Committee's main concern.
- The Principal Environmental Health Officer – Licensing clarified what was meant by yardage. Members noted that currently Wokingham was rated 37 in the Private Hire and Taxi Monthly National League Tables Averages (1 being the most expensive).
- The Principal Environmental Health Officer – Licensing commented that drivers had indicated that business had been quieter in recent times.
- Members were sympathetic to the drivers and noted that the poor economic climate was negatively impacting on business. However, they also felt that the public were also negatively affected by the economic downturn. The Committee noted that only 18 drivers had responded and that opinion had been reasonably divided.

#### **RESOLVED That**

- 1) the Hackney Carriage tariff remain unchanged for the year.

#### **40. HACKNEY CARRIAGE VEHICLE AGE RESTRICTION**

On 7 April the Committee had considered a report concerning the revision of the Hackney Carriage and Private Hire Licensing Policy in regards to setting an upper limit for Hackney Carriage Vehicles. An upper age limit of 15 years for Hackney Carriages had been agreed, Members had asked that this be reviewed in a years time and that officers provide figures of the number of vehicles which failed the checks (yearly for vehicles under five years old and six monthly for vehicles over this age), the reasons for these failures and that these failures be broken down into the cars under 5 years old, cars 5-8 years old, cars 8-10 years old, cars 10-12 years old and cars which were 12-15 years old.

During the discussion of this item the following points were made:

- Some Members questioned the need for an upper age limit because older vehicles could be perfectly useable if they were well looked after whilst a younger car which had not been cared for could be dangerous. They asked whether it would be more appropriate for a mileage limit to be put in place. The Principal Environmental Health Officer – Licensing stated that the mileage was recorded during the vehicle test. A number of Members felt that a mileage limit would be difficult to check and enforce.
- The Committee noted that younger vehicles were also recording faults. Members expressed concern at the types of faults being recorded, such as faulty lights and tyres and having no fire extinguisher in the vehicle. They stressed that it was important that drivers regularly checked their vehicles for such faults. The Hackney Carriage vehicle test was more stringent than the standard MOT test.
- It was noted that Reading Borough Council required vehicles to be no more than 5 years old when first plated and that Bracknell Forest Council required vehicles to be no older than 4 years old to be licensed for the first time and then vehicles must come off the fleet when they reach 10 years old. Any new vehicle licensed by Slough Borough

Council as a Hackney Carriage vehicle must not be older than 5 years of age from the date of first registration. Members agreed that drivers should be consulted with regards to the possibility of implementing a maximum age for Hackney Carriage vehicles being brought onto the fleet. They noted that a number of neighbouring authorities did not allow vehicles over 5 years old to be brought into its fleet.

- A Member questioned whether drivers could be given penalty points under the Council's penalty points scheme should they fail a test. The Principal Environmental Health Officer – Licensing explained that drivers could be given penalty points if the vehicle was not sufficiently maintained. Drivers who failed the vehicle test could be recharged to take the test. However, this varied from garage to garage.

**RESOLVED That**

- 1) consideration be given to implementing a maximum age of 5 years for Hackney Carriage Vehicles being brought onto the fleet.
- 2) it be agreed to consult on this proposal with existing drivers and operators for their comments, the results of which to be brought back to a future meeting of the Committee.

**41. HEARINGS UPDATE**

The Committee received an update on the School Transport Appeals and hearings held under the Licensing Act 2003 which had been held since the last meeting of the Committee.

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

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<b>TITLE</b>	<b>Private Hire Vehicle Age Restriction</b>
<b>FOR CONSIDERATION BY</b>	Licensing and Appeals Committee on 23 May 2011
<b>WARD</b>	None Specific
<b>STRATEGIC DIRECTOR</b>	Neil Badley – Operations Manager – Place Based Services

**OUTCOME**

Existing Private Drivers have sought an amendment to the current Hackney Carriage and Private Hire Licensing Policy to allow the maximum age limit for Private Hire vehicles to be more than 8 years of age in exceptional circumstances and provide guidance on the criteria that vehicles would have to meet.

**RECOMMENDATION**

Members are asked to agree:

1. That there be an amendment to the existing Hackney Carriage and Private Hire Licensing Policy to provide for an exemptions policy to the maximum age allowed for Private Hire Vehicles in exceptional circumstances
2. The suggested criteria for the exceptional circumstances – Appendix One
3. That existing drivers are consulted on the amendment and criteria with a view to bringing the responses back to a future meeting of the Licensing and Appeals Committee

**SUMMARY OF REPORT**

This report outlines drivers' reasons for their wishing to have the maximum age limit for Private Hire Vehicles increased in exceptional circumstances and suggests criteria to be applied by Licensing Officers when considering requests for this.

## Background

In regard to the maximum age limit that Private Hire Vehicles may be licensed to, the current Hackney Carriage and Private Hire Licensing Policy states:

**2.5.2. No Private Hire vehicle will be licensed if it is eight years old or older, from the date of first registration.**

A number of Private Hire Drivers have taken issue with this policy stating that it is unfair for the following reasons:

- Their vehicles are prestigious i.e top of the range Audi, BMW and Mercedes which if properly maintained will do many thousands of miles and remain in excellent condition up to the age of about 12 years
- The 8 year maximum age limit has placed an undue financial burden on Private Hire Drivers having to purchase new vehicles
- There is not parity between Hackney Carriage and Private Hire age restrictions – both coming on and off the fleets

Members have considered the maximum age of Private Hire Vehicles previously as part of the Licensing Policy review in 2005 and again in 2006 when they resolved to keep the upper limit for Private Hire Vehicles as 8 years . However it is felt that there may on occasion be exceptional circumstances for a vehicle to be licensed beyond the current permitted age limit where it is a prestigious vehicle in excellent condition. It is suggested that an exceptions policy be added to the existing policy in relation to the maximum age of Private Hire Vehicles along the following lines:

- Any requests regarding exceeding the age limit must be put in writing, as to why an extension to the age limit be granted, to the Principal Environmental Health Officer, Licensing Service, at least 60 days before the expiry of the licence. The criteria to be considered for exceptional circumstances will include one, or a combination of:
  - (a) Full documented service history of the vehicle
  - (b) Low mileage for its age
  - (c) Excellent condition inside and out
  - (d) Wheelchair accessibility
  - (e) Vehicle in as original supplied condition as possible
- Further guidance when considering exceptional circumstances can be found in Appendix One including judging if the condition of the vehicle is exceptional.

For Members information the position of neighbouring Local Authorities in relation to Private Hire Vehicle maximum age limits are;

- Reading – no limit
- Slough – 9 years
- West Berkshire – no limit
- Guildford – 10 years (15 years for wheelchair accessible vehicles)
- Windsor and Maidenhead - 9 years
- Bracknell - 8 years (10 years for wheelchair accessible vehicles)
- South Oxfordshire and Vale of White Horse – 9 years

## Analysis of Issues

Amendments to existing policy in the light of representations.

<b>Reasons for considering the report in Part 2</b>
Not Applicable

<b>List of Background Papers</b>
Hackney Carriage and Private Hire Licensing Policy

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<b>Date</b> 10 May 2011	<b>Version No.</b> One

## APPENDIX ONE

### AGE LIMITATION OF PRIVATE HIRE VEHICLES

#### Exceptional Condition

When considering the exterior and interior of the vehicle the following matters will be taken into consideration in judging if the condition is exceptional. A single item dependant upon the extent of damage or cosmetic appearance will not necessarily result in refusal to extend the use of the vehicle but 2 or more items in all areas will require correction, replacement or repair for an extension to be granted.

#### Exterior of Vehicle

1. The exterior paintwork on the vehicle should not:
  - a) shows signs of rusting
  - b) be faded or show signs of mismatched paint repairs
  - c) have 5 or more stone chips greater than 2mm in length in any direction
  - d) have 8 or more stone chips of any size
  - e) have any scratches, cracks or abrasions where the top layer of paint has been removed.
2. The exterior bodywork of the vehicle should not:
  - a) have 2 or more dents greater than 10mm in length in any direction
  - b) have 4 or more dents less than 10mm in length in any direction
  - c) have fittings that are missing, broken or damaged.
3. Have wheels and wheel trims that have significant damage which detracts from the overall excellent condition of the vehicle.
4. The vehicle must be submitted for inspection in a clean state such that an effective inspection is possible. Should the vehicle be submitted in an unclean state then the application shall be refused.
5. The engine compartment must not be in a dirty condition or have evidence of leaks including water, oil or hydraulic fluids.

#### Interior of vehicle

6. The seating and carpet areas of the vehicle shall not show signs of:
  - a) staining
  - b) damp



- c) fraying or ripping of the material
  - d) seat covers that are loose or badly fitted.
7. The seats should provide sufficient support for comfortable travel and should not demonstrate excessive compression of the seating area or wear within the support mechanism.
  8. Interior panels and fittings within the vehicle should not be damaged nor show excessive wear, or staining.
  9. The interior of the vehicle should not have damp or other obnoxious smells.

### **Abnormally Low Mileage**

The Council will not regard a vehicle as having travelled an abnormally low mileage in the following circumstances:

1. A vehicle intended for normal private use with a mileage in excess of 200,000 miles, or
2. A vehicle purposely built for use as a licensed vehicle with a mileage in excess of 300,000 miles, or
3. A "prestigious car" with a mileage in excess of 300,000 miles.

### **Prestigious Car**

A "prestigious car" is to be defined as an executive style vehicle with the following minimum requirements:

1. Be a four door saloon motor car and would not normally be a hatchback
2. Be not less than 14.9 ft (4470mm) in length
3. The vehicle interior and exterior shall be of the very highest quality in design and use of materials available.
4. Must have sufficient space for passengers and equipment in so much as:
  - a) rear height (seat to roof, measured from point of contact between seat cushion and back of seat) - 36" (91cm)
  - b) depth of seat – 20" (51cm)
  - c) knee space – (back of seat squab) with front seats fully back – 29" (73.5cm)
5. The vehicle should carry no more than:
  - a) one passenger in the front;

- b) three passengers in the rear, unless it is specifically designed or adapted to do so;
  - c) each rear seat passenger should have a minimum clear seat width for each passenger of at least 19" (48.2cm).
6. The engine capacity must exceed 2 litres.
  7. The vehicle must not be designed or adapted for off road purposes.
  8. The vehicle must not be designed or adapted as a personnel carrier, mini bus, people mover or other like vehicle.

<b>TITLE</b>	<b>Maximum Age for Hackney Carriage Vehicles to be brought onto the fleet</b>
<b>FOR CONSIDERATION BY</b>	Licensing and Appeals Committee on 23 May 2011
<b>WARD</b>	None Specific
<b>STRATEGIC DIRECTOR</b>	Neil Badley – Operations Manager – Place Based Services

**OUTCOME**

Existing Dual and Private Hire Driver and Operator views were sought on whether or not to bring in a maximum age limit of 5 years for Hackney Carriage Vehicles to be brought onto the fleet with a view to amending the existing policy which has no age specified.

**RECOMMENDATION**

Members are asked to consider the responses to the consultation received from Drivers and Operators and;

1. Make no change to the Hackney Carriage and Private Hire Licensing Policy with regard to the maximum age of a Hackney Carriage to first be brought onto the fleet
- Or
2. Change the existing Hackney Carriage/Private Hire Licensing Policy with regard to the maximum age of a Hackney Carriage to first be brought onto the fleet to 'When making a Hackney Carriage vehicle licence application, a vehicle must be less than 5 years old from the date of first registration unless the application is for the renewal of a licence'. The intention would be that a transfer/change in owner of a vehicle would be classed as a new application.

**SUMMARY OF REPORT**

This report outlines the results of a consultation exercise with all Dual and Private Hire Drivers and Operators and in the light of these findings consider whether to implement a maximum age limit for Hackney Carriage vehicles to be brought onto the fleet.

## Background

At a meeting of the Licensing and Appeals Committee on 10<sup>th</sup> January 2011 members considered a report into Hackney Carriage Vehicle maximum age restriction.

As a result of the ensuing discussion members also felt that consideration should be given to implementing a maximum age of 5 years for Hackney Carriage Vehicles being brought onto the fleet and that existing drivers and operators be consulted on this proposal for their comments, the results of which would be brought back to a future meeting of the Committee.

All existing Dual and Private Hire drivers and Operators were written to (approximately 320) and asked for their views, either a change to a maximum age of 5 years to be brought onto the fleet, or no change and for any comments.

60 responses were received, of which 45 are from Hackney Carriage vehicle owners. 11 drivers would like there to be a change and 48 would not. The responses are summarised in Appendix1.

Neighbouring Local Authority positions in relation to Hackney Carriage Vehicle maximum age when first brought onto the fleet are Reading, Slough and Windsor and Maidenhead 5 years and Bracknell 4 years.

## Analysis of Issues

Amendments to existing policy in the light of representations.

<b>Reasons for considering the report in Part 2</b>
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Not Applicable
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<b>List of Background Papers</b>
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Restricting Age for Hackney Carriage Vehicle Consultation 2011 Hackney Carriage and Private Hire Licensing Policy Licensing and Appeals Committee Minutes 2005/2006
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<b>Date</b> 6 May 2011	<b>Version No.</b> One
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Badge No/Operator	Yes	No	Comments	HC/PH No.
DD396 - Bees	√		Also if a Hackney does not have their ramps with them or they refuse wheelchair job then they automatically become Private Hire and have their plate changed	VARIOUS/OPERATOR
PHD275	√		Should be 4 years - I continually receive comments about filthy taxis operating in Wokingham plates, from my customers. Something needs to be done, standards are very low	PH022
Loddon Cars	√		All cars should be road worthy like private hire, good for the customer to sit inside	VARIOUS/OPERATOR
Bees	√		Please also take off of road after 8 years same as PH. What's the safety aspect difference? Also if Hackney don't carry ramps, or refuse disabled, please make them private hire at once. Is a Hackney Carriage safer after 8 years than a Private Hire Car? If a passenger had an accident in a 9 year old hackney carriage could he sue the Council because if you are setting a precedence of Private hire is too old at 8 years, why is not a hackney. Some of these old Hackney cars working in Wokingham are a disgrace.	OPERATOR
DD762		√	Please leave it the same thanks	HC158
DD740		√	I find it hard that to maintain working in this current climate if we have to buy a new vehicle I would find it very hard to manage. We already have several checks including 2 MOT checks yearly, we wouldn't make as much as we would have to spend on a new hackney carriage. Some councils such as Henley accept normal MOTs and any vehicles	HC040
DD440		√	I find it hard that to maintain working in this current climate if we have to buy a new vehicle to manage. We already have several checks and fees	HC028

DD705		√	We can't afford to buy vehicles less than 5 years old and then spend some more money to convert them disabled access	HC036
DD689		√	Already struggling when there is no more work left	HC017
PHD232	√		If Private hire have no more than seven years old why hackney have. Dirty horrible and such old cars running on the road. I hope same rule should be for every person. Thank you.	PH042
DD577	√		Should be the same as private hire. To ensure HC carry their ramps etc and do take wheelchair customers. Needs to be enforced	VARIOUS/OPERATOR
DD550		√		HC175
DD506		√		HC165
DD595		√		HC006
DD454		√		HC179
DD730		√		HC221
DD732		√		PH136
DD285		√		HC034
DD722		√		HC203
DD626		√		HC089
DD727		√		HC011
DD685		√		HC144
DD690		√		HC199
DD725		√		HC024
DD714		√		HC030
PHD204		√		PH166
DD698		√		PH303
DD743		√	Please leave as it is Thanks	HC007

DD692		√	Dear Sir/Madam As you know that here very bad recession fuel price are very expensive we do have more driver and 100% less jobs station and high streets are quiet we do have two MOT in one year in this inflation and recession time. Drivers cannot afford to buy under 4/5 years vehicles if you change 15 years to 10 years then so may people lose their jobs. If you look at Oxfordshire they don't have age restriction on vehicle they even don't have wheelchair access vehicles with normal MOT. Reading and Bracknell council are different than taxi work in this area so kindly no change	HC125
DD742		√	Every single day bring us more difficulties do us a favour by keeping few things simple many thanks, so please keep the old law for vehicles and let it be for sometime be maybe you (Council) could apply it (new amendments) few years later more over the old licensed driver may be able to sell these old licensed cars and new drivers don't have burden to spend at once. Drivers have to maintain their vehicle and they do by showing six monthly MOT. For sure some of the driver can't really bring 5 years old vehicle. Please don't change the law.	HC204
DD677		√	We are not happy with 5 yrs old this is totally not acceptable to us we will appreciate if you remain with 15 years old vehicles that is very kindness of you	HC192
DD394		√	I am not very happy with 15 years old this is no worth bring new vehicles and the trade is going down day by day I am very happy if you carry on with 15 years old vehicle thanks	HC196
DD753		√	Please leave as it is now	HC017
DD499	√			HC152
DD715	√			HC190
DD672	√			HC154
DD709		√		HC176

DD475	√		Supporting letter supplied	HC250
DD530	√			HC097
DD625		√		HC183
DD746		√	<p>We strongly oppose any age restrictions on the plated cars. As long as the cars are meeting the Council criteria of MOT's which is even more strict than the national standard, there should not be any problem. Moreover we can not compare Wokingham with other boroughs like Reading and Bracknell these towns are big and still have got good business. We need to place an immediate ban on new H.C.'s. New drivers can come through Private Hire. In Wokingham we strongly feel that we are being pushed to the wall and feeling the pressure economically and psychologically work has gone down and fuel, insurance and even Council fees are going up. The Council's tariff is the same. Moreover driving around these massive wheelchair cars is putting extra and useless strain on the drivers and environment as well as most of our potential customers do not like it.</p>	HC033
DD347		√	<p>We can not afford it in Wokingham it is very small town as compared to other side towns they have got businesses. Plus we demand immediate ban on new cars in Wokingham as situation , workwise, is really getting worse day by day we cannot afford increasing Council renewal fees, insurance, fuel cost, etc. on top of that driving around these massive cars when there is no need for each car to be wheelchair accessible.</p>	HC036



DD704		√	We strongly oppose any increase in Council fees including £17 check fee as we are going through the worse economic situation so we can not afford new cars. There is no need in Wokingham as being a small a quiet town and we demand Council to allow us to drive normal sallon cars as driving these massive wheelchair cars is really affecting us and never required by any customers on our ranks.	HC201
DD713		√	Work situation is worse in Wokingham as compared to other Council's i.e. Reading Bracknell etc. buying a new cars is not affordable in Wokingham	HC285
DD712		√		HC061
DD669		√	Because of economic downturn it is not fair on taxi drivers to buy costly cars. You have to realise this that most taxi driver are making an average of £30 on a daily basis thus making it difficult to put big investment on new vehicles. If committee members can talk about putting a stop on New Hackney Plates, drivers might come to the option of implementing a maximum age of 5 years. Machines need looking after and if that's done on time it can never go wrong thus I would opt out on the 5 years of age limit on the new vehicles. Many thanks	HC038
DD701		√	There is not enough business left. Why we buy too expensive cars?	HC082
DD765		√	New changes will have a huge burden on hackney drivers including myself I cannot afford to buy 5 years old car. We have MOT every 6 months which assures the maintenance of vehicles. There I oppose new changes	HC026
DD306		√	Wokingham is not a business not why we spend expensive money to buy a new taxi. In Hackney Taxi has not enough business in Wokingham	HC101
DD737		√	Why you compare Reading and Bracknell Council? They are business town Wokingham is not business town?	HC045

DD707		√	Its not worthy as taxi (Hackney Carriage) business is getting down day by day. Fair tariffs are still same and on the other side fule prices and maintaince costs are comparitively getting higher. In this situation the new changes in HC are not acceptable. That would probably kill us (HC drivers) Thanks	HC198
DD759		√	Wokingham Council should stop issuing more HC plates	HC016
DD364		√		HC189
DD458		√	As long as cars are passing the MOT's. Age should not be any concern. MOTS are already twice a year which exceed the national requirement. New cars will be extra stress to the drivers who are already suffering from bad business	PH218
PH278		√	I would like to response for NO CHANGE to Hackney age limit restriction. Also I would like you to increase the age limit of Private Hire vehicles from 8 years to 12 years in line with the age limit on Hackney vehicles. Because I can't see any difference between a Hackney Carriage and Private Hire vehicle, both are doing the same job. Some are taxi drivers and some are chauffeur drivers, for that reason every vehicle should be looked at individually according to the age of the vehicle. It needs to make financially sense for drivers to have these vehicles.	PH372
DD745		√	No change to the age limit please. It will be extra load of cost on driver	PH349
PHD230		√	I would like to response for NO CHANGE to Hackney age limit restriction.	PH359
DD360		√	This is to register my view I say NO to vehicle age. The best thing Council can do to improve the standards of transport is to stop issuing more plate	HC283
PHD263		√	If a car is in good condition and cleaned if MOT test then it same to drive and travel in that car. By putting age limit you are putting extra load of cost and burden on driver	PH361

Total	11	48		

To whom it may concern,

31/03/11

Having worked as an Independent solo Hackney Carriage driver/ operator for 12 years, servicing Wokingham Borough's Taxi rank.

During my time here I have experienced seismic changes to my trade, to mention one of many the rushed in conceived flawed implementation for Disabled access for Hackney Carriage vehicles. Forcing my self and many others to spend tens of thousands of pounds with no clear guidelines or assistance. A partial phased implementation of Disabled access would have survived. Royal borough of Windsor and Maidenhead, my home town Maidenhead have not implemented anything as yet. By doing this it has forced Taxi drivers into an un economical investment. Drivers instead had gone for the cheaper alternative, whereby a mass exodus into the rise of the Private Hire trade thus creating a vacuum with in the Hackney Carriage trade. Over time our numbers have been sufficiently replenished, Hackney Carriage drivers did fulfil dual functions and roles. By the way well done Wokingham Borough council after Four year s you finally issue check lists i.e. proper guidelines. Enabling Hackney Carriage drivers to purchase the correct Motor vehicle.

As an owner driver it is essentially imperative for me to minimise my operating running costs for this to fruition it is vitally important to care for my Taxi/ vehicle. Maintenance and servicing is paramount. Personally I service my taxi every 8000 miles intervals using brand synthetic oil, regularly using fuel tonic additives and engine flush to treat and care for my vehicle. Additionally purchasing service parts in bulk in order to make savings.

During the last twelve years there have been no limits in place, why now I ask, what has changed? If it isn't broke then why try to fix it. Firstly define failure? To me it is mechanical break down, simply wear and tear. The more one works and drives the more increased mileage is incurred. I.e. chance of a break down thus how long is a piece of string. Every Hackney Carriage driver, me included is unique, as are our circumstances; different working practises and conditions are order of the day.

Referring to the agenda meeting of the Licensing and Appeals committee 10th January 2011. Firstly I fail to understand why about a year earlier 7/4/2010 members were discussing revision on an upper limit for Hackney Carriage drivers when we never had such in the first place. The Private Hire certainly does . It is unfair to be using the Private Hire trade as a comparative to the Hackney Carriage trade and to discuss it in the same sentence is abominable. Furthermore Hackney Carriage vehicles cover less than half of the mileage covered by the Private Hire vehicles typically per annum. I can categorically state almost all Taxi fares undertaken from Taxi ranks are local a mile or two, at best a few four miles. Working a Taxi rank means we have no extra i.e. dead mileage. Once cleared with the customer we precede back to base/Taxi rank. Compared to the Private Hire covering vast areas of Wokingham Borough entirely and further a field. Reason being for the immense dead mileage is due to out of town work, school runs as well as cooperate personal account customers. They tend to service all of the major Airports and transport hubs so their mileage is understandably astronomical. So the eight year upper limit in place is reasonable for the reasons mentioned. an upper age limit of 15 years for a Hackney Carriage vehicle is plausible and accepted by all. Personally I applauded the committee for making this

distinction and suggesting 15 years as an upper age limit. This now ought to be enshrined due to it being reviewed and the clamour of an initial entry age limit has somehow put it on the back burner.

Referring to the agenda item no. 43.00 for starters the information stated into the passage from local authorities is not comparative or relevant, thus I feel misleading because of local/ regional variations. Wokingham, only being a market town is being compared to Reading who has just of late applied for city status. Reading like Bracknell town is a mini silicone valley home to multi national cooperation's mostly situated in the many business/ industrial parks. Slough at one time became Europe largest industrial estate all this leads to the fact that other local authorities Hackney Carriage drivers earn a decent living resulting in increased mileage.i.e more wear and tear.

Reading, slough has no upper age limit for Hackney Carriage vehicles just the one limit in place. West Berkshire has neither limit in place as Wokingham once was. Interestingly vehicles over 8 years of age have three inspections. As aforementioned other local authorities/take is very much different. Clearly demonstrating local regional variations. Any age limit, initial/entry or final/exit is viable as long as there's just the one. Having both limits in place will be an extreme financial burden. By having an end gain (expiry age) is surely a good thing so why not let this limit take full effect and run its natural cause.

Due to my Taxi being over 5 years old it is inspected twice yearly. With the advent surcharge on the certificate of compliance (not worth the paper it's written on) being free it is now £30. This has changed matters, whereby I and other drivers rather pay £40 and obtain a proper legal MOT. The reality is three tests annually, therefore my Taxi is thoroughly, truly inspected. My home town of Maidenhead normal MOT is required for Hackney Carriage vehicles.

Generally Motor vehicles from first registration until three years have lapsed do not need an MOT therefore during the first five years two MOT's are accepted. An alternative suggestion would be to start counting once a motor vehicle becomes a Hackney Carriage vehicle. A motor vehicle not quite 5 years of age with average annual mileage would have only about only 30,000 with just one MOT. The reasons personally why I shriek away at purchasing a new vehicle is , vehicle losing value due to becoming a Taxi, general depreciation and being tied to expensive warranty's with limited miles.

Preposterous to even suggest purpose built Wheel chair access for new applications in the current climate. As to the proposal whereby existing vehicles to be refused a license over 8 years is a disgrace that would make 45 Taxis, currently half of the fleet obsolete. I feel the report from its outset is flawed as is the synopsis and results that age equates to failure; essentially it is all about the mileage. Whereby Hackney Carriage vehicle becoming tired it is financially viable just to change the engine.

Referring to the table from the report there is no positive correlation between vehicle age and Hackney Carriage vehicle failures. By not using a constant range for vehicle age it misconstrues the facts. Another equally important point being failure is not defined or specific but vague, e.g. fire extinguisher not marked or Taxi sign missing both count as failures.

Older Motor vehicles reflecting there age would customary show body work in a poor condition, discolouring and above all rust. Also chassis and under parts (section H) would be affected including

wheel arches, trims, floor and side panels. I fail to notice hardly any of these in the report as failures. Most failures compiled in the report are negligible. Maintenance issues, wear and tear and driver error (being lazy).

Another scenario is the same vehicle failing twice yearly. Also possible multiple failures during inspection are recorded. Taking failure as a percentage of the number in age groups throws up interesting reading. The second lowest percentage is surprisingly Hackney Carriage vehicles over 12 years at 60%, followed by 5-8 years of age showing a massive 89% of failures.

Highlighted in earlier correspondence was that the Taxi trade is suffering from collapse in earnings, record high fuel prices and the first fall in disposable income in 30 years culminating in dire working conditions. Personally opting for a fare freeze was extremely difficult but I decided to put the customers first. I appeal to Wokingham Borough council to do the same for the Taxi drivers.

During the last Tariff fare review consultation a heart felt letter highlighting the crippling costs of fuel and record high prices as unsustainable. For me and every other driver fuel costs is our number one overhead on average a third of gross earnings. Reality is we need Hackney Carriage vehicles that use sustainable renewable energy i.e. Hybrid electric cars. Exceptionally good for the drivers, great for the environment going green and good news particularly for the elderly (infirm) residents of Wokingham. This statement would put Wokingham firmly on the map. Wokingham Borough Council is fixated with taking the lead, all or nothing approach has not worked and seems unworkable bringing daily suffering to its Taxi drivers and the many elderly residents of Wokingham all due to the implementation of Disabled access for Hackney Carriage vehicles for everyone. Finally any new regulation should be phased in. There is a massive difference between current/existing serving drivers and incoming new drivers whereby the latter have not yet committed financially. It is easier conforming to new regulations, i.e. new applicants with new Hackney carriage vehicles can easily have a maximum age implemented for first licensing. Current drivers like myself are already fully committed to work, having already spent a fortune and been servicing Wokingham for the last 12 years. It would be unfair to start all over again. Every time new regulations are debated/ introduced it seems to me in the guise of the board game snakes and ladders. Where new regulation means back to square one.

Yes - To a maximum age of five years for Hackney Carriage vehicle brought on to the fleet for new applicants(incomers) only.

Yours Faithfully

HC250 DD475