

Swindon Borough Council

Licensing Committee

Monday, 10 October 2011

Council Chamber, Civic Offices (Anticipated meeting room)

At 5.30 p.m.

**Conservative
Councillors**

Vera Tomlinson
(Chair)
Richard Hurley
(Vice-Chair)
Rex Barnett
Andrew Bennett
Alan Bishop
Michael Bray
Wayne Crabbe
Claire Ellis
Kevin Parry
John Short
David Wren

**Labour
Councillors**

Junab Ali
John Ballman
Steve Wakefield
Robert Wright

**Liberal Democrat
Councillors**

David Wood

Committee Officer: Shaun Banks (Telephone: 01793 463606)

sbanks@swindon.gov.uk

Swindon Borough Council, Civic Offices, Euclid Street, Swindon, SN1 2JH
(Telephone 01793 445500)

AGENDA

1. Apologies for Absence

2. 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.

3. Minutes (Pages 1 - 2)

To receive the minutes of the meeting held on 20th May 2011.

4. 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.

5. Consideration of Swindon Hackney Carriage Vehicle Specifications (Pages 3 - 30)

Date of Despatch: 04 October 2011

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.

LICENSING COMMITTEE

FRIDAY, 20 MAY 2011

PRESENT:- Councillors Junab Ali, John Ballman, Michael Bray, Wayne Crabbe, Claire Ellis, Richard Hurley (Vice-Chair), John Short, Vera Tomlinson (Chair), Steve Wakefield, David Wood, David Wren and Robert Wright.

Apologies for absence were received from Councillors Rex Barnett, Andrew Bennett and Alan Bishop.

1. Minutes

Resolved – That the minutes of the meeting held on 5th January 2011, be confirmed and signed as a correct record.

2. 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.

3. Public Question Time

No public questions were received during the meeting.

4. Local Government Act 1989 - Section 15: Review of Political Balance Arrangements

Resolved – That, further to Minute 14(2) of the Council, and having carried out a review under Section 15 of the Local Government and Housing Act 1989 this Committee continue to apply political balance arrangements under the Act.

5. Appointments of Sub-Committees and Panel

Resolved – (1) That an Ad Hoc Licensing Sub-Committee be appointed having the functions set out in the document “Swindon Council Constitution 2011/12” and comprising Councillors John Ballman, Alan Bishop, Mick Bray, Richard Hurley, Vera Tomlinson, David Wren and Bob Wright.

(All Councillors serving on the Licensing Committee be appointed as substitutes to their respective political group.)

(2) That a Licensing Panel be appointed having the functions set out in the document “Swindon Council Constitution 2011/12” and comprising three Councillors to be drawn from Members of this Committee.

(3) That a Private Hire/Hackney Carriage Licensing Sub-Committee be appointed having the functions set out in the document “Swindon Council Constitution 2011/12” and comprising Councillors Junab Ali, Wayne Crabbe, Richard Hurley, John Short, Vera Tomlinson, Steve Wakefield and David Wren.

(All Councillors serving on the Licensing Committee be appointed as substitutes to their respective political group.)

Hackney Carriage Vehicle Specifications

Licensing Committee

Date: 10th October 2011

Author: Group Director of Environment, Regeneration and Community

Parish / Wards Affected: All

Purpose

- To consider the Hackney Carriage working party recommendation to continue with the current conditions of fitness for Hackney Carriage vehicles licensed by Swindon Borough Council.
- To consider the recommendation to phase out the 43 Hackney saloon car licences.

Recommendation

The licensing Committee is requested to

- Consider the recommendations contained in this report and re-affirm the commitment to the PCO (Public Carriage Office) standards as the vehicle specification for its Hackney Carriage Fleet.
- Agree that by 1st November 2018 saloon car vehicles currently licensed as Hackney Carriages be phased out.
- That a programme of training in Disability Awareness be introduced for licensed Hackney Carriage Drivers.

1. Background

- 1.1 In May 1999 the then Public Works and Services Committee resolved that all new Hackney Carriage licences would only be issued for wheelchair-accessible vehicles which conform to the Metropolitan Conditions of Fitness.
- 1.2 At that time it was agreed that the saloon car licences already in force would be allowed to remain until such time as the part of the Disability Discrimination Act 1995 regarding taxis was implemented. Swindon Borough Council currently licences 43 saloon cars as Hackney Carriages.

2. Detail

- 2.1 Part 3 of the Disability Discrimination Act 1995 gives people with disabilities a “right of access” to goods, services and facilities. There is however, a specific exemption for some transport services, meaning that none of these provisions currently apply to taxis or private hire vehicles.

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

Hackney Carriage Vehicle Specifications

Licensing Committee

Date: 10th October 2011

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- 2.2 Part 5 of the Act allows the Secretary of State to make regulations regarding all new land-based vehicles – trains, buses, coaches and taxis – to be accessible for people with disabilities, including those who need to remain in wheelchairs. Regulations were made in 2004 for trains, buses and coaches, but not for taxis. There are currently no plans to introduce accessibility regulations to private hire vehicles.
- 2.3 Under Part 5 of the Act, taxi drivers now have a duty to ensure people with disabilities are not discriminated against or treated less favourably. In order to meet these new duties, licensing authorities are required to review any practices, policies and procedures that make it impossible or unreasonably difficult for a person with disabilities to use their services.
- 2.4 As stated in 2.2, no regulations have yet been made or developed under Part 5 of the Act relating to licensed taxi vehicles. Making regulations regarding Hackney Carriages has proven to be extremely complex. At the time of the 1995 Act, it was thought that a taxi could be designed to meet the needs of all people with disabilities, including wheelchair users and those with an ambulatory disability. In practice this has presented a significant challenge and is the main reason why the provisions relating to taxis have not been enacted. The Department for Transport has, however, recently consulted stakeholders regarding the possible implementation of Part 5 of the Act in relation to Hackney Carriage vehicles. The DfT announced that the results of the consultation were inconclusive and further research and consultation is to be undertaken.
- 2.5 At the time of the Public Works and Services Committee resolution in 1989, the only wheelchair-accessible vehicles available were the traditional “London Cab”, manufactured by London Taxis International, and the Metrocab. Both conformed to the Metropolitan Conditions of Fitness. The Metrocab has since ceased production. Last year Mercedes launched the Mercedes Vito Taxi, which also conforms to the Metropolitan Conditions.
- 2.6 There are now several alternative vehicles on the market which are wheelchair-accessible. Although the majority of these vehicles are van conversions, they are fully wheelchair accessible. They do not, however, conform to the Metropolitan Conditions of Fitness in that they are unable to perform the tight turning circle required as part of those Conditions.
- 2.7 As a result of an application from Allied Vehicles Ltd to licence the Peugeot E7 as a hackney Carriage in Swindon The Council reviewed the Hackney Carriage vehicle specification and consulted widely regarding any possible changes. These responses were considered by the Private Hire and Hackney Carriage Licensing Sub-Committee

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Hackney Carriage Vehicle Specifications

Licensing Committee

Date: 10th October 2011

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- 2.8 The Hackney Carriage Vehicle Specification Working Party has carried out extensive consultation with vehicle manufacturers and converters, the Swindon Access Group and the local Hackney Carriage trade. As part of this exercise members and disability groups were invited to view vehicles. In addition two public meetings were arranged. During these meetings it became clear that the trade was split between the issues of retaining the current conditions, allowing alternative vehicles and the future of the 43 Hackney saloon car licences.
- 2.9 The working group recognised that in Swindon vehicles that conform to the Metropolitan Conditions of Fitness provide the highest standard of wheelchair accessible vehicles and that there were advantages in having a proven regulatory framework such as the PCO conditions, for safety and DDA (Disability Discrimination Act) compliance. Retaining these conditions would also mean that we keep a clearly identifiable taxi fleet which is paramount to the safety of the travelling public. The Working Group agreed that the current Hackney fleet could not accommodate the full range of manufactured wheelchairs, and it has been accepted that "no single vehicle could achieve 100% suitability for all passengers with disabilities".
- 2.10 The working group took into consideration anecdotal evidence provided by each element of the trade in support of their own different opinions, including comments that the turning circle requirement still held tangible benefits in areas of Swindon. However no evidence was provided by the trade to prove that the PCO conditions were not fit for Swindon.
- 2.11 The working group also considered that any wheelchair accessible vehicle that met the current conditions should be side loading. Rear loading accessible vehicles would not be considered suitable for use on the taxi ranks within Swindon.
- 2.12 The Working group were concerned that many statements made by the trade at the meetings gave a strong indication that some drivers were not fully aware of the needs of people with disabilities as evidenced by drivers stating that they did not have any training in using the equipment supplied with the vehicle they were driving.
- 2.13 The working group felt that Hackney Carriage drivers should demonstrate a level of competence in the use of wheelchair fixing equipment and this should be part of the current vehicle inspection process and be included in any recommendation in respect of Disability Awareness Training.
- 2.14 Swindon Borough Council currently issues 43 hackney carriage licences for saloon cars. These licences have been allowed to continue while awaiting a

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Hackney Carriage Vehicle Specifications

Licensing Committee

Date: 10th October 2011

decision from the Secretary of State regarding the implementation of the Disability Discrimination Act 1995. Therefore it may be timely to make decisions now regarding the continued licensing of saloon cars.

- 2.15 The Swindon Access group considered that a Hackney carriage should be fully accessible and that there was no need to continue to licence saloon vehicles. Therefore any person with a disability contacting a Hackney carriage by telephone or in person at a rank could be certain that the vehicle was suitable for their needs.
- 2.16 The Swindon Access group also commented that other types of wheelchair accessible vehicles including rear loading should be considered for licensing by the Council in order that there could be more choice for passengers including the ability to travel forward facing in vehicles such as the E7.
- 2.17 It is therefore proposed that from the 1 November 2011 or a date thereafter when a vehicle is too old to be licensed that all holders of saloon car licences be required to change their vehicle for one which is wheelchair-accessible and which conforms to conditions currently in force. All changes to be in place by 1 November 2018, when all hackney carriages shall be wheelchair accessible and conform the conditions currently in force.

Alternative Options

- Continue current practice and allow the existing arrangements to continue.
- Produce a set of regulations to allow saloon car vehicles to continue as Hackney Carriages.
- Change the current vehicle specification to allow alternative wheelchair accessible vehicles (as referred to in 2.6 above) to be licensed.

Risk Management

Financial and Procurement Implications

- There are no financial or procurement implications for the Council. However there may be financial implications for the holders of the 43 saloon car Hackney Carriage licences.

Legal / Human Rights Implications

- There are no legal implications to this report. Human Rights have been taken into account in the preparation of this report.

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

- A Healthy and Caring Place; An Economically Prosperous Place; An

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Hackney Carriage Vehicle Specifications

Licensing Committee

Date: 10th October 2011

Environmentally Friendly Place; A Safe Place.

Consultees

- The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

Background Papers

Review of Hackney Carriage vehicle Specification Consultation
Hackney Carriage working party (further responses) and appendices 1 to 4.

Appendices

- Appendix A - Proposed Hackney Vehicle specification
- Appendix B - Current Public Carriage Office conditions of fitness

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

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Hackney Carriage Vehicle Specification

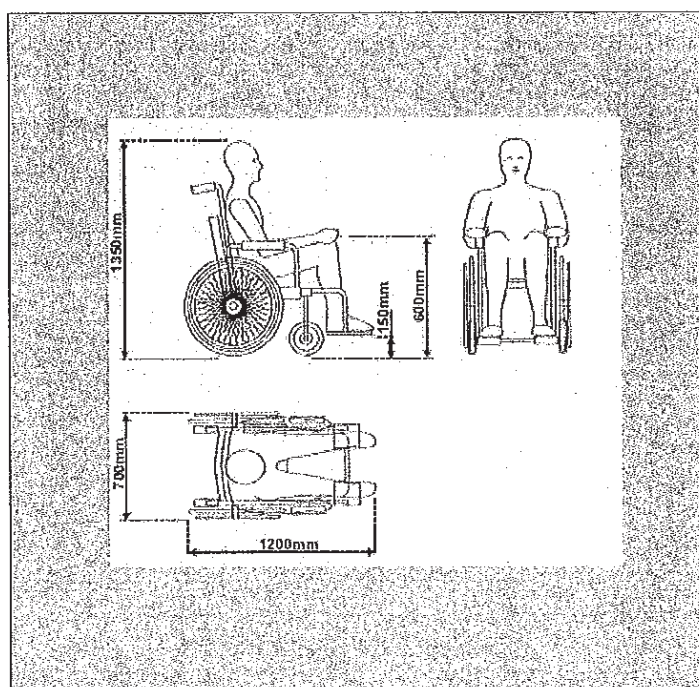
Hackney Carriage and Private Hire Licensing Sub-Committee Date:

Appendix A

Swindon Borough Council Proposed 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.



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Hackney Carriage Vehicle Specification

Hackney Carriage and Private Hire Licensing Sub-Committee Date:

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. When presented for initial licensing, all vehicles must be less than 5 years old. New Hackney Carriage plates will only be issued for new vehicles, with delivery mileage only on the odometer.
5. Vehicles which are purpose-built hackney carriages (i.e. vehicles which conform in all respects to the Metropolitan Conditions of Fitness as published by Transport for London) may be licensed until they are 12 years old, subject to the following conditions:

Once a vehicle reaches 10 (ten) years of age the vehicle must be presented each 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, van conversions and vehicles which do not meet the Metropolitan Conditions of Fitness) may be licensed until they are 9 years old, subject to the following conditions:

Once a vehicle reaches 7 (seven) years of age the vehicle must be presented each 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 proprietor shall meet the costs of all such tests and inspections.

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Hackney Carriage Vehicle Specification

Hackney Carriage and Private Hire Licensing Sub-Committee **Date:**

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.

Brakes

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

Transmission

12. Vehicles using automatic or semi-automatic transmission must be fitted with a device to prevent the engine starting with the transmission selector in a drive or reverse position.

Interior Lighting

13. Adequate lighting must be provided for the driver and passengers.
14. 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. 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.

Body

15. The body must be of the fixed head type with a partially glazed partition separating the passenger from the driver.

Facilities for the Disabled

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Hackney Carriage Vehicle Specification

Hackney Carriage and Private Hire Licensing Sub-Committee **Date:**

16. Every hackney carriage shall be equipped to approved standards in order that wheelchair passengers can be carried. All vehicles shall be fitted with a ramp (see item 19) and shall be fitted with a wheelchair retention system to hold wheelchairs firm and secure during transit.
17. There must be at least one doorway through which a wheelchair and occupant can enter. The 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. The doorway must be located on the nearside of the vehicle. Vehicles loading wheelchairs from the rear of the vehicle will not be permitted. The clear height of the doorway must be not less than 1.2 metres.
18. Grab handles must be placed at door entrances to assist the elderly and disabled. All grab handles must be of a contrasting colour.
19. An approved ramp or ramps for the loading of a wheelchair and occupant must be available at all times for use at the nearside passenger door. There must be a slip-resistant surface on the ramp or ramps and a safety guard fitted and used at all times. Ramps must be safely carried in the vehicle at all times and must be identified with the vehicle registration number.
20. Approved anchorages must be provided for the wheelchair and chair bound passenger. 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. Belts attached to a wheelchair in order to assist a person to remain in the wheelchair whilst travelling will not be acceptable.
21. Vehicles must be capable of carrying a folded wheelchair as luggage. Anchorages should also be provided for the safe storage of the wheelchair, whether folded or otherwise, if carried within the passenger compartment.
22. Anchorages and restraints must be so designed that they do not cause any danger to other passengers.

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.

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Hackney Carriage Vehicle Specification

Hackney Carriage and Private Hire Licensing Sub-Committee **Date:**

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.

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Hackney Carriage Vehicle Specification

Hackney Carriage and Private Hire Licensing Sub-Committee **Date:**

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.

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Hackney Carriage Vehicle Specification

Hackney Carriage and Private Hire Licensing Sub-Committee **Date:**

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.

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Hackney Carriage Vehicle Specification

Hackney Carriage and Private Hire Licensing Sub-Committee **Date:**

- (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.

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Hackney Carriage Vehicle Specification

Hackney Carriage and Private Hire Licensing Sub-Committee **Date:**

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).

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.

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

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Transport for London

Public Carriage Office



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

CONDITIONS OF FITNESS

1 January 2007

MAYOR OF LONDON

Conditions of Fitness 2007

Page 1 of 12

Issue v6.0 23 November 2009

Version Control

Version	3.0
Author	Alex Moffat Senior Vehicle Policy Manager
Date	25 February 2009
Document status	Published
Summary of amendment	5.3 : Amendment regarding 'Additional Equipment' for the purpose of clarification

Version	4.0
Author	Alex Moffat Senior Vehicle Policy Manager
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CONSTRUCTION AND LICENSING OF MOTOR TAXIS FOR USE IN LONDON

Contents

Part 1 Procedure to be followed by manufacturers and owners of taxis for use in London

- 1 Approval of new types of taxi
- 2 Existing approved types of taxi
- 3 Presentation for renewal of licence
- 4 General

Part 2 Conditions of Fitness

- 5 General construction
- 6 Steering
- 7 Manoeuvrability requirement
- 8 Tyres
- 9 Brakes
- 10 Interior lighting
- 11 Electrical equipment
- 12 Fuel systems
- 13 Exhaust systems
- 14 Body
- 15 Facilities for disabled people
- 16 Passenger compartment
- 17 Driver's compartment
- 18 Visibility
- 19 Heating and ventilation
- 20 Door fittings
- 21 Fare table and number plate
- 22 Floor covering
- 23 Luggage
- 24 Taximeter
- 25 "Taxi" sign
- 26 Radio apparatus
- 27 Maintenance
- 28 Certificate of insurance and form of holder

Part 3 Directions

- 29 Advertisements
- 30 Badges and emblems

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:

Transport for London – Taxi and Private Hire
4th Floor – Yellow Zone
Palestra
197 Blackfriars Road
Southwark
London
SE1 8NJ
e-mail: enquires@tfl.gov.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 Directive 2007/46/EC 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/Additional Equipment

- 5.3 No equipment and/or 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 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 70cm wide, as a minimum, 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.

Passenger compartment

16

- 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.

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.

Visibility

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.

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, however, suitable advertisements may be allowed on the rear windscreen as directed in the 'Guidelines for Advertising on Licensed London Taxis'.
- 29.4 Applications for approval of advertisements must be made in writing to Cab Advertising Approvals at the PCO or by email to: pco_taxiadverts@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: pco_taxiadverts@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.