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**WOKINGHAM  
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To:- All Committee Members

## **LICENSING AND APPEALS COMMITTEE - TUESDAY, 6TH OCTOBER, 2020**

I am now able to enclose, for consideration at the next Tuesday, 6th October, 2020 meeting of the Licensing and Appeals Committee, the following reports that were marked as 'to follow' on the agenda sent out recently.

<b>Agenda No</b>	<b>Item</b>
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8.	<b><u>Taxis Liaison Group Update (Pages 3 - 12)</u></b>
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To consider a report giving an update on the work of the Taxis Liaison Group.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Susan Parsonage'.

Susan Parsonage  
Chief Executive

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# Agenda Item 8.

<b>TITLE</b>	<b>Update to the Licensing and Appeals Committee Taxi Liaison Group Meeting 10/09/20</b>
<b>FOR CONSIDERATION BY</b>	Licensing and Appeals Committee 6 October 2020
<b>WARD</b>	Non-specific
<b>DIRECTOR</b>	Sean Murphy - Public Protection Manager

## **OUTCOME / BENEFITS TO THE COMMUNITY**

The Taxi Liaison Group was set up to facilitate dialogue between the taxi trade (hackney and private hire) with officers and members This report is to update the Licensing and Appeals Committee on the recent meeting which was held at 6.15pm on Thursday 10 September 2020 as a virtual meeting on Microsoft Teams.

## **RECOMMENDATION**

That the Committee agree the notes of the September meeting

That the Taxi Liaison Group continues to meet as often as required to discuss the trade's issues and concerns

That the Licensing and Appeals Committee consider the recommendations from the September Taxi Liaison Group meeting

## **SUMMARY OF REPORT**

The notes of the September Taxi Liaison Group meeting are attached at the end of this report for the Licensing and Appeals Committee to consider the recommendations

## **Background**

The meeting was set up in response to emails received from the Wokingham Taxi Association to discuss issues of concern raised by the trade, these included previous issues as well as those around the coronavirus pandemic's effect on the taxi trade.

The meeting was held as a virtual meeting on Microsoft Teams at 6.15pm on Thursday 10 September 2020 and attended by members, officers and two representatives of the trade, one hackney carriage driver representing the Wokingham Taxi Association and the second a private hire operator. Both of these names have been redacted from the notes.

## **Issues Discussed with Summary of Agreed Actions:**

Sean Murphy summed up at the end of the meeting that:

- A proposal to change the vehicles age requirement would be submitted to the next Licensing Committee meeting in October by the trade;
- A discussion around fees and charges would be carried out with the trade;
- Information about the height of vehicles in other local authorities would be shared;
- Licensing would liaise with Highways about the issue around ranks and update the Licensing Committee and this group.

### **1. Fees**

The agreed fee reductions have already been implemented.

No further proposal on fees has been received from the trade following the meeting

The audit exercise (to review the methodology for the calculation of fees and go through it line by line with the trade) is being arranged by Sean Murphy who will provide an update at the meeting

The consultation on fees and charges is covered in a separate report.

There is no proposal from the trade to review the taxi tariff at this time.

### **2. Age of vehicles**

The Committee is asked to consider and agree whether it wishes to temporarily suspend the upper age limits for private hire and hackney carriage vehicles as set out in the Wokingham Borough Council Hackney Carriage and Private Hire Licensing Policy.

<https://publicprotectionpartnership.org.uk/media/2024/wok-bc-hcph-licensing-policy-011019.pdf>

The suggestion is that this could be for a period of up to 12 months, there should be a defined start and end date for this if agreed.

Any vehicle would still need to pass the hackney carriage and private hire vehicle test (paragraph 2.2.1) in addition to the standard MOT test.

In reaching their decision, the Committee is asked to take into account the reason for introducing these age limits which was to uphold the priority of public safety and safeguarding by ensuring the safety of licensed vehicles.

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 licence will be issued for a vehicle that exceeds 8 years old, from the date of first registration. This condition may not be valid if the vehicle is being considered

under 'exceptional condition'.

2.5.3 When making a Hackney Carriage 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. For vehicles first licensed after 19/03/2019, no Hackney Carriage vehicle licence will be issued for a vehicle that exceeds 10 years old from the date of first registration, providing the vehicle complies with all other sections of this policy. For vehicles first licensed before 19/03/2019, no Hackney Carriage vehicle licence will be issued for a vehicle that exceeds 15 years old from the date of first registration, providing the vehicle complies with all other sections of this policy.

The Committee is also asked to consider whether it would be appropriate to suspend within the condition for exceptional condition age limit extension the requirement for an independent advanced vehicle inspection report as detailed in paragraph 2.5.4, this could be for a period of 12 months. Again the Committee is asked to take into account before reaching their decision the reason for introducing this requirement.

2.5.4 In cases where a vehicle is in exceptional condition (see below), it may, on application, be granted an extension on the age limit. Any such application must be received in writing by the Licensing Team at least 3 months prior to the date upon which the vehicle reaches its age of vehicle expiry date. The application must be accompanied by an independent advanced vehicle inspection report, such as the 'advanced inspection' offered by the RAC. The inspection shall include a comprehensive written report of the condition of the interior and exterior of the vehicle, noting the date the inspection has taken place and the mileage of the vehicle at the time. The report shall include, as a minimum, details of the vehicle's bodywork, wheels, upholstery and trim, including the nature and location of any defects. Reports containing insufficient information are likely to result in the application for an extension being refused. Prior to arranging an inspection, advice may be sought from the Licensing Team as to whether the report will be of an acceptable standard. Any cost for the production of such an inspection report shall be borne by the vehicle proprietor. The vehicle owner will receive a decision in writing within 10 working days after the application. Any extensions granted may be subject to certain conditions.

### **3. Height of vehicles**

The dimensions set out in paragraph 2.9 have been previously considered by Committee and were introduced and specified to ensure compliance with Section 165 of the Equality Act 2010 (passengers in wheelchairs). It would therefore not be appropriate to put forward any proposal to amend these dimensions.

#### **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 wheelchair accessible. All vehicles subject to a Hackney Carriage Vehicle application and those Private Hire Vehicles

which have been adapted or manufactured for wheelchair 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. The door shall be of minimum usable dimensions 745mm wide x 1350mm high to gain access to the wheelchair space. The wheelchair space shall be at least 1250mm long x 780mm wide with at least 1370mm from floor to ceiling.

iii. Seats should not have to be removed to in order to accommodate a wheelchair.

iv. 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.

v. There must be a means of securing both the wheelchair and its occupant when the vehicle is in motion.

vi. 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.

Section 2.9.1 (ii) shall have immediate effect for any new vehicle and shall apply to all licensed vehicles from 04/09/2023. All vehicles licensed after 04/09/2023 must comply in full with this section.

No proposals on wheelchair accessible electric vehicles have been received from the trade. The use of electric vehicles is of course encouraged, subject to them meeting the dimensions requirements as set out in paragraph 2.9.1

The review of other local authorities' position on height requirements and age limits is attached for comparison.

#### **4. Taxi Ranks**

Traffic Management have confirmed that the Broad Street ranks were operational from 19 September 2020, this includes the rank outside Natwest Bank and the two west of the bus stops. These ranks were suspended by an emergency traffic for the past months to enable social distancing for pedestrians in Broad Street.

The two ranks west of the bus stops were due to be suspended again for a short period of time in order to provide an alternative pedestrian crossing in Broad Street whilst works undertaken to replace the traffic signals at Shute End but Traffic Management have been able to avoid by using the Covid barriers.

Additionally there will be two new temporary evening ranks in Wokingham Market Place on the loading bays outside Boots and WH Smith. The signs are on order and expected to be on site around the first week in October. The ranks will operate 7pm to 7am Monday to Sunday and apply to the loading bay only. On confirmation that the signage is in place and the ranks are operational, the drivers will be informed.

Traffic Management has confirmed the size and capacity for each rank:

Outside Boots 17.2m ( Max 3 vehicles)

Market House 36.2m ( Max 6 vehicles)

The Licensing Team have been sending regular update emails to the Wokingham Taxi Association and all drivers since March on a number of issues including Covid updates and rank information.

### Analysis of Issues

The implications arising from the recommendations in this report are included.

### FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

***The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.***

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)			
Next Financial Year (Year 2)			
Following Financial Year (Year 3)			

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

None

#### Cross-Council Implications

The implications arising from the recommendation in this report are detailed

#### List of Background Papers

Notes from the 10/09/20 Taxi Liaison Group Meeting  
Other Local Authority Age and Height Limits

<b>Contact</b> Karen Court	<b>Service</b> Public Protection Partnership
<b>Telephone No</b> 01635 519791	<b>Email</b> Karen.court@westberks.gov.uk
<b>Date</b> 24 September 2020	<b>Version No.</b> 1

## **Taxis Liaison Group – 10 September 2020**

Virtual meeting via Teams

### **Meeting Notes**

**Members Present:** Chris Bowring, Rachel Burgess and Barrie Patman (Chairman)

**Officers Present:** Luciane Bowker, Karen Court, Sean Murphy, Julia O'Brien

**Trade Members Present:** Wokingham Taxi Association Representative (a licensed hackney carriage driver) – “WTAR” and Private Hire Operator – “PHO” The two individuals' names have been redacted.

WTAR stated that it had not been possible for other drivers to attend this meeting. However, they had passed on to him the trade's main concerns, which were still the same since the last meeting:

- 1) Fees
- 2) Age of vehicles
- 3) Height of vehicles
- 4) Ranks

The following comments were made during the discussion of the above items:

#### **1. Fees**

- Sean Murphy stated that since the last meeting, it had been agreed that there would be a reduction in the fees for 2019-20, those who had already paid were refunded £80. For this year, Wokingham's fees had been reduced to £40, the plan was to stagger the increase in 3 years;
- Sean Murphy stated that it was up to the trade to forward a proposal on fees to the Licensing Committee;
- Councillor Burgess stated that at the last meeting it had been agreed that a full review of fees and the calculation methodology would be carried out to ascertain if the basis for the fees were fair. She asked if this piece of work had been completed;
- Sean Murphy stated that a review of the hourly rate, which formed the basis of the fees had been undertaken. However, there was the issue of applying inflation to the hourly rates;
- Councillor Burgess pointed out that a detailed audit of the hourly rates had been requested;
- Julia O'Brien stated that the service had not been able to carry out the review due to Covid-19;
- Councillor Burgess stated that this review was requested a long time before the Covid-19 situation took place, back in November 2019;
- Sean Murphy apologised that this review had not taken place and agreed to conduct an audit exercise to review the methodology for the calculation of fees and go through it line by line with the trade to see if hours could be shaved off;
- Councillor Bowring asked that the preliminary findings of this review be brought to the next Licensing Committee;

- Sean Murphy stated that it was a good time to undertake this review as there would be a consultation on fees and charges going out shortly, this would be reported to the Licensing Committee in October.

## **2. Age of vehicles**

- Sean Murphy stated that the trade was facing challenges in the current financial climate due to Covid-19. However, this issue needed to be balanced against public safeguarding;
- WTAR stated that the current age limits were difficult for the trade. Drivers had lost a lot of business during this time, and as such many drivers were opting to take on jobs doing deliveries for restaurants, some were joining other councils as there was almost no earnings for driving taxis in Wokingham;
- WTAR stated that the age limit was already good enough and he suggested that as long as a car passed its MOT, they should be allowed at least 15 years until the situation went back to normal;
- Sean Murphy stated that it had been agreed that the age limit was 10 years for new vehicles and 15 years for existing vehicles. Karen Court clarified that according to the policy all vehicles from September 2023 would have to comply with the age limit of 10 years;
- Councillor Burgess stated that at the last meeting it had been agreed that Officers would look at the rationale for the 10 year age limit; she suggested suspending the age limit during this time until the trade recovered;
- Sean Murphy stated that a proposal around suspension options could be taken to Licensing Committee for consideration around a suspension on the age limit of vehicles given the current circumstances.

## **3) Height of vehicles**

- WTAR asked that consideration be given to the height of vehicles, and the fact that if the height limitation was reduced, drivers could consider using electric vehicles which were environmentally friendly and easy to run;
- Julia O'Brien stated that she had undertaken a review of other local authorities position around height requirements, and offered to share this information with Licensing Committee in October; she asked WTAR to share with her the details of the electric vehicles that he proposed be allowed to be licensed;
- WTAR asked for an update on the issue of height of vehicles. Julia O'Brien stated that she had already sent this information to Councillor Patman and she agreed to share it with this group.

It was agreed that the trade did not wish to pursue the issue of taxi fares at this point time.

## **5) Ranks**

- Sean Murphy stated that the Broadstreet rank was currently suspended by an emergency traffic order because of social distancing;
- Julia O'Brien stated that Highways were considering putting a temporary rank outside the Red Lion Pub, they were looking into how to manage footfall;
- WTAR stated that this would not completely solve the problem as it couldn't hold any more than four cars, but it was better than nothing;
- Sean Murphy agreed to feedback WTAR's comments to Highways;
- WTAR stated that the trade had not been informed of the closure of ranks or alternative parking arrangements, the trade was upset about this;

- Julia O'Brien stated that Highways did not notify Licensing, this had been a very last minute law, in order to open Pubs, social distancing measures had to be put in place; Licensing had asked, on the behalf of the trade for temporary ranks;
- Councillor Bowring stated that he would raise the issue about better liaison between Highways and Licensing with Councillor Pauline Jorgensen, Executive Member for Highways and Transport;
- Councillor Burgess asked to receive an update from Highways on this issue at the next meeting.

Sean Murphy summed up that:

- A proposal to change the vehicles age requirement, would be submitted to the next Licensing Committee meeting in October by the trade;
- A discussion around fees and charges would be carried out with the trade;
- Information about the height of vehicles in other local authorities would be shared;
- Licensing would liaise with Highways about the issue around ranks and update the Licensing Committee and this group.

WTAR asked that clear policies be produced on what cars were acceptable and that consideration be given to the use of electric cars. He expressed frustration that the above issues had been unresolved since September 2019.

Local Authority	Wheelchair Height/Dimensions	AOV Private Hire Vehicles	AOV Hackney Carriage Vehicles
HART	There must be sufficient space for a wheel chair to be safely secured facing forward or rearward	7 years	10 years
WYCOMBE	No guidelines in policy	10 years	14 years max (in exceptional condition)
TEST VALLEY	Vehicles presented for licensing must be fully wheelchair accessible, side loading and capable of being licensed to carry 5, 6, 7 or 8 passengers.	12 years max	12 years max
AYLESBURY VALE	It must be a purpose built wheelchair accessible vehicle fitted to European whole type approval full Hackney specification	10 years but if exceptional condition can apply for extension	Don't seem to have a AOV for HCV
WILTSHIRE EAST HAMPSHIRE	All wheelchair accessible vehicles must be able to load a wheelchair using the access equipment by the side or rear access doors. The side access door would be the door situated on the nearside of the vehicle, i.e. the kerbside when stopped in a normal road. The aperture of the door into which the access equipment is fitted shall have minimum clear headroom in its central third of 48 inches (1220mm). The measurement shall be taken from the upper centre of the aperture to a point directly below on either the upper face of the fully raised platform or the upper face of the ramp fully deployed on level ground. A locking mechanism shall be fitted that holds the access door in the open position whilst in use. No guidelines in policy	First licence under 5 years no other condition No	first licence under 7 years no other conditions No No Hackney carriage vehicle will be licenced if over 15 years of age from 1 October 2018. New to fleet vehicles New to fleet vehicles will be permitted to a maximum of 8 years from 1 October 2018.
READING	Doorways for use by passengers in wheelchairs must be at least 800mm wide up to a height of 800mm, and 600mm wide (between the hand rails) above that height. The height of the doorway must be a minimum of 1300mm. There should be a minimum floor to ceiling height of 1350mm in any part of the vehicle to be occupied by passengers in wheelchairs. Rear height (seat to roof) 34" (ii) Width (of seat) 19" (iii) Knee space (back of front seat to squab) 30" (iv) Front seat to back seat 10"	10 years but if exceptional condition can apply for extension	
SWINDON	(ii) The overall length must not exceed 4.575 metres.  (b) Inside Dimensions of Passengers' Compartment  (i) The vertical distance between the point of maximum deflection of the seat cushion when a passenger is seated to the roof immediately above that point must not be less than 96.5 centimetres.  (ii) The width across the rear seat must not be less than 1.07 metres.  (3) Any curvature of the floor of the passengers' compartment must be continuous and must not exceed 2 centimetres of the partition and 5 centimetres at the base of the rear seat when measured between the centre line and the sills.  (4) The door and doorway must be so constructed as to permit of an unrestricted opening across the doorway of at least 75 centimetres. The minimum angle of the door when opened must be 90 degrees.  (5) The clear height of the doorway must not be less than 1.195 metres. Vehicles must be so constructed as to facilitate the carriage of disabled person and be capable of accommodating the disabled person in a wheelchair within the passenger compartment.  (3) Every vehicle must meet the EC Whole Vehicle Type Approval(ECWVTA) at manufacture and also where any conversion works has been carried out since 1st registration. The ECWVTA must apply to the whole vehicle including any subsequent conversion	10 years	15 years
BASINGSTOKE AND DEANE	Any vehicle that has been modified to accommodate disabled passengers must have all modifications and adaptations, including all seats, seat belts and anchorages, retested to meet either the European Whole Vehicle Type Approval or the UK Low Volume Type Approval in the M1 category (evidence of this must be produced). Any vehicle meeting UK Single Vehicle Approval will not be licensed as a Hackney Carriage vehicle.	12 years but may apply for an extension if in exceptional condition	12 years but may apply for extension if in exceptional condition
RBWM SPELTHORNE VALE OF WHITE HORSE RUNNYMEADE SLOUGH	No guidelines in policy No guidelines in policy No guidelines in policy No guidelines in policy Wheel chair spaces requirements: 1130mm length, 690mm width, 1290mm height (min). 2. Acceptable intrusions into the wheelchair space: One or more tipping, folding or easily removed seats. Padded head and back restraint. Handrails or handholds provided that they do not extend into the wheel chair space by more than 90mm.	12 years max 10 years None None 9 years but extension maybe approved if ir	12 years max 12 years None None 9 years but extension maybe approved if in exceptional condition
CHERWELL CHILTERN	No guidelines in policy	No limit, vehicles over 10 years must show 12 years	No limit, vehicles over 10 years must show service history 12 years

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