

Swindon Borough Council

Private Hire and Hackney Carriage Licensing Sub-Committee

Wednesday, 22 February 2012

Committee Room 6, Civic Offices (Anticipated meeting room)

At 5.30 p.m.

**Conservative
Councillors**

Wayne Crabbe
Eric Shaw
Vera Tomlinson
Richard Hurley
David Wren

**Labour
Councillors**

Junab Ali
Steve Wakefield

**Liberal Democrat
Councillors**

**Independent
Councillors**

Committee Officer: Shaun Banks (Telephone 01793 463606)

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(Telephone 01793 445500)

AGENDA

- 1. Appointment of Chair for the Municipal Year 2011/12**
- 2. Appointment of Vice-Chair for the Municipal Year 2011/12**
- 3. Apologies for Absence**
- 4. Minutes** (Pages 1 - 2)

To receive the minutes of the meeting held on 21st September 2010.

5. Declarations of Interest

Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.

6. Public Question Time

See explanatory note below. Please phone the Committee Officer whose name and number appears at the top of this agenda if you need further guidance.

7. Exempt Items - Exclusion of Press and Public

Certain items are expected to include the consideration of exempt information and the Standards Committee is, therefore, recommended to resolve "That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the items listed below, on the grounds that they involve the likely disclosure of exempt information, as defined in the respective paragraph of

Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information".

<u>Item No.</u>	<u>Paragraph No.</u>
10	4

- 8. Review of Hackney Carriage Vehicle Specification Age Limits** (Pages 3 - 36)
- 9. Review of Hackney Carriage & Private Hire Vehicle Upper Age Limits** (Pages 37 - 46)
- 10. Review of Drivers Licence** (Pages 47 - 96)

Date of Despatch: 15 February 2012

Public Question Time - Swindon Borough Council is committed to increasing its accountability to the public and to promoting active citizenship. Up to 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from members of the public about the work of the Committee (except for confidential matters and specific planning applications). Questions must be relevant, clear and concise. Because of time constraints Public Question Time is not an opportunity to make speeches or statements. Prior notice of a question to the Director of Law and Democratic Services is desirable - particularly if detailed background information is needed.

Access Arrangements – The Venue is wheelchair accessible and an infrared receiver hearing system is provided. If you would wish to attend the meeting but have any special requirement to enable you to do so please contact the Committee Clerk above, as soon as possible prior to the date of the meeting.

If you would like to receive any of the pages contained in this agenda in a larger print size please contact the Committee Officer whose name appears on the first page of this agenda.

PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING SUB-COMMITTEE

TUESDAY, 21 SEPTEMBER 2010

PRESENT:- Councillors Junab Ali, John Ballman, Andrew Bennett (Chair), Janet Heenan, Richard Hurley, Kevin Parry (Vice-Chair) and Vera Tomlinson.

14. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

15. Minutes

Resolved – That the minutes of the meeting held on 23rd August 2010, be confirmed and signed as a correct record.

16. Public Question Time

Mr Johnson noted that the economy was currently in poor shape and further noted that this together with decisions by the Council on the delimitation of Hackney Carriages and reduction of taxi rank space had resulted in financial problems for the Hackney Carriage and Private Hire trade. He asked if the Council would reintroduce a limit on Hackney Carriage for a three-year period to allow the trade to survive and move forward?

The Chair noted that the delimitation of plates was part of a national process and a survey to test demand would cost approximately £30,000 it would not be possible to reintroduce a limit on the number of plate issued. He noted that the number of Hackney Carriage plates issued since delimitation was 13 of which 4 were for replacement vehicles.

Mr. Brian Vann asked about changes to Hackney Carriage Specifications and was informed there were consultations currently being undertaken.

Mr. Linkhurst asked if the Sub-Committee was aware of how few disabled/wheelchair users used taxi ranks preferring to pre-book vehicles.

The Chair responded that he had met with the town's disability coalition and a number of issues had been raised including driver training on mobility issues.

Mr. Johnson asked about driver and passenger safety and the suitability of Hackney Carriage Vehicles and whether new vehicle models would need to meet current standards.

The Chair noted that these issues were currently under review and consultations on any new specifications would be held.

17. Exempt Items - Exclusion of Press and Public

That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in Items 6 and 7 of the Notice of the Meeting on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 4 of Part 1 of Schedule 12A to the Act. (Minutes 18 and 19 refer.)

18. Appeal against Refusal to issue a Private Hire Driver Licence

The Sub-Committee considered (a) a report of the Group Director, Environment, Regeneration and Community setting out an appeal against the decision by officers not to grant a Private Hire Drivers Licence, and (b) representations by the appellant in support of his appeal.

Resolved – That the appeal be upheld and the driver named in the report be issued a Private Hire Drivers Licence with immediate effect.

The Chair reminded the applicant that if felt aggrieved with the decision of the Sub-Committee he had a right of an appeal, which must be made to the Clerk to the Magistrates Court, Islington Street, Swindon, within twenty-one days.

19. Appeal against Refusal to issue a Private Hire Driver Licence

The Sub-Committee considered (a) a report of the Group Director, Environment, Regeneration and Community setting out an appeal against the decision by officers not to grant a Private Hire Drivers Licence, and (b) representations by the appellant, his representative in support of his appeal.

Resolved – That the appeal be refused and the driver named in the report be advised of his right to appeal the decision of this Committee to the Swindon Magistrates Court.

The Chair reminded the appellant that if felt aggrieved with the decision of the Sub-Committee he had a right of an appeal, which must be made to the Clerk to the Magistrates Court, Islington Street, Swindon, within twenty-one days.

Review of Hackney Carriage Vehicle Specification Age Limits

Private Hire and Hackney Carriage Licensing Sub-Committee Date: 22nd February 2012

Author: Richard Bell, Interim Director Planning & Transport, Environment Regeneration and Community.

Wards Affected: All

Purpose

- To consider an amended Swindon Hackney Carriage vehicle specification
- To review the age limit for those vehicles that meet the Swindon wheelchair accessible Hackney Carriage vehicle specification.

Recommendation

The Sub-Committee is asked to:-

- Approve the amended Swindon Hackney Carriage vehicle specification (see Appendix C). This includes confirmation of the age limit for newly licensed wheelchair accessible Hackney Carriages licensed after the 1st of April 2012.
- To request the Director of Planning and Transport to prepare a further report on age limits for the vehicles that meet the Swindon wheelchair accessible Hackney Carriage Specification once local experience has been gained on the durability of these vehicles

Reasons

On the 14th November 2011 the Licensing Committee resolved that, subject to confirmation by Council there should be a change to the Councils Hackney Carriage Vehicle Specification.

1. Current Position

- 1.1. Currently wheelchair accessible Hackney Carriage vehicles, private hire vehicles and Hackney Carriage saloon vehicles can be considered for licensing if they are less than 5 years old when presented for initial licensing.
- 1.2. Wheelchair accessible Hackney Carriages can be licensed until ten years of age with an additional two years after an annual inspection and 2 MOT tests in year 11 and 12. Hackney Carriage saloon and Private Hire vehicles can be licensed until five years of age with an additional two years after an annual inspection and two MOT tests in year 6 and 7.

Further information on the subject of this report can be obtained from Mike Shears on 01793 466208 or e-mail mshears@swindon.gov.uk.

Review of Hackney Carriage Vehicle Specification Age Limits

Private Hire and Hackney Carriage Licensing Sub-Committee Date: 22nd February 2012

2. Detail

- 2.1. On the 10 October 2011 the Hackney Carriage and Private Hire Licensing Sub -Committee were asked to consider Hackney Carriage vehicle specifications. A proposed Hackney Carriage vehicle specification allowing other types of wheelchair accessible Hackney Carriages to be licensed, was proposed and is shown at Appendix A. On page 10 Item (4) Age of Vehicle it was proposed that all new Hackney Carriage plates would only be issued for new vehicles with delivery mileage only on the odometer. In addition attached to this report shown at Appendix B were the Public Carriage Office conditions of fitness which were applied by Swindon Borough Council as the Hackney Carriage vehicle specification at that time. That meeting was adjourned pending the receipt of additional information.
- 2.2. On the 14 November 2011 the Private Hire and Hackney Carriage Licensing Sub-Committee met to consider the Swindon Hackney Carriage Vehicle Specification. Under Item 16 1 (a). a specification was agreed.
- 2.3. The minutes of the Licensing Committee meeting on the 14 November 2011 show at Item 16 1(2) that the Committee would review the age limits for those wheelchair accessible Hackney Carriage vehicles that do not conform to the Metropolitan Conditions of Fitness.
- 2.4. Officers have contacted local authorities, the trade, vehicle manufacturers and operators and are satisfied that the new models that meet the Swindon Hackney Carriage vehicle Specification should meet these criteria before being eligible for licensing.
- 2.5. This review is to confirm the age limits for those vehicles required to meet the Swindon Hackney Carriage vehicle Specification, Appendix C page1 Age of vehicle. It is proposed that all newly licensed Wheelchair accessible Hackney Carriages should be no more than 12 months old from the date of registration when presented for licensing and no more than twelve years old with an annual inspection at ten years and two mot tests and an inspection in year 11 and 12.

Review of Hackney Carriage Vehicle Specification Age Limits

Private Hire and Hackney Carriage Licensing Sub-Committee Date: 22nd February 2012

- 2.6. A number of other local authorities that licence vehicles other than those that meet the Public Carriage Office conditions of fitness have been contacted all of whom either have an upper age limit of ten years or no age limit at all. The majority of authorities contacted currently have an initial licensing age for vehicles of three to five years, however many of these authorities are reviewing their age policies in light of European emission standards and to improve the age of their Hackney Carriage fleets. Attached as Appendix D is a table of age limits from Councils in our local area.
- 2.7. After discussions with other Licensing Authorities and the trade, officers feel it is appropriate for Swindon that any newly licensed wheelchair accessible Hackney Carriages meeting the Swindon Specification should be no more than 12 months old from the date of first registration. Previously it was suggested that newly licensed vehicles presented for licensing should have delivery mileage only on the odometer, however it was felt that this did not take into account vehicles that may have been used as a demonstrator.
- 2.8. The Swindon Borough Council Hackney Carriage Vehicle Specification shown at Appendix C has now been updated to reflect the conditions that are applicable to Swindon and to allow for changes in legislation. These changes are in regard to Type Approval Regulations shown under General Construction 1(a), and Age of Vehicle.
- 2.9. It is proposed that these new arrangements, if approved, will commence on the 1st April 2012.
- 2.10. To note the decision on the future licensing of Hackney Carriage saloon vehicles has been deferred to a further meeting by the Hackney Carriage and Private Hire Licensing Sub-Committee. and further consultation with the trade is ongoing a decision is expected in the new financial year.

3. Alternative Options

None

4. Preferred option

As recommendation

Review of Hackney Carriage Vehicle Specification Age Limits

Private Hire and Hackney Carriage Licensing Sub-Committee Date: 22nd February 2012

5. Financial Implications

Allowing newly licensed vehicles that meet the new specification to less than 5 years old will have an adverse effect financially on existing drivers as these vehicles will be significantly cheaper to purchase and any increase in driver numbers in the current climate will impact on existing driver's earnings.

Risk Management

Financial and Procurement Implications

There are no direct financial implications arising from this report. There are no procurement issues arising from this report.

Links to Corporate Plans and Policies (in particular to Swindon 2010 Promises)

Priority: We can all benefit from a growing economy and a better town centre

Priority: Living independently protected from harm, leading healthy lives and making a positive contribution.

Consultees

The Director of Finance (s.151 Officer) and the Director of Law and Democratic Services (Monitoring Officer) are consulted on all reports.

Background Papers and Appendices

6. Report on consideration of Swindon Hackney Carriage Vehicle Specifications on 10th October 2011.
7. Report on consideration of Swindon Hackney Carriage Vehicle Specifications Minutes of meeting on 14th November 2011

Appendix.A Proposed Hackney Carriage Specification considered at the Licensing Sub-Committee meeting on the 10th October 2011

Appendix B. Public Carriage Office conditions of fitness.

Appendix C. Amended Swindon Borough Council Hackney Carriage Specification.

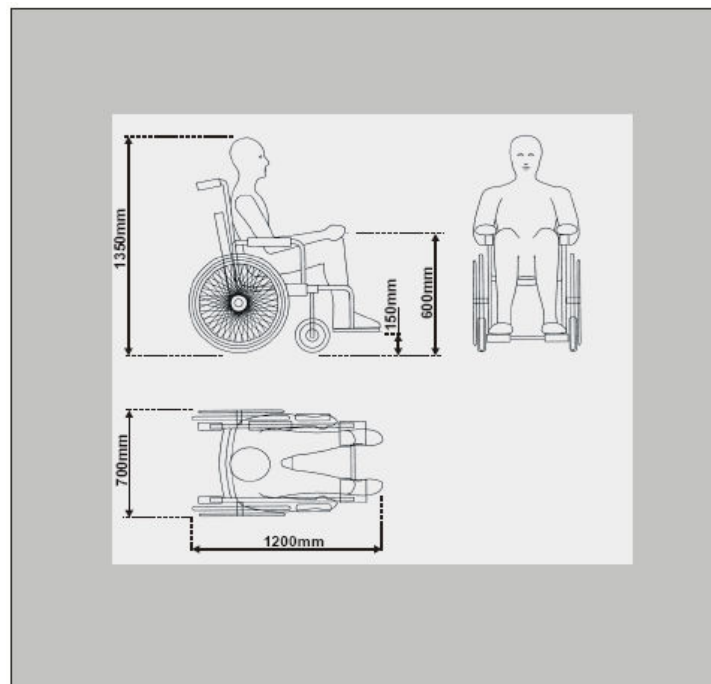
Appendix D Age limits information from local Councils.

Further information on the subject of this report can be obtained from Mike Shears on 01793 466208 or e-mail mshears@swindon.gov.uk.

Proposed Swindon Borough Council Hackney Carriage Vehicle Specification

General Construction

1. Every Hackney Carriage licensed by Swindon Borough Council must comply in all respects with the requirements of the Motor Vehicle (Type Approval) Regulations 1980 [vehicle safety, noise, silencers and braking systems], the Motor Vehicles (Type Approval) Regulations 1984 [vehicle emissions], the Motor Vehicles (EC Type Approval) Regulations 1998 [vehicle roadworthiness and approval of manufacture] and with any further national or international legislation as may be appropriate. They must also comply with the Road Vehicles (Construction and Use) Regulations 1986. Every Hackney Carriage must comply in all respects with the British and European vehicle regulations and be “type approved” to the requirements of the M1 category of European Whole Type Approval Directive 2007/46/EC as amended. **The vehicle must not have been written off for insurance purposes.**
2. Every Hackney Carriage must be so constructed as to facilitate the carriage of persons with disabilities and must be capable, as a minimum, of accommodating a disabled person in a Department for Transport reference wheelchair in the passenger compartment. The dimensions of a DfT reference wheelchair are shown in the attached diagram.



For the avoidance of doubt, no vehicle incapable of accommodating a disabled person in a wheelchair in the passenger compartment will be eligible for licensing as a Hackney Carriage.

3. Licensed Hackney Carriages must allow at least 75% light transmission through the front windscreen and no less than 70% light transmission through

all other windows. No vehicle shall be fitted with any form of additional film to darken or tint the glass on any part of the vehicle.

Age of Vehicle

4. Hackney Carriage plates will only be issued for new wheelchair accessible vehicles, with delivery mileage only on the odometer.
5. Vehicles which are purpose-built wheelchair accessible hackney carriages and conform in all respects to Swindon Borough Council Hackney Carriage vehicle specification may be licensed until they are 10 years old, subject to the following conditions:

Once a vehicle reaches 10 (ten) years of age the vehicle must be presented twice a year, by prior arrangement, to the Licensing Officer for a detailed inspection. At this time the full service history for the vehicle must be presented. To satisfy the inspection the vehicle must be in an exceptionally well maintained condition, both in regard to external bodywork, interior fitments and ancillary equipment. Providing the inspection is satisfactory the vehicle will then be required to undertake two MOT tests per annum (normally at six monthly intervals) at one of the garages contracted by the Council to carry out such tests. The vehicle proprietor shall meet the costs of all such tests and inspections.

6. Vehicles which are not purpose-built hackney carriages (for example, saloon vehicles which do not meet the Conditions of Fitness) may continue to be licensed until they are 5 years old, subject to the following conditions:

Once a vehicle reaches 5 (five) years of age the vehicle must be presented each year until it reaches 7 (seven) years of age, by prior arrangement, to the Licensing Officer for a detailed inspection. At this time the full service history for the vehicle must be presented. To satisfy the inspection the vehicle must be in an exceptionally well maintained condition, both in regard to external bodywork, interior fitments and ancillary equipment. Providing the inspection is satisfactory the vehicle will then be required to undertake two MOT tests per annum (normally at six monthly intervals) at one of the garages contracted by the Council to carry out such tests. The proprietor shall meet the costs of all such tests and inspections.

7. A vehicle, which has failed to satisfy the Licensing Officer that it has been exceptionally well maintained, or has failed to pass both MOT as required, shall not be eligible for relicensing under the terms of sections 5 and 6 above.

Steering

8. The steering wheel and driver controls must be on the offside of the vehicle.

Wheels and Tyres

9. Vehicles must have four wheels. Vehicles must also carry a serviceable spare wheel. Tyres must be of the designated size, speed and weight rating for that make and model of vehicle as prescribed by the vehicle manufacturer.
10. If a vehicle is equipped with a “space saver” spare tyre or similar emergency repair system, it may only be used to get the vehicle to a location for the tyre to be changed for a full size tyre. No new fares must be taken when a “space saver” tyre is used.
11. Remoulded tyres will not be permitted , except where the remoulded tyre is clearly marked “TAXI”.
12. Tyres fitted to the vehicle must have a minimum 2mm tread depth.

Brakes

13. An anti-lock braking system is to be fitted.

Interior Lighting

14. Adequate lighting must be provided for the driver and passengers.
15. Separate lighting controls for both passenger and driver must be provided. In the case of the passenger compartment, an illuminated control switch must be fitted, marked and in such a position that is clearly visible to the passengers and is not easily confused with any other control.

Facilities for the Disabled

1.6

Passenger Compartment

23. No vehicle shall contain more than 8 passenger seats.
24. All passenger seats must be either forward or rearward facing.
25. The rear seat dimensions must be adequate to carry the appropriate number of adult passengers comfortably. Rear seats shall provide a minimum clear width of 48 inches, ie 16 inches per person, or metric equivalent.

Other minimum standards:

Rear height (seat to roof)	34” (or metric equivalent)
Width of seat (back to front)	19” (or metric equivalent)

26. Suitable means must be provided to assist persons to rise from the rear seat with particular attention to the elderly and disabled.

27. Lap and diagonal seat belts must be fitted on all seats (including rear facing seats).
28. Occasional seats must be so arranged as to rise automatically when not in use. They must be placed at least 4cm apart. When not in use, they must not obstruct doorways.
29. Access to every seat must be unobstructed and be easily accessible to passengers and without the need for more than one passenger to move when the vehicle is fully occupied.
30. Head restraints must be fitted on all forward and rear facing seats. The design of headrests should maximise rear sightlines for the driver when any of the passenger seats are not occupied.
31. Passenger doors must be capable of being readily opened from inside and outside the vehicle by one operation of the latch mechanism. Central locking systems, if fitted, must be in full working order. Sliding doors, if fitted, must have displayed a warning notice affixed securely to the inside of the doors advising passengers to exercise caution when alighting from either side of the vehicle.
32. Sliding doors, if fitted, shall also have displayed an illuminated sign, clearly visible by day and by night, mounted on the rear of the vehicle in such a position so as to be readily seen by following traffic, but so as not to obscure the driver's vision, indicating that the passenger doors are opening. The sign must be automatically linked to the passenger doors in order that when either door handle is activated to open the door, the sign is illuminated and a warning device is activated in the driver's compartment.
33. Power operating doors must be capable of manual operation in the event of power failure.
34. Every vehicle must be provided with an approved means of communication between the passenger and the driver. An induction loop (or equivalent) must be fitted. If a sliding window is fitted on the glazed partition, the maximum width of the opening must not exceed 11.5cm. Where a single-piece glazed partition is fitted, a facility must be provided for making payment to the driver.
35. Video camera monitoring devices, for the purpose of assisting driver or passenger safety, shall be permitted. If such devices are fitted within the vehicle, adequate signage must be displayed in the passenger compartment advising passengers that they are being monitored and/or recorded. It is the driver's/proprietor's responsibility to comply with all aspects of the law regarding such surveillance equipment. Recordings must be made available on request to any statutory authority or the Council's Licensing Officer. Recordings must be retained for 28 days before being overwritten.
36. A sign must be affixed to the inside of the vehicle indicating that smoking is prohibited in the vehicle.

Driver Visibility

37. A single-piece, full width rear window must be fitted. The design of headrests should maximise rear sightlines for the driver when any of the passenger seats are not occupied.

Passenger Visibility

38. The windows should maximise passenger visibility into and out of the vehicle.
39. The bottom of the window line for front and side windows must be low enough to afford passengers adequate visibility out of the vehicle.
40. A proportion of the window area in the passenger compartment must be available for opening by the seated passenger.

Heating and Ventilation

41. An adequate heating and ventilation system must be provided for the driver and passengers and means provided for independent control by the driver and passengers. All switches in the passenger compartment must be within easy reach of seated passengers, including those in wheelchairs.

Door Fittings

42. An approved type of automatic door securing device must be fitted to passenger doors to prevent them being opened when the vehicle is in motion. When the vehicle is stationary, the passenger doors must be capable of being readily opened from the inside and outside of the vehicle by one operation of the latch mechanism. The door must not open from the inside if the driver has the foot brake depressed. The interior door handle must be clearly identified to prevent it being mistaken for any other control.

Fare Table

43. A fare table must be affixed in the passenger compartment so it can be easily read by all passengers.

Floor Covering

44. The flooring of the passenger compartment must be covered with a slip retardant material, which can be easily cleaned. The floor covering must not impede the movement of wheelchairs and the colour must contrast with the colour of the seats.

Luggage

45. Suitable dedicated provision for the secure carriage of luggage must be made, separated from the passenger compartment and proportionate in size to the number of passengers carried.

Taxi Meter

46. At all times when the hackney carriage is plying for hire or hired there shall be affixed to the roof of the hackney carriage an illuminated 'TAXI' sign approved by the Council. During daylight hours a 'day glow' 'for hire' sign should be used when plying for hire, and at night an illuminated 'for hire' sign.
47. At all times when the hackney carriage is plying for hire or hired it shall be provided with a taximeter so constructed attached and maintained as to comply with the following requirements, that is to say:
- (i) If the taximeter is fitted with a flag or other device bearing the words 'FOR HIRE' :
 - (a) the words 'FOR HIRE' shall be exhibited on each side of the flag or other device in plain letters at least one and a half inches in height and the flag or other device shall be capable of being locked in a position in which the words are horizontal and legible.
 - (b) when the flag or other device is so locked the machinery of the taximeter shall not be in action and the means of bringing it into action shall be by moving the flag or other device so that the words are not conveniently legible.
 - (c) when the flag or other device is so locked that the aforesaid words are horizontal and legible no fare shall be recorded on the face of the taximeter.
 - (ii) If the taximeter is not fitted with a flag or other device bearing the words 'FOR HIRE':
 - (a) the taximeter shall be fitted with a key or other device the turning of which will bring the machinery of the taximeter into action and cause the word 'HIRED' to appear on the face of the taximeter.
 - (b) such key or device shall be capable of being locked in such position that the machinery of the taximeter is not in action and no fare is recorded on the face of the taximeter.
 - (c) When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in figures clearly legible and free from ambiguity a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance and/or time.

- (d) The word 'FARE' shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon.
 - (e) The taximeter shall be so placed that all letters and figures on the face thereof shall be at all times plainly visible to any person conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring.
 - (f) The taximeter and all the fittings thereof shall be so affixed to the hackney carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.
 - (g) All taximeters shall be submitted for checking over a measured distance within 10 days of any increase in fare tariff or whenever there is a change of vehicle to be licensed, and at any other time that the Licensing Officer considers necessary.
48. At all times when the hackney carriage is plying for hire or hired, if provided with a taximeter not fitted with a flag or other device bearing the words 'FOR HIRE', it shall be provided with a sign so constructed as to comply with the following requirements, that is to say:
- (i) the sign shall bear the words 'FOR HIRE' in plain letters at least one and a half inches in height;
 - (ii) the sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the hackney carriage whether or not the carriage is for hire.

Maintenance

49. Vehicles should always be kept clean and in good working order. The upholstery and carpets shall be kept clean and in good repair. Vehicles will at all times be subject to test and inspection and should it be found that a vehicle is not being properly maintained or kept in good working order, a notice will be served on the owner prohibiting him/her from using the vehicle until the defect has been rectified.

Safety Equipment

50. There should be provided in a convenient position in the vehicle at all times when it is in use or available for hire, a suitable and efficient fire extinguisher. The fire extinguisher must be checked every 12 months in accordance with the requirements of BS5306 Part 3 and Part 8 by a registered competent company. The date of the test must be clearly visible on a sticker attached to the extinguisher, along with the vehicle registration number.

51. A suitable first aid kit containing appropriate first aid dressings shall be carried in the vehicle to be available for immediate use in an emergency. The vehicle registration number of the vehicle shall be marked thereon. (Please note – the driver should not render aid to any other person unless he/she holds a current First Aid Certificate).

52. **Accident Damage**

If a hackney carriage is involved in a motor accident causing damage to the vehicle, the driver must notify the Council's Licensing Officer within three working days and must present the vehicle for inspection, by prior appointment, within 10 working days.

Swindon Borough Council reserves the right to review and amend these Conditions at any time as and when the Council's Licensing Committee feels it necessary.



**CONSTRUCTION AND LICENSING OF MOTOR TAXIS
FOR USE IN LONDON**

CONDITIONS OF FITNESS

1 January 2007

CONSTRUCTION AND LICENSING OF MOTOR TAXIS FOR USE IN LONDON

Contents

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Notes

- i In this document the “Licensing Authority” means Transport for London which will exercise, through the Head of Standards and Regulations at the Public Carriage Office (PCO), the duties imposed by the London Cab Order 1934 as amended by the Greater London Authority Act 1999.
- ii Any reference to a taxi in this document refers to a motorised taxi.
- iii In this document the term “approved” or “approved by the PCO” means approval by the PCO Senior Vehicle Policy Manager who is the technical representative of the Licensing Authority.
- iv The address for all communications to the PCO is:
15 Penton Street, London, N1 9PU
Telephone: 0845 602 7000
e-mail: enquiries@pco.org.uk
- v The Conditions of Fitness in Part 2 and Directions in Part 3 are laid down or made in accordance with the terms of paragraphs 7 and 14 respectively of the London Cab Order 1934, as amended.
- vi This document sets out the Conditions of Fitness (CoF) for London taxis in force at 1 January 2007 following the reviews of the CoF carried out in 2003-5. The PCO now intends, as far as possible, to maintain a stable platform for vehicle manufacturers and will not, therefore, expect to review fully the CoF for about 10 years. However, the PCO reserves the right to amend the Conditions should there be situations which require it, such as amendments to national or international law with respect to road vehicles. These may include, for example, changes arising from the Disability Discrimination Act or the implementation of European emissions regulations.

Construction and licensing of taxis in London

In accordance with the provisions of paragraph 7 of the London Cab Order 1934, in pursuance of the Metropolitan Public Carriage Act 1869, no vehicle shall be licensed as a taxi unless it is fit for public service and conforms to the requirements in this document.

PART 1

PROCEDURE TO BE FOLLOWED BY MANUFACTURERS AND OWNERS OF TAXIS FOR USE IN LONDON

1 Approval of new types of taxi

1.1 An application for the approval of a new type of taxi must be made in writing to the PCO and must be accompanied by dimensioned drawings or blueprints, together with detailed specifications and any particulars required by the Senior Vehicle Policy Manager.

1.2 Before constructing any new type of taxi, manufacturers are advised to study the Conditions of Fitness set out in Part 2 of this document and to send to the Senior Vehicle Policy Manager at the PCO, dimensioned drawings or blueprints, together with detailed specifications of the proposed vehicle, or vehicle conversion, for advice as to its general suitability for public service in London. It is also advisable to arrange for a preliminary inspection of the vehicle.

1.3 Manufacturers should address any current guidance issued by the DfT for the design of taxis and indicate to the PCO the extent to which those guidelines have been accommodated.

In particular, manufacturers should demonstrate that they have taken account of current DfT guidance as regards ergonomic requirements for accessible taxis.

1.4 Arrangements must then be made to present the completed vehicle for inspection by the PCO. When presented, every facility must be given for the inspection and testing of the vehicle. A declaration must be provided by the manufacturer or authorised person that the vehicle conforms to the law and is safe for use as a public carriage, together with a certificate of registration and summarised documentary evidence that the vehicle meets the regulations specified in paragraph 5.1.

1.5 Any proposed alterations to the original specification must be submitted to the PCO for approval.

2 Existing approved types of taxi

2.1 New taxis of an existing approved type which are offered for licensing for the first time must be presented, by appointment, for inspection by the PCO or its approved agent. If the vehicle conforms to the approved type, a Certificate of Approval will be issued by or on behalf of the Licensing Authority.

3 Presentation for renewal of licence

3.1 To renew the licence of an existing taxi, the vehicle must be presented for inspection with the current licence. If any approved alterations have been carried out since the last inspection, these must be notified when the licence is renewed and appropriate documentation must be submitted.

3.2 Every taxi in service must be fully equipped to approved standards in order that wheelchair passengers may be carried.

4 General

4.1 It must be understood that, although the conditions set out in this document have been complied with, approval will be withheld if the Licensing Authority is of the opinion that a vehicle is unsuitable for public use.

4.2 Although the PCO may extend approval of any particular type of taxi to all other taxis conforming to the design of that type, it must be understood that the PCO may withdraw such general approval if, in its opinion, any unsuitable features arise.

PART 2

CONDITIONS OF FITNESS

The Conditions of Fitness in Part 2 are operative from 1 January 2007. Vehicles type approved before this date remain subject to the conditions in force at the time of approval except that the conditions in paragraphs 15.1 and 15.2 apply to **all** licensed vehicles.

5 General construction

- 5.1 Every new type of taxi must comply in all respects with the requirements of the Motor Vehicle (Type Approval) Regulations 1980, the Motor Vehicle (Type Approval) Regulations (Great Britain) 1984, the Motor Vehicles (EC Type Approval) Regulations 1998 and with any further national or international legislation as may be applicable. They must also comply in use with the Road Vehicles (Construction and Use) Regulations 1986 (C & U). Every new type of taxi offered for approval must comply in all respects with British and European vehicle regulations and be "type approved" to the requirements of the M1 category of European Whole Type Approval 70/156/EEC as amended. Those taxis which have not been "type approved" to the M1 category (e.g. conversions) must be presented with approved certification that the specific vehicle meets the requirements of that category.
- 5.2 Taxis offered for type approval must be so constructed as to facilitate the carriage of disabled persons and must be capable as a minimum of accommodating a disabled person in a DfT reference wheelchair in the passenger compartment.

Modifications

- 5.3 No fittings, other than those approved, may be attached to, or carried on the inside or outside of, the vehicle.
- 5.4 No modification may be carried out to a taxi without prior approval from the PCO. Before considering any unapproved modification to a taxi, approval must be sought from the PCO.
- 5.5 Guidance for in-cab modifications such as surveillance systems, etc. may be obtained from the PCO.

6 Steering

- 6.1 The steering wheel must be on the offside of the vehicle.

7 Manoeuvrability requirement

- 7.1 The vehicle must be capable of being turned on either lock so as to proceed in the opposite direction without reversing between two vertical parallel planes not more than 8.535 metres apart.
- 7.2 The wheel turning circle kerb to kerb on either lock must be not less than 7.62 metres in diameter.

N.B. These requirements were fully reviewed in 2005 (See PCO Notice 43/05).

8 Tyres

- 8.1 All tyres must comply with the relevant legislation. Specifically, retread tyres must comply with BS AU 144E as amended and be marked accordingly.
- 8.2 Tyres must be of the designated size, speed and weight rating for that make and model of vehicle as prescribed by the vehicle manufacturer.

9 Brakes

- 9.1 An anti-lock braking system is to be fitted.

10 Interior lighting

- 10.1 Adequate lighting must be provided for the driver and passengers.
- 10.2 Separate lighting controls for both passenger and driver must be provided. In the case of the passenger compartment, an illuminated control switch must be fitted in an approved position. This must be within reach of wheelchair passengers. Lighting must also be provided at floor level to each passenger door and be activated by the opening of the doors.

11 Electrical equipment

- 11.1 Any additional electrical installation and/or after-market components to be used within the taxi must meet the requirements of the relevant Automotive Electro Magnetic Compatibility (EMC) Directive, as amended, and be marked accordingly.

12 Fuel systems

- 12.1 A device must be provided whereby the supply of fuel to the engine may be immediately cut off. A manually operated device must have its location together with the means of operation and "off" position clearly marked on the outside of the vehicle. In the case of a vehicle fitted with an automatic inertia fuel cut off switch, no markings are required. Any engine powered by liquid petroleum gas (LPG), compressed natural gas (CNG), liquid natural gas (LNG), petrol or any combination of these fuels must be fitted with an automatic inertia fuel cut off device. They must also have a manually operated fuel cut off device externally mounted which is easily visible and readily accessible at all times from the outside of the vehicle with its location and means of operation clearly marked.

13 Exhaust systems

- 13.1 New taxi models must meet the current and relevant EC Directive for exhaust emissions, i.e. the respective Euro standard. Current taxi models must meet prescribed emission standards (currently Euro 3 for NO_x and PM₁₀ by July 2008).

14 Body

- 14.1 The body must be of the fixed head type with a partially glazed partition separating the passenger from the driver.
- 14.2 The overall length must not exceed 5 metres. This is essential for determining the size of taxi ranks, other pick-up points and for the free access and flow of other vehicles in London's congested streets.

15 Facilities for the disabled

- 15.1 Every taxi must be equipped to approved standards in order that wheelchair passengers may be carried.
- 15.2 Approved anchorages must be provided for wheelchair tiedowns and the wheelchair passenger restraint. These anchorages must be either chassis or floor linked and capable of withstanding approved dynamic or static tests. Restraints for wheelchair and occupant must be independent of each other. Anchorages must also be provided for the safe stowage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment. All anchorages and restraints must be so designed that they do not cause any danger to other passengers.

- 15.3 The door and doorway must be so constructed as to permit an unrestricted opening across the doorway of at least 75cm. The minimum angle of a hinged door when opened must be 90 degrees
- 15.4 The clear height of the doorway must be not less than 1.2 metres.
- 15.5 Grab handles must be placed at door entrances to assist the elderly and disabled. All grab handles must be in a contrasting colour.
- 15.6 The top of the tread for any entrance should normally be at floor level of the passenger compartment and comply with the following requirements:
- a) be not more than 380 mm from the ground, (measured at the centre of the tread width);
 - b) the surface shall be covered in a slip-resistant material;
 - c) have a band of colour across the entire width of the edge which shall contrast with the remainder of the tread and floor covering.

Should any entrance be more than 380 mm from the ground, an external interim step must be made available when the associated passenger door is opened and comply with the following requirements-

- a) not be more than 380 mm in height from the ground, (measured at the centre of the step width;
 - b) not be less than 250 mm deep;
 - c) the surface shall be covered in a slip-resistant material;
 - d) have a band of colour across its leading edge which shall contrast with the remainder of the step and floor covering;
 - e) not be capable of operation whilst the vehicle is in motion;
 - f) if automatic or powered, be fitted with a safety device which stops the motion of the step if the step is subject to a reactive force not exceeding 150N in any direction and if that motion could cause injury to the passenger;
 - g) can fold or retract so that it does not project beyond the side face of the vehicle and the vehicle is not capable of being driven away unless the step is so folded or retracted.
- 15.7 The vertical distance between the highest part of the floor and the roof in the passenger compartment must not be less than 1.3 metres.
- 15.8 Where seats are placed facing each other, there must be a minimum space of 42.5cm between any part of the front of a seat and any part of any other seat which faces it, provided adequate foot room is maintained at floor level.
- 15.9 Where all seats are placed facing to the front of the vehicle, there must be clear space of at least 66cm in front of every part of each seat squab, measured along a horizontal plane at the centre of the cushion.
- 15.10 A full-width ramp for the loading of a wheelchair and occupant must be available at all times for use, as a minimum, at the nearside passenger door on all new vehicles presented for licensing. The ramp must have a safety lip, be the same width as the door opening, and comprise a single non-slip surface. It is desirable for this facility to be available at the offside passenger door also. An adequate locking device must be fitted to ensure that the ramp does not slip or tilt when in use. Provision must be made for the ramp to be stowed safely when not in use.

16 Passenger compartment

- 16.1 When fitted, occasional seats must be at least 40cm in width and the distance from the back of the upholstery to the front edge of the seat must be not less than 35.5cm.
- 16.2 Occasional seats must be so arranged as to rise automatically when not in use. They must be placed at least 4cm apart. When not in use, they must not obstruct doorways.
- 16.3 The rear seat dimensions must be adequate to carry the appropriate number of adult passengers comfortably.
- 16.4 Suitable means must be provided to assist persons to rise from the rear seat with particular attention to the needs of the elderly and disabled.
- 16.5 Lap and diagonal seatbelts must be fitted on all seats (including rear facing seats).
- 16.6 Colour contrasting sight patches are required on all passenger seats.
- 16.7 Head restraints must be fitted for all (forward and rear facing) seats. The design of headrests should maximise rear sightlines for the driver when any of the passenger seats are not occupied.
- 16.8 An induction loop system (or equivalent) must be fitted.

17 Driver's compartment

- 17.1 The driver's compartment must be so designed that the driver has adequate room, can easily reach, and quickly operate, the controls.
- 17.2 The controls must be so placed as to allow reasonable access to the driver's seat and, when centrally placed, controls must be properly protected from contact with luggage.
- 17.3 Every vehicle must be provided with an approved means of communication between the passenger and the driver. If a sliding window is fitted on the glazed partition, the maximum width of the opening must not exceed 11.5cm.
- 17.4 Where a single-piece glazed partition is fitted, a facility must be provided for making payment to the driver.

18 Visibility

18.1 Driver Visibility

A single-piece, full width rear window must be fitted. The design of headrests should maximise rear sightlines for the driver when any of the passenger seats are not occupied.

18.2 Passenger Visibility

The windows should maximise passenger visibility into and out of the vehicle.

The top of the window line for front and side windows, when measured vertically to the top of the visible portion of the glass, must not be less than 780mm on any glass panel forward of or beside the seated passenger. The vertical distance is to be measured through the E point as defined in Directive 77/649/EEC, from the top of the uncompressed rear forward-facing passenger seat cushion to the first point of totally obscured glass. Manufacturers are to declare conformity to this condition in drawing format.

The bottom of the window line for front and side windows must be low enough to afford passengers adequate visibility out of the vehicle.

A proportion of the window area in the passenger compartment must be available for opening by the seated passenger.

- 18.3 Windows must permit maximum visibility into, and out of, the vehicle. They must have no more than 25% tint value.

- 18.4 Passenger windows must be capable of being opened easily by passengers, including those in wheelchairs, when seated. The control for opening a window must be clearly identified to prevent it being mistaken for any other control.

19 Heating and ventilation

- 19.1 An adequate heating and ventilation system must be provided for the driver and passengers and means provided for independent control by the driver and the passengers. All switches must be within easy reach of seated passengers, including those in wheelchairs.

20 Door fittings

- 20.1 An approved type of automatic door securing device must be fitted to passenger doors to prevent them being opened when the vehicle is in motion. When the vehicle is stationary, the passenger doors must be capable of being readily opened from the inside and outside of the vehicle by one operation of the latch mechanism. The door must not open from the inside if the driver has the foot brake depressed. The interior door handle must be clearly identified to prevent it being mistaken for any other control.

21 Fare table and number plate

- 21.1 A frame must be provided for the fare table and fixed in an approved place. A position for an interior number plate is to be provided with the words "The number of this taxi is...." shown immediately above the position of the plate.

22 Floor covering

- 22.1 The flooring of the passenger compartment must be covered with a slip resistant material, which can be easily cleaned.
- 22.2 The floor covering must not impede the movement of wheelchairs. The colour of the floor covering must contrast with any upstand areas around it and with the colour of the seats.

23 Luggage

- 23.1 Suitable dedicated provision for the secure carriage of luggage must be made, separated from the passenger compartment and proportionate in size to the number of passengers carried.

24 Taximeter

- 24.1 Taximeters must comply with the regulations set out in the PCO document 'Approved Taximeters – Specification for use in London 2006'.
- 24.2 A taximeter of an approved type must be fitted in an approved position. A designated pulse output point must be provided that has a pulse output compatible with the taximeter fitted and, subject to the vehicle and/or taximeter manufacturer's declaration, operates the taximeter within prescribed tolerances.
- 24.2 Taximeters must be capable of issuing a receipt that contains prescribed details. If this is achieved by the addition of a printer, it must meet with relevant Automotive EMC Directives, be marked accordingly and fitted in an approved position. The receipt must contain, as a minimum, the date and time of issue, the metered fare, extras and total fare. All of this information must be obtained from the taximeter in a 'read only' format. Manually input information is not permitted. Additional information, such as the start time and time taken for journey, distance travelled etc, may be permitted by application to the PCO.

25 “Taxi” sign

- 25 A “Taxi” sign approved by the PCO, clearly visible both by day and night when the taxi is available for hire, must be fitted.

26 Radio apparatus

- 26.1 Where apparatus for the operation of a two-way radio system is fitted to a taxi, no part of the apparatus may be fixed in the passenger compartment or in the rear boot compartment if LPG tanks or equipment are situated therein. Any additional electrical installation and/or after-market components to be used within the taxi must meet the requirements of the relevant Automotive Electro Magnetic Compatibility (EMC) Directive, as amended, and be marked accordingly.
- 26.2 Any other radio equipment, either in the passenger or driver compartment, must be approved by the PCO.

27 Maintenance

- 27.1 Vehicles, including all fittings, advertisements, etc., must be maintained to approved standards. The vehicles should always be kept clean and in good working order. Vehicles will at all times be subject to test and inspection and should it be found that a vehicle is not being properly maintained or kept in good working order, a notice will be served on the owner prohibiting him/her using the vehicle until the defect has been rectified.
- 27.2 Safety-critical parts used for the repair and maintenance of taxis, such as brake, steering and suspension parts, should be approved in advance by the PCO as meeting the requirements of the relevant block exemption regulations.

28 Certificate of insurance and form of holder

- 28.1 A current certificate of insurance as required by any Acts or Regulations relating to motor vehicles must be carried in a holder securely affixed to the taxi in an approved position. Key information on this certificate, including the registration number (if applicable), the owner’s name and the expiry date of the insurance, must be not less than 12 point font size. The certificate must also state that the policy complies with the requirements of the London Cab Order 1934.

PART 3

DIRECTIONS

The Directions in Part 3 apply to all licensed vehicles.

29 Advertisements

- 29.1 Suitable advertisements may be allowed on the exterior or interior of the taxi subject to the approval of the Licensing Authority.
- 29.2 Advertisements will not be approved for use unless they comply with the current directions as contained in the 'Guidelines for Advertising on Licensed London Taxis'.
- 29.3 No material may be placed on the glazed areas other than notices which may be approved from time to time.
- 29.4 Applications for approval of advertisements must be made in writing to Cab Advertising Approvals at the PCO or by email to ad.approval@pco.org.uk.
- 29.5 Further information and guidance on advertising matters can be obtained from Cab Advertising Approvals at the PCO or by email to:
[ad.approval @pco.org.uk](mailto:ad.approval@pco.org.uk)

30 Badges/Emblems

- 30.1 In addition to advertisements displayed in accordance with paragraph 29 above, vehicles may display the official badge or emblem of organisations:
 - (a) which provide emergency vehicle repair and/or recovery services; and/or,
 - (b) membership of which indicates that the driver possesses professional skills/qualifications, which enhance the taxi service provided to the public.
- 30.2 Badges may be affixed to the front of the vehicle only in such a manner as not to be detrimental to the operation of the vehicle, likely to cause injury to any person, or to detract from any authorised sign which the vehicle may be required to display.
- 30.3 No advertisement, badge or emblem, including the stick-on type is to be exhibited other than is provided for in the directions contained in this paragraph or paragraph 29.

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LICENSING OF WHEELCHAIR ACCESSIBLE HACKNEY CARRIAGE VEHICLES

VEHICLE SPECIFICATION

New Applications

From 1st April 2012 only those vehicles which comply with the specification detailed below can have licences granted by Licensing Officers. Should you wish to proceed with an application in respect of a vehicle, which does not comply, to the specification, then it will be referred to the Licensing Committee of Swindon Borough Council for decision.

Age of Vehicle

Wheelchair accessible Hackney Carriages that meet the Public Carriage Office Conditions of Fitness must be under 5 years old to be eligible for licensing.

All other newly licensed wheelchair accessible Hackney Carriage vehicles which meet the Swindon Borough Council Hackney Carriage vehicle specification must be no more than 12 months old from the date of first registration to be eligible to be licensed.

Vehicles which are wheelchair accessible Hackney Carriages and conform in all respects to Swindon Borough Council Hackney Carriage vehicle specification may be licensed until they are 10 years old, subject to the following conditions:

Once a vehicle reaches 10 (ten) years of age consideration will be given to licensing the vehicle for a further two years subject to the following conditions the vehicle must be presented each a year, by prior arrangement, to the Licensing Officer for a detailed inspection. At this time the full service history for the vehicle must be presented. To satisfy the inspection the vehicle must be in an exceptionally well maintained condition, both in regard to external bodywork, interior fitments and ancillary equipment. Providing the inspection is satisfactory the vehicle will then be required to undertake two MOT tests per annum (normally at six monthly intervals) at one of the garages contracted by the Council to carry out such tests. The vehicle proprietor shall meet the costs of all such tests and inspections. The Hackney Carriage must be presented prior to the expiry of the licence, if the licence expires the vehicle will no longer be eligible for licensing.

No vehicle which has not been exceptionally well maintained shall be eligible for relicensing under these Conditions

Existing arrangements will continue for saloon vehicles which are licensed as Hackney Carriages, subject to the following conditions:

Once a vehicle reaches 5 (five) years of age consideration will be given to licensing the vehicle for a further two years subject to the following conditions the vehicle must be presented each year until it reaches five years of age, by prior arrangement, to the Licensing Officer for a detailed inspection. At this time the full service history for the vehicle must be presented. To satisfy the inspection the vehicle must be in an exceptionally well maintained condition, both in regard to external bodywork, interior fitments and ancillary equipment. Providing the inspection is satisfactory the vehicle will then be required to undertake two MOT tests per annum (normally at six monthly intervals) at one of the garages contracted by the Council to carry out such tests. The proprietor shall meet the costs of all such tests and inspections.

A vehicle, which has failed to satisfy the Licensing Officer that it has been exceptionally well maintained, or has failed to pass both MOT tests as required, shall not be eligible for re-licensing.

No vehicle which has not been exceptionally well maintained shall be eligible for relicensing under these Conditions.

Accident Damage

If a Hackney Carriage is involved in a motor accident causing damage to the vehicle, the driver must notify the Council's Licensing Officer within three working days and must present the vehicle for inspection, by prior appointment, within 10 working days.

1. General Construction

- a) All vehicles must comply in all respects with the requirements of the Motor Vehicle (Type Approval) Regulations 1980 (SI 1980 No.1182) and or the Motor Vehicle (Type Approval) Regulations (Great Britain) 1984. (SI 1984 No 981) or the Motor Vehicles (EC Type Approval) Regulations 1998 (SI 1998 No. 2051) or the Road Vehicles (Approval) Regulations 2009 (SI 2009 No.717). Every new vehicle offered for approval must comply in all respects with the British and European vehicle regulations and be covered by a valid "type approval" to the requirements of the M1 category of European Whole Type Approval 70/156/EEC as amended. Or Directive 2007/46/EC (as amended) .
- b) All vehicles must have separate driver and passenger compartments.
- c) All vehicles must be so constructed as to facilitate the carriage of disabled persons and be capable of accommodating a disabled person in a wheelchair in the passenger compartment, provided that the wheelchair fits within the dimensions specified in the relevant paragraphs below. Rear loading disabled access vehicles are not permitted all disabled access should be from the nearside of the vehicle.
- d) Every Hackney Carriage must be so constructed so as to facilitate the carriage of persons with disabilities and must be capable , as a minimum, of accommodating a disabled person in a Department of Transport reference wheelchair either in a forward or rearward facing position.
- e) Vehicles presented for approval, and while in use, must comply with the Road Vehicles (Construction and Use) Regulations 1986 and any subsequent amendment or re-enactment thereof.
- f) No fittings, other than those approved, may be attached to, or carried on, the inside or outside of the vehicle.

2. Body

- a) The body must be of the fixed head type with a partially glazed, full height, partition separating the passenger(s) from the driver.
- b) The overall width of the vehicle excluding driving mirrors must not exceed 2 metres.
- c) The overall length of the vehicle must not exceed 5 metres.

- d) Running boards will only be allowed where they are fitted by manufacturers and the vehicle must have European whole type approval with running boards. All running boards must conform with construction and use regulations, meaning boards must not exceed the width of the widest part of the vehicle (mirrors are not included as part of the vehicle). The board must be a minimum five inches in width, all of which must be available as a step.

NB These overall dimensions are essential for determining the size of taxi ranks, other pick up points, and for the free access and flow of other vehicles on the streets.

3. Steering

Must be right hand drive.

4. Turning circle

- a) The wheel turning circle kerb to kerb on either lock must not be less than 7.62 metres in diameter.

5. Driver's compartment

- a) The driver's compartment must be so designed that the driver has adequate room, can easily reach, and quickly operate, the controls and give hand signals on the offside of the vehicle.
- b) Controls must be so placed as to allow reasonable access from the driver's seat and, when centrally placed, must be properly protected from contact with luggage.
- c) A serviceable device for demisting the windscreen must be fitted.
- d) All vehicles licensed must be fitted with an intercom type system to permit the driver and passenger(s) to communicate verbally. Vehicles must have appropriate signage in passenger compartment.
- e) A suitable sliding window, or similar feature to facilitate payment, shall be fitted in the glazed partition.
- f) Space shall be provided on the nearside of the driver compartment for the carriage of luggage. Access to this luggage space shall be by way of the nearside front door. The nearside front door must be locked and only be capable of being unlocked, from either inside or outside the vehicle, by the driver.

6. Passenger compartment

6.1 General

- a) The vertical distance between the highest part of the floor and the roof must be not less than 1.3 meters.
- b) Suitable provision must be made for the seating of not less than 4 and not more than 8 passengers.

6.2 Doorways

- a) The clear height of the doorway must not be less than 1.2 meters.

- b) The nearside door and doorway must be constructed so as to permit an unrestricted opening across the centre of the doorway of at least 75 cm.
- c) Grab handles must be placed at door entrances, to aid passenger ingress and egress from the vehicle. These should be of a high visibility colour different from the interior colour scheme of the vehicle.
- d) The outer edge of the floor at each entrance must be fitted with non-slip treads.
- e) The top tread for any entrance must be at floor level of the passenger compartment and, except as detailed in 6.2 f) below, must not exceed 46 cm above ground level when the vehicle is un-laden.
- f) Where the top tread for the entrance exceeds 40 cm, a moveable intermediate step must be provided at each entrance into the passenger compartment. The intermediate step shall be encased beneath the vehicle and be power operated to extend outwards. When not in use and whenever the vehicle is in motion, the step must not extend outwards beyond the vertical line of the bodywork. The step must be operated from within the driver's compartment and must have a failsafe device linked to the handbrake mechanism to prevent the possibility of the vehicle being driven while the step is extended. The step must be covered with a suitable non-slip surface with the edges of the step highlighted in Yellow.

Petrol, LPG or CNG tanks or pipes shall not be located in close proximity to any part of the electrical components of the steps.

Explanatory note

In vehicles where fuel tanks are located in the vicinity of an electric step, the tank and fuel lines will have to be relocated.

As vehicles do load and unload passengers at the offside and where passengers are entering or leaving the vehicle at the offside without the added height of the kerb then the intermediate step becomes more important.

6.3 Hinged doors

The minimum angle of the door when opened must be 90 degrees.

6.4 Sliding doors

- a) The interior door handle must be clearly visible and easily accessible to passengers.
- b) There must be approved reflective strips on both the front and rear edges of the door.
- c) There shall be a clearly visible sign displayed across the top rear of the vehicle bearing the words "Door Open". This sign must be automatically linked to the passenger doors in order that when either door handle is activated to open the door the sign is illuminated. The sign shall be so positioned so as not to impair rear vision.

6.5 Seats

- a) Occasional seats must be at least 40 cm. in width and the minimum distance from the back of the upholstery to the front edge of the seat must be 35.5 cm.

- b) Occasional seats must be so arranged as to rise automatically when not in use.
- c) Occasional seats when not in use, as well as fixed seats, must not obstruct doorways.
- d) Where seats are placed facing each other, there must be a minimum space of 42.5 cm between the two seats.
- e) Where all seats are placed facing to the front of the vehicle, there must be a minimum space of 66 cm in front of each seat.
- f) Where the rear seat is of the bench type the overall width of the seat must not be less than 119 cm.
- g) Suitable means; must be provided to assist persons to rise from the rear seat with particular attention to the needs of the elderly and disabled.
- h) Where seat covers are used they must be properly affixed to the seat so as not to become loose during use. They must be clean and devoid of damage of any kind.

6.6 Seat belts

All seats must be fitted with approved seatbelts.

6.7 Floor

The floor of the passenger compartment must be covered non-slip material, which can easily be cleaned.

7. Facilities for the disabled

- a) Approved anchorages must be provided for the wheelchair and wheelchair disabled person. These anchorages must be either chassis or floor linked and capable of withstanding approved dynamic or static tests. Restraints for wheelchair and occupant must be independent of each other. Anchorages must also be provided for the safe stowage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment. All anchorages and restraints must be so designed that they do not cause any danger to other passengers.
- b) A ramp, or ramps, for the loading of a wheelchair and occupant must be available at all times for use at the nearside rear passenger door. An adequate locking device must be fitted to ensure that the ramp(s) do not slip or tilt when in use. Provision must be made for the ramps to be stored safely when not in use.
- c) The vehicle should be equipped with a manufacturer's user manual/guide on the safe egress and ingress and security of wheelchair passengers.

8. Condition

- a) The vehicle must have no signs of any significant accident damage, which affects the safety, or appearance of it.
- b) The paintwork must be of a "professional" finish and consistent with the colour scheme of the vehicle.
- c) All parts of the passenger compartment must be clean and free of any damage, which

may affect its suitability for the carriage of passengers.

9. Windows

- a) Windows must be provided at the sides and rear of the passenger compartment.
- b) A window on either side of the passenger compartment must be capable of being opened easily by passengers when seated. The control for opening a window must be clearly marked.
- c) Licensed Hackney Carriages must allow at least 75% light transmission through the front windscreen and no less than 70% light transmission through all other windows. No vehicle shall be fitted with any form of additional film to darken or tint the glass on any part of the vehicle.
- d) A serviceable device for demisting the rear window must be fitted.

10. Interior lighting

Adequate lighting must be provided for the driver and passengers. Separate lighting controls for both passenger and driver must be provided. In the case of the passenger compartment, an illuminated control switch must be fitted, marked and in such a position that it is clearly visible to the passengers and is not easily confused with any other control.

11. Door fittings

An approved type of automatic door locking device must be fitted to passenger doors. The interior door handle must be clearly identified, to prevent it being mistaken for any other control.

12. Fuel system cut off

A device must be provided whereby the supply of fuel to the engine may be immediately cut off. A manually operated device must have its location together with the means of operation and "off" position, clearly marked on the outside of the vehicle. In the case of a vehicle fitted with an automatic inertia fuel cut off switch, no external switch or markings are required.

Any engine powered by liquid petroleum gas, compressed natural gas, petrol or any combination of these fuels, must be fitted with an automatic inertia fuel cut off device. They must also have a manually operated fuel cut off device externally mounted which is easily visible and readily accessible at all times from the outside of the vehicle, with its location and means of operation clearly marked.

13. Tyres

- a) Vehicles must have four wheels, all tyres, including the spare tyre, must comply with the vehicle manufacturer's specification. The vehicle must have a serviceable wheel brace and jack. If a vehicle is fitted with a "space saver" spare tyre or similar emergency repair system, it may only be used to get the vehicle to a location for the tyre to be changed for a full sized tyre. No new fares must be taken when a "space saver" tyre is used.
- b) Remoulded tyres will not be permitted, except where the remoulded tyre is clearly

marked "TAXI".

- c) Tyres fitted to the vehicle must have a minimum 2mm tread depth.

14. Electrical equipment

Any additional electrical installation to the original equipment must be adequately insulated and be protected by suitable fuses.

15. Heating and ventilation

An adequate heating and ventilation system must be provided for the driver and the passengers, and means provided for independent control by the driver and the passengers.

16. "Taxi sign"

A roof mounted "Taxi" sign of an approved pattern, clearly visible both by day and night when the vehicle is available for hire, must be fitted.

17. Taximeter

- a) A taximeter of an approved type must be fitted within the driver's compartment in such a position that the face of the meter is clearly visible in the passenger compartment and it does not interfere with the safe operation of the vehicle.
- b) The taximeter shall be fitted with an approved form of sealing which will prevent non approved or accidental alteration to the calibration of the meter.

18. Radio apparatus/communication systems

- a) Where apparatus for the operation of a two-way radio system is fitted to a vehicle, no part of the apparatus may be fixed in the passenger compartment or in the rear boot compartment if LPG or CNG tanks or equipment are situated therein.
- b) Any radio apparatus shall be so positioned and properly secured so as not to interfere with the safe operation of the vehicle.
- c) No other radio equipment, either in the driver or the passenger compartment, is permitted without the prior approval of the Council.

19. Table of fares

Facility must be provided for the display of the table of fares in such a position that the table of fares is clearly visible to the passengers.

20. Interior licence plate

A plate bearing the licence number of the vehicle shall be displayed within the vehicle in such a position that it is clearly visible to the passengers.

21. Exterior licence plate

Provision shall be made for the display of the exterior licence plate on the rear of the vehicle in an approved position.

22. Fire extinguishers and first aid kit

- a) An appliance for extinguishing fire must be securely fitted to the vehicle within the drivers compartment where it is within easy reach of the driver and does not interfere with the safe operation of the vehicle.
- b) The fire extinguisher must comply with the requirements of BS EN3 1996 and have a minimum fire rating of 5a and 34b.
- c) The fire extinguisher must contain not less than 0.9 litres AFFF foam or 1 KG dry powder and must have seal or gauge mechanism.
- d) The fire extinguisher must be regularly maintained and annually inspected by a competent person. Details of the inspection must be recorded on the extinguisher.
- e) The vehicle registration number shall be permanently and legibly marked on the extinguisher.
- f) A suitable first aid kit containing appropriate first aid dressings shall be carried in the vehicle to be available for immediate use in an emergency. The vehicle registration number shall be marked thereon. The driver is not expected to render first aid unless he/she holds a current First Aid Certificate.

23. Maintenance

Vehicles, including all fittings, advertisements etc., must be maintained to approved standards. The vehicles must be kept clean and in good working order. Vehicles will at all times be subject to test and inspection. Should it be found that a vehicle is not being properly maintained or kept in good working order, a notice will be served on the licensee prohibiting the use of the vehicle until the defect(s) have been rectified.

24. Auxiliary equipment

Any auxiliary equipment that is fitted to a vehicle must not impede the driver in any way, or hinder his/her view, or impede, or cause hazard to passengers or other road users.

25. Identification

To aid easy identification of taxis by the public, newly licensed vehicles, which are not of the traditional style i.e., do not comply with the Public Carriage Office conditions of fitness, shall display, on both sides of the vehicle the word "TAXI". The word "TAXI" must be permanently marked; in a colour contrasting with the colour scheme of the vehicle in letters not less than 10 cm high. The wording shall be located in such a position that it is easily seen and may be repeated along the side of the vehicle.

- 26. Swindon Borough Council reserves the right to review and amend these Conditions at any time as and when the Council's Licensing Committee feels it necessary.

Appendix D

AGE LIMITS

Authority	Private Hire	Hackney Carriage
Wiltshire (Chippenham)	When first licensed they have to be 5 years old (wheelchair accessible can be 7 years old) or less but there is NO upper limit providing all cars go in for 2 inspections and 2 MOTs	When first licensed they have to be 5 years old (wheelchair accessible can be 7 years old) or less but there is NO upper limit providing all cars go in for 2 inspections and 2 MOTs
Oxford	When first licensed they have to be 5 years old or less. All vehicles must comply with the new Euro emissions spec; they will not be relicensed if they don't.	When first licensed they have to be 5 years old or less. All vehicles must comply with the new Euro emissions spec; they will not be relicensed if they don't.
Vale of White Horse	No age limit. 1-3 years = 1 test per year 3-7 years = 2 tests per year 7 + years = 3 tests per year	No age limit. 1-3 years = 1 test per year 3-7 years = 2 tests per year 7 + years = 3 tests per year
Gloucester	No older than 5 years old when first licensed. Can go up to 10 years old.	No older than 5 years old when first licensed. Saloon cars can go up to 10 years old, LTI has no upper age limit.

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Review of Hackney Carriage & Private Hire Vehicle upper Age Limits

Private Hire and Hackney Carriage Licensing Sub-Committee **Date: 22nd February 2012**

Author: **Richard Bell, Interim Director Planning & Transport, Environment Regeneration and Community.**

Wards Affected: **All**

Purpose

To consider a request to remove the upper age limit on wheelchair accessible Hackney Carriage Vehicles.

To consider a request to remove the upper age limit on Private hire vehicle licences

Recommendation

The Sub-Committee is asked to : -

- To extend the vehicle age limit for wheelchair accessible Hackney Carriage vehicles from the current age limit of 12 years, to 15 Years
- To extend the age limit on Private Hire and Hackney Carriage saloon vehicles from the current age limit of 7 years, to 10 years
- To approve that these vehicles to be inspected twice a year when they reach 10 years of age for Wheelchair accessible Hackney Carriages and 5 years of age for all other vehicles.
- Grant delegated authority to the Licensing Officer to refuse to licence any vehicle after inspection if in their opinion the vehicle has not been exceptionally well maintained.

1. Current Position

- 1.1. In 2009 vehicle age limits were extended from five years to seven years for Private Hire Vehicles and Hackney saloon cars and from ten years to twelve years for wheelchair accessible Hackney Carriages. This limit had been in force since 1997.
- 1.2. Vehicle age limits are currently 12 years of age for Wheelchair accessible Hackney Carriages. Once a vehicle reaches the age limit it is considered too old to be licensed. This age limit has been in force since 2009.
- 1.3. Vehicle age limits are currently 7 years of age for Private Hire and Hackney Carriage saloon vehicles. Once a vehicle reaches the age limit it is considered too old to be licensed.

2. Detail

Further information on the subject of this report can be obtained from Mike Shears on 01793 466208 or e-mail mshears@swindon.gov.uk.

Review of Hackney Carriage & Private Hire Vehicle upper Age Limits

Private Hire and Hackney Carriage Licensing Sub-Committee Date: 22nd February 2012

- 2.1. In December 2011 a request was received from Mr Keith Radway of the Swindon Black Cab Company to extend a Hackney Carriage vehicle licence beyond the current age limit. This request was turned down by the Licensing Officer who does not have Delegated Authority to approve a vehicle licence beyond the current age limits. As a result a meeting was arranged with officers and the Chair of the Private Hire and Taxi Licensing Sub-Committee, where it was agreed that Mr Radway could bring the matter of age limits before the Licensing Committee.
- 2.2. Currently wheelchair accessible Hackney Carriages can be licensed for 12 years with an annual inspection in the 11th and 12th year and two MOT tests per annum at one of the garages contracted by the Council.
- 2.3. Vehicle specifications have improved significantly since 1997 when the initial age limit of 10 years on wheelchair accessible Hackney Carriages was first imposed. The age limit was increased in 2009 to twelve years. and since then our experience is that vehicle specifications continue to improve and vehicles are now capable of providing a safe and comfortable service beyond the 12 year limit.
- 2.4. Operators of Private Hire vehicles for specialist use such as chauffeur companies, often use prestige vehicles these vehicles incur a substantial financial outlay for operators, and these vehicles are often presented in immaculate condition and are therefore are capable of being licensed beyond the current 7 year limit.
- 2.5. It is therefore recommended that the upper age limit for wheelchair accessible Hackney Carriages is at the time of renewal of the vehicle licence no more than 15 years of age. When the vehicle reaches the age of ten years old there are two inspections and two MOT tests per year. The costs of all MOT test's and inspections to be borne by the vehicle proprietor.
- 2.6. It is also recommended that the upper age limit for Hackney Carriage saloon vehicles and private hire vehicles is at the time of renewal of the vehicle, licence to be no more than 10 years of age and when the vehicles reach the age of five years old there are two inspections and two MOT tests per year. The costs of all MOT test's and inspections to be borne by the vehicle proprietor.
- 2.7. Officers are of the opinion the overarching principle behind the licensing of private hire and hackney carriage vehicles is one of public safety. Based on this overarching principle the Council implemented a policy that limits the age upon which a vehicle can be first licensed, and the age upon which it must cease being licensed.
- 2.8. In March 2010 the Department for Transport issued non statutory 'Best Practice' guidance relating to private hire and hackney carriages. This guidance states the following in relation to age limits:- "Age Limits it is

Further information on the subject of this report can be obtained from Mike Shears on 01793 466208 or e-mail mshears@swindon.gov.uk.

Review of Hackney Carriage & Private Hire Vehicle upper Age Limits

**Private Hire and Hackney Carriage Licensing Sub-Committee Date: 22nd
February 2012**

perfectly possible for vehicles to be in good condition. So the setting of an age limit beyond which a local authority will not licence vehicles may be arbitrary and inappropriate. But greater frequency of testing may be appropriate for older vehicles-for example, twice yearly checks for vehicles over five years old.

- 2.9. It is recommended that these new arrangements, if approved, will commence on the 1st April 2012.
- 2.10. A decision on the future licensing of hackney carriage saloon vehicles has been deferred by the Hackney Carriage and Private Hire Licensing Sub-Committee. whilst further consultation is undertaken with the trade, however a decision is expected to be made early in the next financial year.

3. Alternative Options

Remove the upper age limit completely as requested by Mr Radway of Swindon Black Cabs and Sterling Travel Services Ltd.

4. Preferred option

As recommended by officers to extend age limit to 15 years for Wheelchair accessible Hackney Carriages and 10 years for Private Hire and Hackney Carriage saloon vehicles.

5. Financial Implications

In relation to any amendments to the vehicle age limits, the cost of a new vehicle licence is the same as the cost for a renewal, therefore amending the vehicle age limits is cost neutral.

Risk Management

Financial and Procurement Implications

There are no direct financial implications arising from this report. There are no procurement issues arising from this report.

Links to Corporate Plans and Policies (in particular to Swindon 2010 Promises)

Priority: We can all benefit from a growing economy and a better town centre

Priority: Living independently protected from harm, leading healthy lives and making a positive contribution.

Review of Hackney Carriage & Private Hire Vehicle upper Age Limits

**Private Hire and Hackney Carriage Licensing Sub-Committee Date: 22nd
February 2012**

Consultees

The Director of Finance (s.151 Officer) and the Director of Law and Democratic Services (Monitoring Officer) are consulted on all reports.

Background Papers and Appendices

Appendix A. Letter from Mr Keith Radway of Swindon Black Cabs requesting removal of the upper age limit on wheelchair accessible Hackney Carriages.

Appendix B. Points raised by Mr Keith Radway in support of the removal of the upper age limit.

Appendix C Letter from Sterling Travel Private Hire Operator in support of the removal of the upper age limit on Private Hire Vehicles.

Appendix D Table of age limits from Authorities in the local area



SWINDON BLACK CAB CO. LTD

UNIT 12A BRAMBLE ROAD, ELGIN, SWINDON, WILTS, SN2 8HB

VAT NO. 718 3900 32

Appendix A

FAO: Swindon Borough Council

Taxi & Licensing Committee
Swindon

(C/O Mike Shears Taxi Licensing & Contracts Team Leader
& provided to him by email for circulation prior to the meeting).

19th December 2011

Dear Sirs

**Re: APPLICATION TO REMOVE WHEELCHAIR ACCESSIBLE HACKNEY CARRIAGE AGE LIMITS - FOR COMMITTEE MEETING 17-01-12
FROM SWINDON BLACK CAB CO LIMITED**

We formally wish to apply to remove the age limits currently imposed via Swindon Borough Council Policy on Wheelchair Accessible Hackney Carriage Vehicles.

The age limits in our opinion are unfair, outdated, prejudicial and not required bearing in mind that all concerns related to the age of vehicles could easily be redressed by the existing condition that the Council can examine and decide if a cab is fit for use (whatever the age) being exercised, at any time.

The main thrusts of our application we brought up in a meeting with the council on the 2nd of December 2011 and were provided in a bullet pointed list a copy of which we attach and rely on as this, our written application to remove the age limits. We would welcome this application being thoroughly consider and wish to expand upon the bullet points, answer any queries or concerns the committee has in connection with them at the Committee Meeting on the 17th of January 2012.

Please find attached the bullet point list as referred to above, which was first provided and brought up at a meeting with Taxi Licensing Department on the 2nd of December 2011.

Yours faithfully

Mr Keith Radway
Managing Director
Swindon Black Cab Company Limited

Enc

Tel: 01793 430999 Fax: 01793 526833 Email: Swindonblackcabs@aol.com

Direct Accounts Email: tinradway@aol.com



SWINDON BLACK CAB CO.LTD

UNIT 12A BRAMBLE ROAD, ELGIN, SWINDON, WILTS, SN2 8HB

VAT NO. 718 3900 32

Appendix B

ISSUES DISCUSSED, RAISED & INCLUDED WITHIN OUR APPLICATION TO REMOVE THE AGE LIMITS ON WHEELCHAIR ACCESSIBLE HACKNEY CARRIAGE VEHICLES.

THIS LIST & ITS POINT WERE FIRST RAISED & PROVIDED AT A MEETING WITH COUNCIL REPRESENTATIVES DISCUSSING VEHICLE AGE/PLATE RENEWALS AT A MEETING ON THE 2ND OF DECEMBER 2011

1. There is no age limit on any other commercial vehicles so what is the necessity of having them on Wheelchair Accessible Hackney Carriage Vehicles?.
2. Other towns do not have an age limit for existing plates (i.e. all 4 wilts councils & Cotswolds)
3. It makes no sense to say that a cab is fit today and not fit tomorrow.
4. The Council can say that a cab is not fit at any age based on condition anyway.
5. Having an age limit actively discourages owners from spending money on vehicle maintenance and improvements towards the end of its time limit/life therefore creating worse quality vehicles on the road.
6. Black Cabs are purpose built to carry on forever if maintained.
7. Council has not made its mind up about the type of vehicles therefore no body can have logical or financial/business plan
8. Due to delimitation, recession and the increased road fund tax on new vehicles it makes new vehicles a less logical or sensible financial option & newer vehicle impossible.
9. In the case of drivers over 65 to carrying on working must have medical every year therefore cannot be expected to invest in a new cab therefore the restriction could be called a method of getting rid of older drivers which could be construed as age discrimination against government policy.
10. We would ask to have a helpful response to all these comments as other drivers have been assisted by being given car plates contrary to your existing policy.

Tel: 01793 430999 Fax: 01793 526833 Email: Swindonblackcabs@aol.com

Direct Accounts Email: tinaradway@aol.com



Mr M Shears
Swindon Borough Council
Taxi & Private Hire Licensing
Wat Tyler House
Beckhampton Street
Swindon
SN1 2JH

7 February 2012

Dear Mr Shears,

We have been led to believe that Swindon Borough Council are considering a request to review the upper age limit on the vehicles licensed for private hire in Swindon.

We would consider this very good news as we are currently competing for work with companies from other council areas outside of SBC control, such as North Wiltshire, Vale of White Horse and Cotswolds. These companies are able to undercut our prices by using older vehicles and therefore can work with lower operating costs.

This would also be good news for SBC as they would control the private hire vehicles being used in the SBC area. This would keep drivers and companies in work in the local area which is good for the local economy. We could offer a more competitive rate which would encourage the local businesses to stick with local suppliers.

We would fully expect you to consider the safety of the vehicles and passengers and therefore would have no issues with the vehicles being tested more frequently such as the older vehicles already having two MOTs per annum.

Yours sincerely

Sean McCarthy

Director



Office number +44 (0)8707 50 44 70
Office Hours 10.00 - 18.00 Out of hours number +44 (0)7720 45 00 35

enquiries@sterlingcars.co.uk sterlingcars.net

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Appendix D

AGE LIMITS

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Agenda Item 10

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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