

Agenda

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General Purposes Licensing Committee

Date: **Wednesday 17 October 2012**

Time: **To Follow the Licensing and Gambling Acts Committee**

Place: **Oxford Town Hall**

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General Purposes Licensing Committee

Membership

Chair	Councillor Colin Cook	Jericho and Osney;
Vice-Chair	Councillor Michael Gotch	Wolvercote;
	Councillor Anne-Marie Canning	Carfax;
	Councillor Mary Clarkson	Marston;
	Councillor Van Coulter	Barton and Sandhills;
	Councillor John Goddard	Wolvercote;
	Councillor Mark Lygo	Churchill;
	Councillor Helen O'Hara	Cowley;
	Councillor Gwynneth Royce	St. Margaret's;
	Councillor David Williams	Iffley Fields;

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AGENDA

Pages

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

The Quroum for this meeting is 4.

2 DECLARATIONS OF INTEREST

Councillors serving on the Committee are asked to declare any personal or prejudicial interests they may have in any of the following agenda items.

3 UPDATE ON TAXI LICENSING ACTIVITY APRIL 20112 - AUGUST 2012

1 - 22

The Head of Environmental Development has submitted a report which informs the Committee of the progress made by the Taxi Licensing Function between April 2012 and August 2012.

The Committee is asked:

- (a) To note the report;
- (b) To make any comments and recommendations regarding the future work of the Taxi Licensing Function.

4 REQUEST TO LICENCE ELECTRICALLY ASSISTED PASSENGER CARRYING PEDICABS IN THE CITY

23 - 74

The Head of Environmental Development has submitted a report which requests the Committee to consider a request to license electrically assisted passenger carrying Pedicabs.

The Committee is asked to comment on whether further consideration should be given to the licensing of electrically assisted passenger carrying Velotaxi in the City and to pass any comments to the City Executive Board for consideration at its meeting on 5th December 2012.

5 HACKNEY CARRIAGE TARIFF - APPLICATION FOR INCREASE

75 - 88

The Head of Environmental Development has submitted a report which asks the Committee to consider a request for a Hackney Carriage Tariff increase from the City of Oxford Licensed Taxicab Association (COLTA).

The Committee is asked:

- (a) To consider the request from the City of Oxford Licensed Taxicab

Association for an increase in the Hackney Carriage tariff in accordance with the information contained within the report;

- (b) To request the Head of Environmental Development and the Head of Law and Governance to carry out the statutory requirement of a public consultation.

6 TAXI LICENSING CUSTOMER SATISFACTION SURVEY

89 - 96

The Head of Environmental Development has submitted a report which informs the Committee of the results of the Taxi Licensing Customer Satisfaction Survey.

The Committee is asked to note the report.

7 MINUTES

97 - 102

Minutes of the meeting held on 28th May 2012.

8 DATES OF FUTURE MEETINGS

The Committee will meet on the following dates at the Town Hall:

Tuesday 19th February 2013

DECLARING INTERESTS

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed “Declarations of Interest” or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council’s area; licences for land in the Council’s area; corporate tenancies; and securities. These declarations must be recorded in each councillor’s Register of Interests which is publicly available on the Council’s website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members’ Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members’ Code of Conduct says that a member “must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself” and that “you must not place yourself in situations where your honesty and integrity may be questioned”. What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

¹ Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those of the member’s spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

To: General Purposes Licensing Committee

Date: 17 October 2012 **Item No:**

Report of: Head of Environmental Development

Title of Report: Update on Taxi Licensing Activity
April 2012 – August 2012

Summary and Recommendations

Purpose of report: To inform Committee of the progress made by the Taxi Licensing Function between April 2012 and August 2012.

Report Approved by:

Finance: Paul Swaffield

Legal: Daniel Smith

Policy Framework: Vibrant Sustainable Economy

Recommendation(s):

The Committee is recommended to:

- (i) note the contents of the report; and**
- (ii) make any comments and recommendations regarding the future work of the Taxi Licensing Function.**

Introduction

1. This report informs Committee of progress made by the Taxi Licensing Function under the duties of the Town & Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 between April 2012 and August 2012.
2. The report covers data on service volumes; details of Taxi Licensing hearing decisions; decisions made under delegated powers; information on volumes of drivers and vehicles and enforcement activity.
3. The tables below provide data on licence applications received and processed during the period for April 2012 and August 2012.

Licences Issued	Total April 2012 – August 2012
Hackney Carriage Driver	121
Private Hire Driver	291
Hackney Carriage Vehicle	63
Private Hire Vehicle	265
Private Hire Operator	8

Actions Undertaken	Total April 2012 – August 2012
Licensing Hearings	9
Enforcement Actions Commenced	155
Number of Prosecution Cases Started	16
Complaints about Drivers / Vehicles	99

Applications Granted by the Licensing Authority

- A hearing is not required where an application has been lawfully made and no adverse information pertaining to the “fitness” of a person or vehicle to be licensed by this Authority has been found. There have been 409 driver, 264 vehicle, and 8 Operator licenses issued by the Head of Environmental Development under delegated authority during the period April 2012 to August 2012.

Hackney Carriage & Private Hire Licensing Sub-Committee Hearings

- When adverse information pertaining to the “fitness” of a person or vehicle to be licensed by this Authority has been found then the application is determined at a Sub-Committee Hearing.
- During April 2012 to August 2012, 9 Hearings were to determine the fitness of new applicants and existing applicants (including those who whilst in possession of a licence had been deemed to not be considered a “fit and proper” as detailed in the Policy on the Relevance of Warnings, Offences, Cautions and Convictions). The results of the Hearings are shown in the table below:

	Granted	Refused	Suspended	Revoked
New Driver	2	1		
Existing Driver	0	0	2	3
New Vehicle Owner	1	0		

Appeals

7. The Licensing Authority received 2 applications for appeal during the period covered in this report. One appeal relates to the refusal of a new applicant, and the other to the revocation of a licence following a successful plying for hire prosecution. Dates for the appeals have yet to be set by the Magistrates Court.

Prosecutions

8. During the period April 2012 to August 2012, 16 cases were forwarded to Law & Governance for prosecution. All of these cases related to Private Hire Drivers who failed the “plying for hire” Test Purchase Operations, and are detailed at Paragraphs 19 and 20 of this report.

Enforcement Activity

9. Between April 2012 and August 2012, the Licensing Team has issued (in accordance with the Policy on the Relevance of Warnings, Offences, Cautions and Convictions):
 - 72 Advisory Warnings
 - 33 First Level Warnings
 - 24 Second Level Warnings
 - 25 Final Warnings
 - 11 Requests to vehicles to undergo an additional Certificate of Compliance Test
 - 16 Notifications of referral to Sub-Committee
 - 2 Suspension Notices (driver)
 - 1 Suspension Notice (vehicle)
 - 12 Notifications of non-payment letters
10. The majority of Advisory Warnings were issued due to minor breaches of driver / vehicle licence conditions i.e. failure to display Operator stickers, failure to have badge on display, minor cosmetic defects to vehicles, illegal parking.
11. Other issues found that resulted in higher levels of warnings were non-declaration of convictions on applications, excessive penalty points on DVLA driving licences, aggressive behaviour, poor driving standards, failures to comply with reasonable requests from the Licensing Officers, failures to adequately maintain a licensed vehicle.
12. Repetitive failures to adhere to standard driver and vehicle conditions called in to question the licence holders suitability in line with this Authority’s standard of a Fit and Proper person. Whilst there is no legal definition the criteria the Authority consider relevant are set out in the Policy on the Relevance of Warnings, Offences, Cautions and Convictions states:

Fit and Proper Person: A person who poses no threat to the general public, has a good knowledge of the City, is healthy, and is of a good character (including driving record) will be deemed fit and able to hold a licence.

13. In accordance with the Policy on the Relevance of Warnings, Offences, Cautions & Convictions two drivers were suspended following intelligence provided by Medical Practitioners informing the Licensing Authority of the drivers health concerns.
14. One Hackney Carriage Vehicle Licence was suspended by Officers owing to the vehicle being found to be in an unfit condition in relation to its appearance which had not been visible when the vehicle had been wrapped in full external advertising livery. The matter was rectified by the owner purchasing a new vehicle.
15. An “Advisory Warning” is specifically issued to help educate drivers who are new to the responsibilities of being a licensed driver, or when there is some element of reasonable doubt between the version of events reported by the complainant and the licensed driver.
16. A First Level, Second Level or Final warning is issued when the complaint has been substantiated beyond reasonable doubt or the alleged offence has been proven against the licensee, and is deemed to either be serious enough to warrant enforcement action of a higher level than an “Advisory Warning”.
17. In cases where the pattern of conduct by the licence holder over any period of time has resulted in a “Warning” being the next procedural level of action required. Such “Warnings” rise in severity, and their definitions can be found in the Policy on the Relevance of Warnings, Offences, Cautions and Convictions (as adopted by Council).
18. Members will note that since the Council’s adoption of the Policy on the Relevance of Warnings, Offences, Cautions and Convictions, there has been a significant increase in the number of cases referred to the Hackney Carriage and Private Hire Licensing Sub-Committee.
19. Between April 2012 to August 2012, 16 interviews (under the Police & Criminal Evidence Act) were carried out by the Licensing Officers when investigating suspected offences of plying for hire and driving without the correct insurance (a Private Hire Vehicle is not insured for public hire, whereas a Hackney Carriage Vehicle is).
20. Resulting from the above PACE interviews were:
 - 15 cases were forwarded to Law & Governance for consideration to prosecute drivers for the offence of plying for hire, all of which have been approved for Court proceedings.
 - 1 case is being investigated further due to irregularities being found with the identity of the person claiming to be the driver of the

vehicle at the time of the offence.

NightSafe Partnership

21. The NightSafe initiative contributes to the taxi licensing objectives. This includes intelligence sharing and has led to the Taxi Licensing Enforcement Officers being able to view late night taxi activity in a number of locations by arrangement with the CCTV Manager.
22. This benefits the regulation of licensed drivers and vehicles as it can reveal unprofessional conduct by the licensed trade in the City at night, and can act as a check or deterrent.

Future Work

23. On 4th September 2012 the Council responded to the Law Commission consultation regarding the Reform of Taxi and Private Hire Services. It is expected that the Law Commission will report back on the consultation responses received in the Spring of 2013. A copy of the Council's response can be found attached as **Appendix One**.
24. Consultations are due to commence in relation to the decisions of this Committee on 28th May 2012 regarding the proposals for Audio & Visual Recording Equipment in licensed vehicles, and the proposals for vehicle age limits in line with Euro Emission Standards. The results of both consultations will be reported back to the Committee at its meeting on 19th February 2012.

Legal Implications

25. There are no legal implications contained within this report.

Financial Implications

26. Any financial implications contained within this report will be met within existing budgets.

Recommendations

27. The Committee is recommended to:
 - (i) note the content of the report; and
 - (ii) make any comments and recommendations regarding the future work of the Taxi Licensing function.

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Appendix One: Oxford City Council response to the Law Commission

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OXFORD CITY COUNCIL: RESPONSE TO THE LAW COMMISSION REFORMS TO TAXI & PRIVATE HIRE SERVICES

CHAPTER 13 - OVERVIEW OF PROVISIONAL REFORM PROPOSALS

Provisional proposal 1

Regulation should continue to distinguish between taxis, which can accept pre-booked fares, be hailed on the street and wait at ranks, and private hire vehicles, which can only accept pre-booked fares. *(Page 160)*

The Council agrees that the two-tier system should continue as this best serves the needs of the Trade and the public, and provides for the most practical protection of consumers.

CHAPTER 14 – REFORM OF DEFINITIONS AND SCOPE

Provisional proposal 2

London should be included, with appropriate modifications, within the scope of reform. *(Page 162)*

The Council agrees that all reforms should include London to ensure national consistency.

Provisional proposal 3

The regulation of taxi and private hire vehicles should not be restricted to any particular type of vehicle but should rather focus on road transport services provided for hire with the services of a driver. *(Page 164)*

The Council agrees that the regulation of Taxi & Private Hire vehicles should be wide-ranging, but that non-standard vehicles be issued with separate national standards to ensure national consistency and guidance.

Question 4

Would there be (and if so what) advantages to restricting licensing to motor vehicles that require a driving licence? *(Page 164)*

The Council holds the opinion that the licensing of Taxis and Private Hire vehicles should be restricted to motor vehicles that require a driving licence, and that other types of vehicles should be covered by separate legislation as detailed in the Law Commission proposals. As such, a Local Authority would then have the ability to judge each case (i.e. Pedicabs, Rickshaws, etc) on their own merit and make decision based locally.

Provisional proposal 5

Public service vehicles should be expressly excluded from the definition of taxi and private hire vehicles; and taxi and private hire vehicles should only cover vehicles adapted to seat eight or fewer passengers. *(Page 165)*

The Council agrees that the proposal would be consistent with current practice.

Provisional proposal 6

References to stage coaches charging separate fares should no-longer feature as an exclusion from the definition of taxis. *(Page 166)*

The Council regulates the number of taxis and opposes any reforms that may affect the regulated numbers.

Provisional proposal 7

The Secretary of State should consider issuing statutory guidance to the Senior Traffic Commissioner about the licensing of limousines and other novelty vehicles to assist consistency. *(Page 167)*

The Council supports any guidance that would lead to clarity in the licensing of such vehicles.

Provisional proposal 8

The concept of “in the course of a business of carrying passengers” should be used to limit the scope of taxi and private hire licensing so as to exclude genuine volunteers as well as activities where transport is ancillary to the overall service. *(Page 168)*

The Council supports this proposal in order to prevent unnecessary red tape from hindering this sector of the market.

Question 9

How, if at all, should the regulation of taxis and private hire deal with:

(a) carpooling; and

(b) members clubs? *(Page 170)*

The Council believes that both “carpooling” and “members clubs” should be exempt from these regulatory reforms.

Provisional proposal 10

The power of the Secretary of State and Welsh Ministers to set national standards should be flexible enough to allow them to make exclusions from the taxi and private hire licensing regimes. *(Page 171)*

The Council supports this proposal and any such exempt schemes could then be judged at a local level. However it would assist matters if national standards were put in place for such exclusions before determination as to whether any such scheme would be locally desired.

Provisional proposal 11

Weddings and funerals should no-longer be expressly excluded from private hire licensing through primary legislation. *(Page 172)*

The Council is not aware that such vehicles represent a specific problem in Oxford that would require them to be licensed. However, we are happy to consider this proposal in light of what other responses the Law Commission receive nationally with regard to this matter.

Question 12

Would there be merits in reintroducing the contract exemption, by means of the Secretary of State and Welsh Ministers' exercise of the power to set national standards? If so, what modifications could be made to help avoid abuse? *(Page 174)*

The Council believes that the setting of criteria by the client should be determined by the client still. If the client uses only licensed taxi & private hire drivers and vehicles this would avoid concerns re: abusing the system or bypassing necessary checks.

Provisional proposal 13

Regulation of the ways taxis and private hire vehicles can engage with the public should not be limited to "streets". *(Page 175)*

The Council agrees to this proposal in order to promote consistent best practice throughout the Trade.

Question 14

Is there a case for making special provision in respect of taxi and private hire regulation at airports? In particular, where concessionary agreements are in place should airports be obliged to allow a shuttle service for passengers who have pre-booked with other providers, or to the closest taxi rank? *(Page 177)*

The Council believes that the requirements made for taxis and private hire vehicles at airports should be consistent with all other procedures relating to taxi and private hire services.

Provisional proposal 15

The defining feature of taxis, the concept of "plying for hire", should be placed on a statutory footing and include:

- (a) references to ranking and hailing;
- (b) a non-exhaustive list of factors indicating plying for hire; and
- (c) appropriate accommodation of the legitimate activities of private hire vehicles. *(Page 181)*

The Council agrees that these measures would provide clear guidance to the Trade and Local Authorities and the general public, and provide a transparent legal definition of these matters.

Provisional proposal 16

The concepts of hailing and ranking should not cover technological means of engaging taxi services. *(Page 181)*

The Council agrees that the use of technology should be encouraged, allowing the consumer more choice and allowing the Trade a wider range of opportunities to engage with the public.

Question 17

Would there be advantages to adopting the Scottish approach to defining taxis in respect of “arrangements made in a public place” instead of “plying for hire”? *(Page 182)*

The Council believes that in order to safeguard public interests, all bookings for private Hire should be arranged via an Operator. This will remove any doubt about an offence of plying for hire. The Council is satisfied that its current definition of plying for hire, which was developed with the National Private Hire Association, is more than adequate:

The offence is making one's vehicle available for public hire whilst using a licensed Private Hire vehicle. It is not appropriate for Private Hire drivers to park in prominent positions (i.e. where people are likely to congregate, locations with a high level of footfall, or near a taxi rank), without a pre-booked journey having been provided by the Private Hire Operator.

Provisional proposal 18

The concept of compellability, which applies exclusively to taxis, should be retained. *(Page 182)*

The Council is committed to tackling all forms of discrimination and therefore agrees that the concept of compellability applicable to taxis be retained.

Provisional proposal 19

Pre-booking would continue to be the only way of engaging a private hire vehicle and cover all technological modes of engaging cars. This is without prejudice to the continued ability of taxis to be pre-booked. *(Page 183)*

The Council concurs with this approach as it provides the best safeguards to the public / consumer.

Provisional proposal 20

Leisure and non-professional use of taxis and private hire vehicles should be permitted. There would however be a presumption that the vehicle is being used for professional purposes at any time unless the contrary can be proved.

(Page 184)

The Council believes that the burden of proof should rest with the vehicle proprietor to maintain all necessary records to a high quality in order that it may be documented as to when the vehicle is used for licensable duties or non-licensable duties and who is driving the vehicle at all times, in order to provide transparency and aid any necessary enforcement investigations.

Provisional proposal 21

The Secretary of State and Welsh Ministers should have the power to issue statutory guidance in respect of taxi and private hire licensing requirements.

(Page 185)

The Council believes that such a proposal is very much needed and cites the Guidance issued for other licensing functions as examples of how such information can be utilised by Authorities to ensure consistent practices.

Provisional proposal 22

Reformed legislation should refer to “taxis” and “private hire vehicles” respectively. References to “hackney carriages” should be abandoned.

(Page 185)

Hackney Carriage whilst referred to by the Trade can be seen as outdated to the public. However educating the public as to the differences between taxis and private hire is essential to combat plying for hire offences.

Question 23

Should private hire vehicles be able to use terms such as “taxi” or “cab” in advertising provided they are only used in combination with terms like “pre-booked” and did not otherwise lead to customer confusion? *(Page 186)*

The Council believes that operators should not be able to use the terms “taxi” or “cab” on the actual private hire vehicle, but that it is acceptable to use these terms in their advertising or paperwork if they employ the services of Hackney Carriages.

CHAPTER 15 – A REFORMED REGULATORY FRAMEWORK

Provisional proposal 24

Taxi and private hire services should each be subject to national safety requirements. *(Page 188)*

The Council believes that uniform National standards will provide consistency and a continual modernisation of these services.

Provisional proposal 25

National safety standards, as applied to taxi services, should only be minimum standards. *(Page 189)*

The Council concurs with this proposal and welcomes the ability it will have to impose additional standards specific to our locality and customer expectations.

Provisional proposal 26

National safety standards, as applied to private hire services, should be mandatory standards. *(Page 189)*

The Council agrees with this proposal and hopes that it will ensure high levels of public safety, and alignment within Local authorities as to how to work to “Best Practice”. It will also provide clear guidance to the Private Hire trade.

Provisional proposal 27

Private hire services would not be subject to standards except those related to safety. Requirements such as topographical knowledge would no-longer apply to private hire drivers. *(Page 190)*

The Council would seek to retain Local Knowledge Tests for Private Hire and Hackney Carriage Drivers as predominately their work will be local. Whilst it is accepted that technology may assist drivers, clearly a good working knowledge of the area within which a driver works is essential to the provision of good customer service.

Question 28

Should local standard-setting for private hire services be specifically retained in respect of vehicle signage? Are there other areas where local standards for private hire vehicles are valuable? *(Page 190)*

Vehicle signage is a very useful tool to allow Officers and the public to clearly identify a taxi or private hire vehicle. The Council also believes that age limits should be permitted to be imposed on all vehicles to ensure a continual improvement in line with safety standards, emission levels and the image of the City.

Question 29

What practical obstacles might there be to setting common national safety standards for both taxis and private hire vehicles? *(Page 191)*

The Council would wish to retain its current requirement that all taxis are “purpose built nationally recognised Hackney Carriages”, and these vehicles cater for wheelchair users and those seeking immediate hiring. Authorities that allow any vehicle to be a Hackney Carriage will struggle to meet the need for ensuring an adequate fleet of wheelchair accessible vehicles, and we would propose that our model be the national model, and allow other Authorities a period of grace to meet such standards.

Another potential obstacle is that some Authorities have been very proactive in modernising the trade and the vehicles they drive, whereas others have been less so. Therefore a further period of grace may be considered to all the trade in those regions to meet with the proposed National Standards.

Question 30

Should national conditions in respect of driver safety be different for taxi services compared with private hire services? *(Page 192)*

We believe that the standards should be the same for both elements of the trade, but that the Authority may impose additional standards in relation to its locality in order to meet customer expectations.

Provisional proposal 31

The powers of the Secretary of State and Welsh Ministers to set standards for taxis and private hire vehicles should *only* cover conditions relating to safety. *(Page 192)*

The Council believes that the standards should not only cover safety, but also behaviour, customer service and an understanding of disability awareness – this should be a minimum standard for all drivers.

Provisional proposal 32

The powers of the Secretary of State and Welsh Ministers to set national safety standards should be subject to a statutory consultation requirement. *(Page 193)*

We concur that there should be a statutory consultation regarding this matter.

Question 33

What would be the best approach for determining the content of national safety standards? In particular should the statutory requirement to consult refer to a technical advisory panel? *(Page 193)*

The Council believes that the standards imposed over the last 2 years would be a very strong base for the Law Commission to utilise as the National standards, and our proposals are included with this submission.

Provisional proposal 34

Licensing authorities should retain the power to set standards locally for taxis provided above the minimum national standards. *(Page 193)*

The Council agrees that Licensing Authorities are best placed to determine further conditions above those set at a National level in relation to taxi services.

Question 35

Should there be statutory limits to licensing authorities' ability to set local taxi standards? *(Page 194)*

The Council is satisfied that in Oxford the taxis are clearly distinguishable from private hire vehicles through an already imposed local condition. We should very much like to maintain our ability to ensure that the two trades are clearly identifiable, and that we can react to and support transport needs specific to our locality.

Question 36

Should licensing authorities retain the power to impose individual conditions on taxi and private hire drivers or operators? *(Page 194)*

Individual conditions should be permitted to be placed on drivers, proprietors and operators either by the Licensing Authority or the Courts in response to specific issues in the interest of public safety.

Question 37

Should the powers and duties of licensing authorities to cooperate be on a statutory footing or is it best left to local arrangements? *(Page 195)*

We believe that such cooperation is best left to local arrangements, but the Council would welcome guidance on the matter to ensure consistency between Authorities.

Provisional proposal 38

Neighbouring licensing authorities should have the option of combining areas for the purposes of taxi standard setting. *(Page 196)*

The Council agrees with this proposal, however, there would need to be joint agreement between the Authorities to raise standards to a maximum level to ensure broad consistency throughout the relevant districts.

Provisional proposal 39

Licensing authorities should have the option to create, or remove, taxi zones within their area. *(Page 196)*

The Council would welcome this option.

Question 40

Would it be useful for licensing authorities to have the power to issue peak time licences which may only be used at certain times of day as prescribed by the licensing authority? *(Page 197)*

Whilst the Council understands the reasoning for this proposal, it may place an unnecessary burden on the role of the Licensing officers to regulate this scenario, and it would require clear and identifiable records be fastidiously maintained by those providing such a peak time service.

Provisional proposal 41

Private hire operators should no longer be restricted to accepting or inviting bookings only within a particular locality; nor to only using drivers or vehicles licensed by a particular licensing authority. *(Page 198)*

The Council supports this proposal however we would like to see an end to the out-of-district Hackney Carriage services being utilised by Private Hire Operators, who simply wish to obtain more vehicles to carry out work within Oxford. These Hackney Carriages appear to work predominantly as Private Hire Vehicles within Oxford. The drivers and their vehicles are not of the same quality as those licensed by this Council.

Provisional proposal 42

We do not propose to introduce a “return to area” requirement in respect of out-of-area drop offs. *(Page 199)*

We agree to this proposal in relation to Private Hire, but would refer you to our comments relating to out-of-district Hackney Carriages in our response to PP41.

Provisional proposal 43

Licensing authorities should retain the ability to regulate maximum taxi fares. Licensing authorities should not have the power to regulate private hire fares. *(Page 200)*

The Council agrees with this proposal in order to ensure that the public are not exploited.

Question 44

Should taxis be allowed to charge a fare that is higher than the metered fare for pre-booked journeys? *(Page 200)*

If the booking is taken via a Private Hire Operator, then the Council sees no reason why the vehicles should not operate for that journey at the rate agreed by the Operator with the customer.

CHAPTER 16 – REFORM OF DRIVER, VEHICLE AND OPERATOR LICENSING

Question 45

Should national driver safety standards such as the requirement to be a “fit and proper person” be either:

(a) set out in primary legislation; or

(b) included within the Secretary of State and Welsh Ministers’ general powers to set national safety conditions? *(Page 203)*

The Council believes that these standards should be set out in primary legislation to ensure that the Licensing Sub-Committee and the Courts may be reliant on the legislation to support their decisions.

Provisional proposal 46

Vehicle owners should not be subject to “fit and proper” tests and the criteria applied would relate solely to the vehicle itself. *(Page 204)*

The Council agrees with this proposal, but would like the Law Commission to consider whether a vehicle owner who continually fails to maintain his or her vehicles should be permitted to obtain such a licence.

Question 47

Should national vehicle safety standards be either:

(a) set out in primary legislation; or

(b) included within the Secretary of State and Welsh Ministers’ general powers to set national safety conditions? *(Page 205)*

The Council holds the view that the National Safety standards should be included within the Secretary of State and Welsh Minister’s general powers to set such conditions.

Provisional proposal 48

Operator licensing should be retained as mandatory in respect of private hire vehicles. *(Page 207)*

The Council agrees with this proposal, on the grounds that it protects the customer and assists with public safety.

Question 49

Should operator licensing be extended to cover taxi radio circuits and if so on what basis? *(Page 208)*

The Council believes that Taxis that are provided with work by Operators should be included in the proposal in order to ensure accurate records of bookings and journeys are maintained.

Provisional proposal 50

The definition of operators should not be extended in order to include intermediaries. *(Page 209)*

The Council agrees with this proposal.

Question 51

Should “fit and proper” criteria in respect of operators be retained? *(Page 210)*

The Council firmly believes that checks are required for those proposing to run such companies, in order to protect customers.

Provisional proposal 52

Operators should be expressly permitted to sub-contract services. *(Page 210)*

The Council agrees with this proposal, but would refer the Law Commission to our comments relating to out-of-district Hackney Carriages as detailed in our response to PP41.

Question 53

Where a taxi driver takes a pre-booking directly, should record-keeping requirements apply? *(Page 210)*

The Council is of the opinion that all pre-booked jobs should be recorded, in order to ensure accurate records journeys are maintained, and to safeguard the interests of the public.

CHAPTER 17 – REFORMING QUANTITY CONTROLS

Provisional proposal 54

Licensing authorities should no longer have the power to restrict taxi numbers. *(Page 213)*

We disagree. The Council believes that it is best placed to determine the transport needs of its locality. We say this as our knowledge of local services, roads, transport facilities and the needs of those who live, work and visit Oxford is extensive.

Question 55

What problems (temporary or permanent) might arise if licensing authorities lost the ability to restrict numbers? *(Page 213)*

Deregulation would lead to traffic congestion, pollution, illegal parking (due to limited rank space) and less compliance by the Trade who are all seeking to earn money in a harsh financial climate. We believe this will lead to disputes amongst drivers.

Question 56

Should transitional measures be put in place, such as staggered entry to the taxi trade over a scheduled period of time, if quantity restrictions are removed?
(Page 215)

Should the Government proceed with deregulation, then the Council would wish to impose our current requirement that all taxis are “purpose built nationally recognised Hackney Carriages” in order to ensure the highest quality and most adaptable vehicles provide such a service. This in itself would prevent a sharp increase in numbers as the purchase cost of such vehicles are higher than of those for standard private hire vehicles.

By permitting prudent vehicle age limits a Local Authority can ensure high standards, and prevent the issues arising as detailed in our response to Q55.

CHAPTER 18 – TAXI AND PRIVATE HIRE REFORM AND EQUALITY

Question 57

Should there be a separate licence category for wheelchair accessible vehicles? This could involve:

- (1) a duty on the licensee to give priority to disabled passengers; and
- (2) a duty on the licensing authority to make adequate provision at ranks for wheelchair accessible vehicles. (Page 217)

If a requirement for all Taxis is that they are all purpose built nationally recognised taxis, then every Local Authority will be able to ensure a good quota of wheelchair accessible vehicles and a widely accessible service to meet customer needs.

Oxford already operates conditions relating to taxi drivers giving due assistance to disabled passengers and that a driver may not refuse a fare requested by such a customer.

Question 58

Should licensing authorities offer lower licence fees for vehicles which meet certain accessibility standards? (Page 217)

The licence fee should be calculated on administration, material and enforcement costs, any discounts given would give the impression that it costs less to carry out such a service.

Question 59

Do you have any other suggestions for increasing the availability of accessible vehicles, and catering for the different needs of disabled passengers? (Page 217)

The Council refers the Law Commission to our comments in response to Q57.

Provisional proposal 60

We do not propose to introduce national quotas of wheelchair accessible vehicles. *(Page 218)*

The Council agrees to this proposal but asks the Law Commission to consider our comments in response to Q57.

Provisional proposal 61

National standards for drivers of both taxis and private hire vehicles should include recognised disability awareness training. *(Page 219)*

The Council already requires all new applicants to undertake a Disability Awareness Course, and therefore we support this proposal.

Provisional proposal 62

In order to better address concerns about discrimination, taxis and private hire vehicles should be required to display information about how to complain to the licensing authority. *(Page 219)*

The Council agrees with this proposal, as many customers only complain to the driver or operator and do not realise that the Licensing Authority has the power to investigate and take enforcement measures.

Question 63

What would be the best way of addressing the problem of taxis ignoring disabled passengers seeking to hail them? Could an obligation to stop, if reasonable and safe to do so, in specified circumstances, help? *(Page 220)*

The Council approves this idea, however enforcing the matter may not be so easy.

CHAPTER 19 – REFORMING ENFORCEMENT

Question 64

Should authorised licensing officers have the power to stop licensed vehicles? *(Page 222)*

The Council believes that it's Licensing officers should be given such powers in order to tackle issues of non-compliance on the spot.

Question 65

What more could be done to address touting? Touting refers to the offence "in a public place, to solicit persons to hire vehicles to carry them as passengers". *(Page 223)*

If touting is carried out in a licensed vehicle, the power to remove the licence plate and immediately suspend both the driver and vehicle until determined by the Sub-Committee would assist greatly.

Question 66

Would it be desirable and practicable to introduce powers to impound vehicles acting in breach of taxi and private hire licensing rules? *(Page 223)*

The Council believes that such actions would create additional work and potentially loss of revenue, and therefore believe that failures to meet with the requirements of the rules should be dealt with via Enforcement Policies such as our own (included with our submission).

Question 67

Should licensing authorities make greater use of fixed penalty schemes and if so how? *(Page 225)*

The Council supports such a possibility, and would hope that the issue of fixed penalties would lead to greater compliance within the Trade.

Provisional proposal 68

Enforcement officers should have the powers to enforce against vehicles, drivers and operators licensed in other licensing areas. *(Page 225)*

The Council supports this proposal but believes that the matter should be referred back to the authority who issued the licence in order that they carry out such actions.

Question 69

Should cross-border enforcement powers extend to suspensions and revocation of licences? If so what would be the best way of achieving this? *(Page 226)*

The Council believes that our response to PP68 would be the best approach in this matter.

CHAPTER 20 – REFORM OF HEARINGS AND APPEALS

Provisional proposal 70

The right to appeal against decisions to refuse to grant or renew, suspend or revoke a taxi or private hire licence should be limited to the applicant or, as appropriate, holder of the relevant licence. *(Page 230)*

The Council supports this proposal and does not see why this option should be available to other parties.

Provisional proposal 71

The first stage in the appeal process throughout England and Wales, in respect of refusals, suspensions or revocations should be to require the local licensing authority to reconsider its decision. *(Page 231)*

The Council supports this proposal, but would require different Members to sit on the Sub-Committee that determined an appeal. This would also be more cost effective for Local authorities.

Provisional proposal 72

Appeals should continue to be heard in the magistrates' court. *(Page 232)*

The Council supports the view that further appeals should be heard in the Magistrates Court, and would advise other Authorities to ensure that their Policies are clearly defined in order that the Courts may refer to them.

Question 73

Should there be an onward right of appeal to the Crown Court? *(Page 233)*

The Council believes there should be an onward right of appeal to the Crown Court, especially in test cases.

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To: General Purposes Licensing Committee

Date: 17 October 2012 **Item**

To: City Executive Board

Date: 5 December 2012

Report of: Head of Environmental Development

Title of Report: Request to licence electrically assisted passenger carrying Pedicabs in the city

Summary and Recommendations

Purpose of report: To consider a request to licence electrically assisted passenger carrying Pedicabs.

Report Approved by:

Finance: Paul Swaffield

Legal: Daniel Smith

Policy Framework: Vibrant Sustainable Economy
Cleaner, Greener, Oxford

Recommendation(s):

- i) that General Purposes Licensing Committee comment on whether further consideration should be given to the licensing of electrically assisted passenger carrying Velotaxi in the City.
- ii) that City Executive Board decides whether further consideration should be given to the licensing of electrically assisted passenger carrying Velotaxi in the City; and subject to this decision:
- iii) to request that the Head of Environmental Development submit a further report detailing the draft conditions of fitness applicable to such vehicles and the costs likely to be incurred by the Authority in relation to the licensing of electrically assisted passenger carrying Velotaxi in the City.

Introduction

1. A request has been received to licence "Velotaxis" which are electrically assisted passenger carrying Pedicabs in the City. The company proposing this green transport is Veloform UK, who have submitted a brief of their proposals which is attached at **Appendix One**.

2. At the time of writing this report, it is believed to be the case that no other Authority has yet issued a licence for the vehicles detailed in the proposal document.

Background

3. There are a number of issues that the Committee may wish to consider before deciding if such transport services should be licensed as the Velotaxi does not meet with the conditions of fitness applicable to either Hackney Carriage or Private Hire Vehicles licensed by the Authority.
4. Furthermore, the Council regulates the number of Hackney Carriage Vehicle licences, and therefore a Velotaxi could not be licensed as a Hackney Carriage unless the Council determines to deregulate the number of Hackney Carriage Vehicles it licences.
5. Therefore, a Velotaxi may only be licensed as a Private Hire Vehicle, and as such the conditions of fitness applicable to such vehicles would need to be amended to permit the vehicles proposed by the applicant.
6. The current criteria for Private Hire Vehicles adopted by the Council relates solely to motorised passenger vehicles of an engine size of 1375 cc or more and that may carry between 4 and 8 passengers. The Conditions of Fitness applicable to the licensing of Private Hire Vehicles can be found at page 16 of the Hackney Carriage and Private Hire Vehicle Licence Application Pack that is attached as **Appendix Two**.

Legal Considerations

7. The Town Police Clauses Act 1847 allows a Local Authority to licence vehicles as a Hackney Carriage, Section 37 of that Act and Section 16 of the Transport Act 1985 allows an Authority to regulate the number of licenses it issues. This Authority currently licences 107 Hackney Carriage Vehicles.
8. Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 provides that a local authority shall not licence a vehicle for private hire unless it is satisfied that it is suitable in type, size and design for such a use and is safe, comfortable and in a suitable mechanical condition. An authority may attach such conditions to the grant of a private hire vehicle licence as it considers reasonably necessary.
9. If Council is minded to licence a Velotaxi as a Private Hire Vehicle, then particular attention should be paid to the current Law Commission reform of Taxi and Private Hire services, whose view is that such vehicles would not be deemed to be either Hackney Carriage or Private

Hire Vehicles, and that they would be regulated under an alternative form of legislation to be drafted along with national standards set by the Secretary of State. The Law Commission are due to publish a response to their reform consultation in the Spring of 2013 and it is hoped that clearer guidance will be available then.

Financial Considerations

10. If Council wishes to consider this proposal further rather than await the outcome of the Law Commission reform of Taxi and Private Hire services, then Officers will need to explore the criteria of the proposed Pedicabs, in order to draft conditions of fitness, and report back to this Committee to seek approval to amend the current conditions of fitness applicable to Private Hire Vehicles.
11. If the vehicles were to be licensed as Private Hire, fees are already set for the drivers, proprietors and operators.

Recommendations

12. It is recommended:
 - i) that General Purposes Licensing Committee comment on whether further consideration should be given to the licensing of electrically assisted passenger carrying Velotaxi in the City.
 - ii) that City Executive Board decides whether further consideration should be given to the licensing of electrically assisted passenger carrying Velotaxi in the City; and subject to this decision:
 - iii) to request that the Head of Environmental Development submit a further report detailing the draft conditions of fitness applicable to such vehicles and the costs likely to be incurred by the Authority in relation to the licensing of electrically assisted passenger carrying Velotaxi in the City.

Name and contact details of author: **Julian Alison**
Licensing Team Leader
Environmental Development
Tel: 01865 252115
Email: jalison@oxford.gov.uk

Appendix One : **Veloform UK proposal**

Appendix Two: **Hackney Carriage and Private Hire Vehicle Licence Application Pack**

Version number: 1

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CityCruisers

A new Green Urban
Transport Option UK Cities



Tested and approved by VOSA
Taxed by DVLA, Insured in UK

veloform

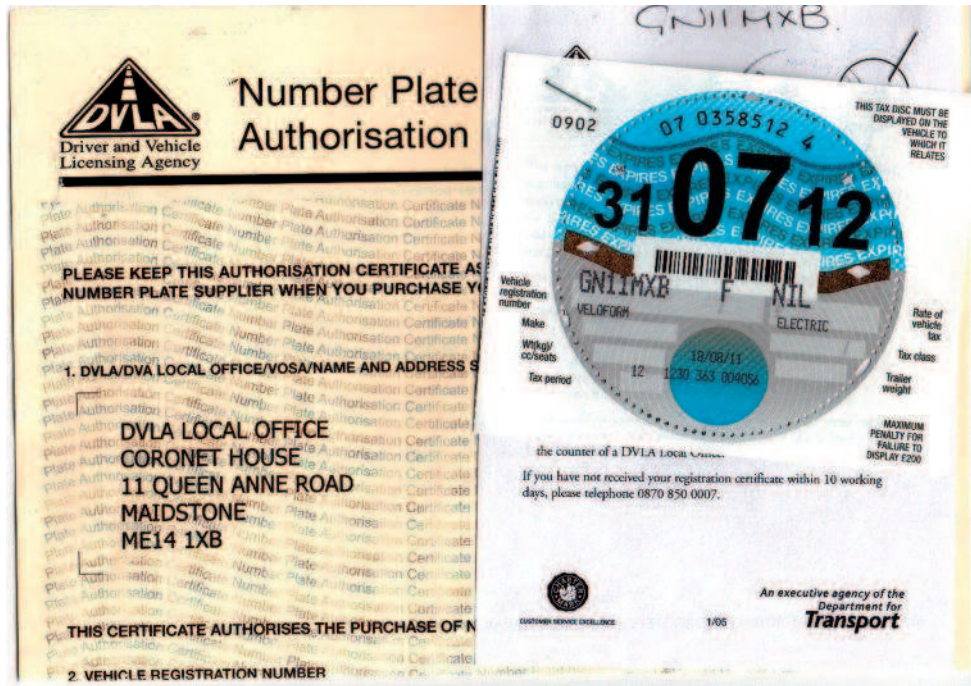
veloformuk

Executive Summary

- VeloformUK wish to operate the CityCruiser electrically assisted passenger carrying pedicab on city streets
- These vehicles have been proven to be safe by being built to EU standards, tested in UK, and by virtue of their being operated without accident in many busy cities around the world
- The operation of CityCruisers as PHVs would control Drivers, Vehicles and Operators
- A small fleet of CityCruisers would provide a quality tourist opportunity and would offer seasoned visitors the comfort of a known reliable experience
- CityCruisers provide a Green Urban Transport option to complement existing services



The purpose of this document is to provide information on the CityCruiser, the manufacturer Veloform GmbH (Berlin) and the UK agent VeloformUK.



Tax disk showing Registration number GN11 MXB

CityCruiser (CC) v West End Pedicab (PC)

Tested and approved by VOSA, insured in UK and taxed by DVLA

For the sake of clarity it must be stressed that the CityCruiser should in no way be compared to the rickshaw type vehicles currently found in London's West End. The differences are numerous with some of the most significant being:

- Licence** ~ CCs are all number plated, taxed & insured – PCs are not
- Driver**~ CCs drivers must be over 17 and hold a motorcycle or car licence
- Insurance**~ CCs must be insured as vehicles and for carriage of passengers



Your city deserves the latest, safest urban transport

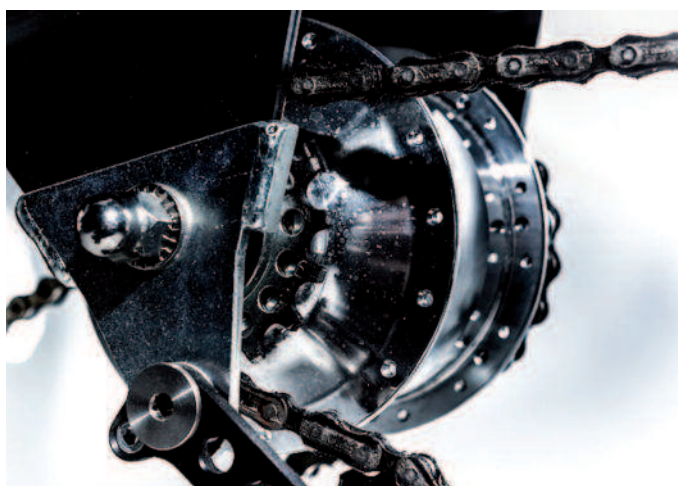
The CityCruiser

Power

Classified in the UK by VOSA & DVLA as a *low powered moped* the vehicle is a tricycle with a 36v 250w electric hub motor driving the front wheel. The total power is created by the electric motor pulling the front wheel and pedal power driving the rear wheels. This combination produces a vehicle with good acceleration ('0,3m / S2') to a comfortable cruising speed and a top speed of 25kph. This vehicle is non-polluting.



Powerful motor; twin hydraulic disk brakes



Rolhoff the finest hub gear available

Safety

Built in Germany from almost exclusively European components, the CityCruiser satisfies the exacting safety test standards of the German DEKRA vehicle testing organisation. The UK specification includes rear seatbelts, uprated motor and brake modifications. The vehicles, in addition to a qualified driver, will only be permitted to carry up to two adults, or one adult and a child taller than 1.25m.



The coveted Dekra Award was first granted in 2000 to the CityCruiser I, then again in 2006 for the CityCruiser II. In both cases the DEKRA/TUV certification recognised the compliance to testing criteria and regulations as specified in Directive 2002/24/EC in relation to type-approval of two & three-wheel motor vehicles. These certificates highlight the high standard to which both the vehicles have been designed and manufactured as they are internationally known and accepted.

The bodyshell is moulded from high grade polyethylene which is extremely strong. As with 95% of all other components of the vehicle this bodyshell is totally recyclable.



Impact resistant polyethelene bodyshell

The running and parking brakes are motorcycle components with large discs and hydraulically operated callipers.

Comfort

Access to the deep set rear seat is an easy step up through wide side openings with convenient hand holds. The coil spring rear suspension and large profile tyres give a gentle ride. The front windscreen protects the passengers and optional transparent side screens are available.

The directors of Veloform GmbH wish to confirm that in the fifteen years that the CityCruisers (models I & II) have been in production a total of over 2,000 have been built. They currently operate in 51 countries on five continents and there has not been a single reported serious accident. Safety is at the heart of the design and forefront of the operation of the CityCruisers.

The experience of operating in the ‘traffic hostile’ cities of Tokyo, Paris, New York, Frankfurt & Beijing provides the background to safely handle these challenges



Exposed Chassis shows rear coil springs & battery store

Veloform’s desired results from it’s application:

- The Council accept that the CityCruiser can be used as a Private Hire Vehicle
- The Council agree to the operation of CityCruisers for pre-booked tourist trips within the area of their jurisdiction.
- The Council will give sympathetic consideration to the granting of permission for the vehicle to carry pre-approved signage relating to the operator.

Safe Transport – we understand that in order for the Council to approve the Veloform CityCruiser II being used as a Private Hire Vehicle it must first and foremost be satisfied that the vehicle is safe to legally carry passengers. Additionally the strategic responsibilities of the 2004 Traffic Management Act will need to be taken into account.

These we believe can be satisfied by:



The GS symbol ensures that a product does not endanger the health and safety of the user under normal conditions of use or reasonably foreseeable misuse thereof. DEKRA offers the GS symbol for many electrical and mechanical commodities.



The Vehicle and Operator Services Agency (VOSA) provides a range of licensing, testing and enforcement services with the aim of improving the roadworthiness standards of vehicles, ensuring the compliance of operators and drivers, and supporting the independent Traffic Commissioners.



For the past fifteen years Veloform CityCruisers have operated safely as ‘Velotaxis’ in 150 Cities throughout the world. To date in excess of 2000 vehicles have been built and no significant accidents have been reported to Veloform GmbH. The vehicles are currently operating in many cities with comparable traffic conditions to those of London.

CityCruisers

Annexes



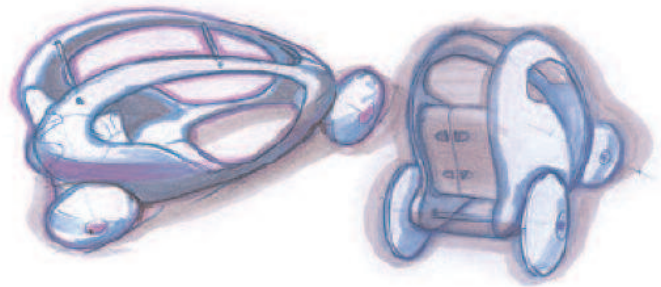
- i The design idea
- ii Veloform's UK recent History
 - ii / a Letter from Minister Penning to MP Fallon 2011
 - ii / b Letter from Minister Penning to VeloformUK via MP Fallon 2012
 - ii / c Letter from Michael Cramer MEP a Transport spokesman in EU Parliament 2004
- iii Worldwide "Velotaxi Cities" 153 locations, 51 Countries, 5 Continents
- iv CityCruiser – Technical specification
 - iv / a – c CityCruiser – Detailed images

Annexe i The Design

1997 - The idea to develop a European version of the Asian rickshaw was born in Berlin, Germany and led to the foundation of Velotaxi GmbH.



Anselm Franz and Stefan Kruschel, managing directors of Veloform



Sketches during development

Because of congested urban areas, increasing pollution, and a growing awareness of the importance of sustainable development, Veloform's long term ambition is to provide the market with a zero emission vehicle that is fully adapted to current needs and the needs of a "green" future.

CityCruiser is a flexible and alternative means of transport. CityCruisers are ideal for short trips within a city (1-6 km), as a complement to any major city's transport services.

It is Veloform's intention to provide the pedicab market with a state-of-the-art vehicle, which would combine high-tech and design, offering the highest standards of safety and comfort.

Your tourism industry is important. The CityCruiser offers new opportunities to provide guided tours. Your city could enhance its image as a friendly, pleasant and "green" city. Additionally, word-of-mouth would contribute to additional marketing your city.

Veloform's development in international markets has been reinforced by technical certification and compliance of Veloform's products to legislation.

Annexe ii
UK / EU Legislation

From the early days of Veloform’s export expansion the company has tried to introduce its innovative, green vehicles to UK. The fundamental barrier to entry of the worldwide standard CityCruiser lies in the 1988 Road Traffic Act. The vehicle was designed within the legislative framework of EU directives on EAPCs (Electric Assisted Pedal Cycles) - however, unique to UK, is an overall weight restriction of 60kgs. The CityCruiser II exceeds this by around 100kgs.

On several occasions Veloform has discussed with both the Department for Transport and the Minister for Transport the lack of synchronicity between UK & EU law in this area, the most recent contact being December 2011 (annexe ii/b). We understand a ministerial review is likely within the next two years - however it has been suggested by our MP that, were we to start legal action on this matter, changes could occur sooner. At present Veloform has no plans to initiate such action.

The current Veloform strategy has been to have the CityCruiser II classified and approved as a “vehicle” (exclusively in UK).



Annexe ii/a
Letter to Fallon from Penning



**From Mike Penning MP, Parliamentary
Under Secretary of State**

Michael Fallon MP
House of Commons
London
SW1A 0AA

Department for
Transport

Great Minster House
33 Horseferry Road
London SW1P 4DR

Tel: 020 7944 3084
Fax: 020 7944 4521
E-Mail: mike.penning@dft.gsi.gov.uk

Web site: www.dft.gov.uk

Our Ref: MC/22992

- 1 DEC 2011

Dear Michael

Thank you for your letter of 17 October, regarding your constituent, Mr John Douglas of Veloformuk, Saxon Hill, Westerham, TN16 1AN, requesting an update concerning the weight limit of Electrically Assisted Pedal Cycles

The Department has considered the comments from both the public consultation held in 2010 and the comments received from the Red Tape Challenge.

The next steps will be agreed shortly and a statement will be published on the Department's website.

Regards
MP

MIKE PENNING

Annexe ii/b

Letter to MP Fallon from Penning

Department for
Transport

From Mike Penning MP, Parliamentary
Under Secretary of State

Great Minster House
76 Marsham Street
London SW1P 4DR

Tel: 020 7944 3084
Fax: 020 7944 4521
E-Mail: mike.penning@dft.gsi.gov.uk

Web site: www.dft.gov.uk

Our Ref: MP/003928/11

Michael Fallon MP
House of Commons
London
SW1A 0AA

- 2 FEB 2011

Dear Michael

Thank you for your letter of 24 January to Norman Baker, on behalf of a constituent who would like to know what plans the Department of Transport has to increase the weight capacity of Electrically Assisted Pedal Cycles (EAPCs). I am replying as Minister responsible for road safety.

A public consultation on the construction standards of EAPCs (including weight limits) was published last year. We are analysing the responses and hope to publish the results and next steps in due course.

With regards
Mike

MIKE PENNING

Annexe ii/c
Announcement from Minister Penning

Department for **Transport** What's new | Press | Ministers | Cook

Home | Transport topics | Publications | Consultations | Statistics | Transparency | **News** | About

You are here: [DfT home](#) > [News](#) > [Statements](#) > [Electrically Assisted Pedal Cycles](#)

Statements

Electrically Assisted Pedal Cycles

Delivered by: [Mike Penning MP](#)
 Publisher: [Department for Transport](#)
 Delivered date: [12 January 2012](#)
 Type: [Written statement](#)
 Mode/topic: [Roads](#) , [Sustainable travel](#)



The Parliamentary Under Secretary of State for Transport (Mike Penning): I am today publishing the responses to a public consultation which sought views on proposals to provide closer alignment of GB regulations with European rules.

The consultation was launched on 5th January 2010 in conjunction with a related consultation on Electric Personal Vehicles (EPVs) and ran until 30 March 2010. The EAPC Regulations were also included within the 'Retail' and 'Road Transportation' themes of the 'Red Tape Challenge' which ran from April 7th to June 17th 2011.

The Department has considered the responses and supports recommendations to harmonise power limits (from 200 Watts to 250 Watts) with similar provisions in place across the EU – allowing consumers access to a wider range of electrically assisted cycles.

Regulatory proposals will be developed to update power limits and consider other amendments, for example on weight limits, once EU discussions on a much wider group of 2, 3 and light 4-wheeled vehicles conclude. The outcome of EU discussions could have implications for the regulation of EAPCs, and it would therefore be unhelpful to make amendments at this time which might need to be subsequently repealed.

Annexe ii/c

Letter from Michael Cramer MEP a Transport spokesman in EU Parliament

EUROPÄISCHES PARLAMENT



Michael Cramer
MITGLIED DES EUROPÄISCHEN PARLAMENTS
8 H 247; Rue Wiertz
B-1047 Brüssel
Tel.: 0032-2-284 5779 Fax: -9779

Brussels, 7th December 2004

Dear Sir or Madam,

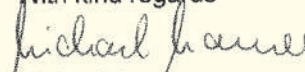
In 1997 the Velotaxi GmbH started to operate rickshaws in Berlin and by Co-operation Partners in many other European cities. Since then I have been following the development of this company with big interest. I am very happy about the considerable success, especially, because it's the European wide distribution of an environmentally friendly and innovative product from Berlin.

The modern vehicles (CityCruisers), which are developed by Velotaxi and produced and sold by Velotaxi's partner Veloform, have become an integral part of the cityscape in Berlin. The new traffic concept is established. It's popular with Berliners as well as with tourists. It closes a gap in the public transportation system.

In Germany the CityCruiser is legally considered a „cycle“. The auxiliary electronic motor does not affect this classification, because it only has a power of up to 0,25 kW. The European law supports the handling of the CityCruiser as a cycle. The directive 2002/24/EC allows the interpretation, that a cycle with an auxiliary electric motor having a maximum continuous rated power of 0,25 kW, of which the output is progressively reduced and finally cut off as the vehicle reaches a speed of 25 km/h, or sooner, if the cyclist stops pedalling, is not classified as a motorized vehicle.

I wish Velotaxi the best for its expansion in Europe and I hope, that many European cities get to know about the advantages of this environmentally friendly city transportation and support the creation of a local Velotaxi company.

With kind regards


Michael Cramer

Annexe iii
CityCruiser: an international presence

Below is a table showing some of the countries and cities in which Veloform's vehicles have been sold. Veloform's pedicabs have also been used at a number of major events, listed below.

Country – Europe (20+)

- Austria
- Belgium
- Cyprus
- Czech Republic
- Denmark
- Estonia
- France
- Finland
- Germany

- Greece
- Holland
- Hungary
- Ireland
- Italy
- Lithuania
- Norway
- Romania
- Spain
- Sweden
- Switzerland
- Turkey
- United Kingdom

City

- Vienna
- Vienna, Linz, Innsbruck
- Valetta
- Prague
- Copenhagen
- Tallinn
- Bordeaux
- Helsinki
- 15 including Berlin, Augsburg, Bremen, Dresden, Dusseldorf, Erfurt, Frankfurt, Freiburg, Hamburg, Hannover, Leipzig, Potsdam
- Athens
- Amsterdam, Rotterdam, Den Haag, Delft
- Budapest
- Dublin
- Rome, Milan
- Vilnius
- Bergen, Stavanger
- Bucharest
- Barcelona, Madrid
- Stockholm, Malmo
- Basel, Geneva, Bern
- Istanbul
- London, Cardiff, Norwich

Rest of the World (20+)

- Argentina
- Australia
- Canada
- Chile
- China
- Columbia
- Dominican Republic
- Japan

- Korea
- Lebanon
- Mali
- Mexico
- Morocco
- New Zealand
- Russia
- Saudi Arabia
- South Africa
- United States
- Venezuela
- Quatar

City

- Buenos Aires
- Sydney, Melbourne
- Toronto, London, Windsor
- Santiago
- Beijing

- Tokyo, Osaka, Kobe, Nara, Nagasaki, Sendai, Okayama, Hiroshima, Kitakata, Fukoka, Kyoto

- Beirut

- Mexico City
- Tangier
- Auckland
- Moscow, St. Petersburg
- Riad
- Cape Town
- New York, Sacramento
- Caracas
- Doha

Major Events including:

- Peugeot Road Show 2011
- Hannover Fair
- Ecovelocity 2011
- Kartner Fair 2011
- IAFF World Championships 2009
- Allianz Swiss Tennis Open 2007 & 2008
- Film Festival 2008 Toronto
- US Tennis Open 2007
- Expo 2005 Aichi
- FIFA 2006
- Expo 2005

Country (City)

- Various
- Hannover
- London
- Austria
- Berlin
- Basel
- Canada
- NYC
- Japan
- Germany (Berlin)
- Japan (Nagoya)

Annexe iv
Technical Specifications

CityCruiser II®

Performance Features:

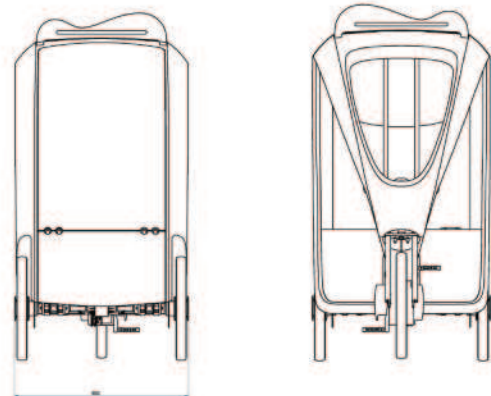
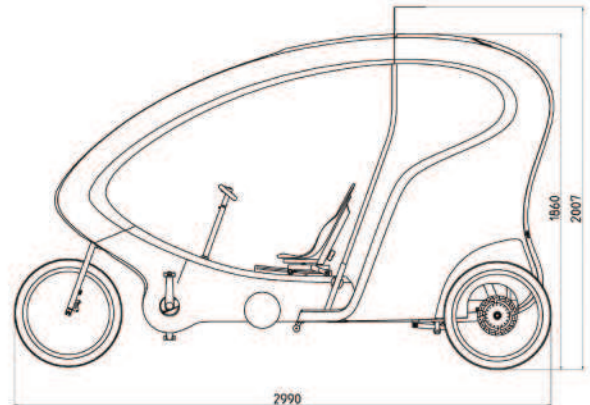
- Approval in the European Union as a bicycle
- Payload up to 300kg
- Capacity 3 Adults

Standard Features:

- Dimensions L x W x H 3m x 1m x 2m
- Weight 136 kg (standard-package includes motor and batteries)
- German made electric motor assist (36V, 22 Ah /790 Wh)
- Hella Lights and indicator system/brake lights
- Panasonic Lead-Gel-Batteries (3x12V/17Ah)
- Shimano 7-gear shift
- Magura parking brake (hydraulic front)
- Brembo disc brakes (hydraulic rear)
- Tecumseh differential
- Suspension
- Multifunctional props for passenger compartment (boarding aid, cable conduit, mounting point for iPad bracket)
- Adjustable driver's seat
- Adjustable rear-view mirrors
- Perspex back panel
- Removable rain shield
- Polyethylene cabin

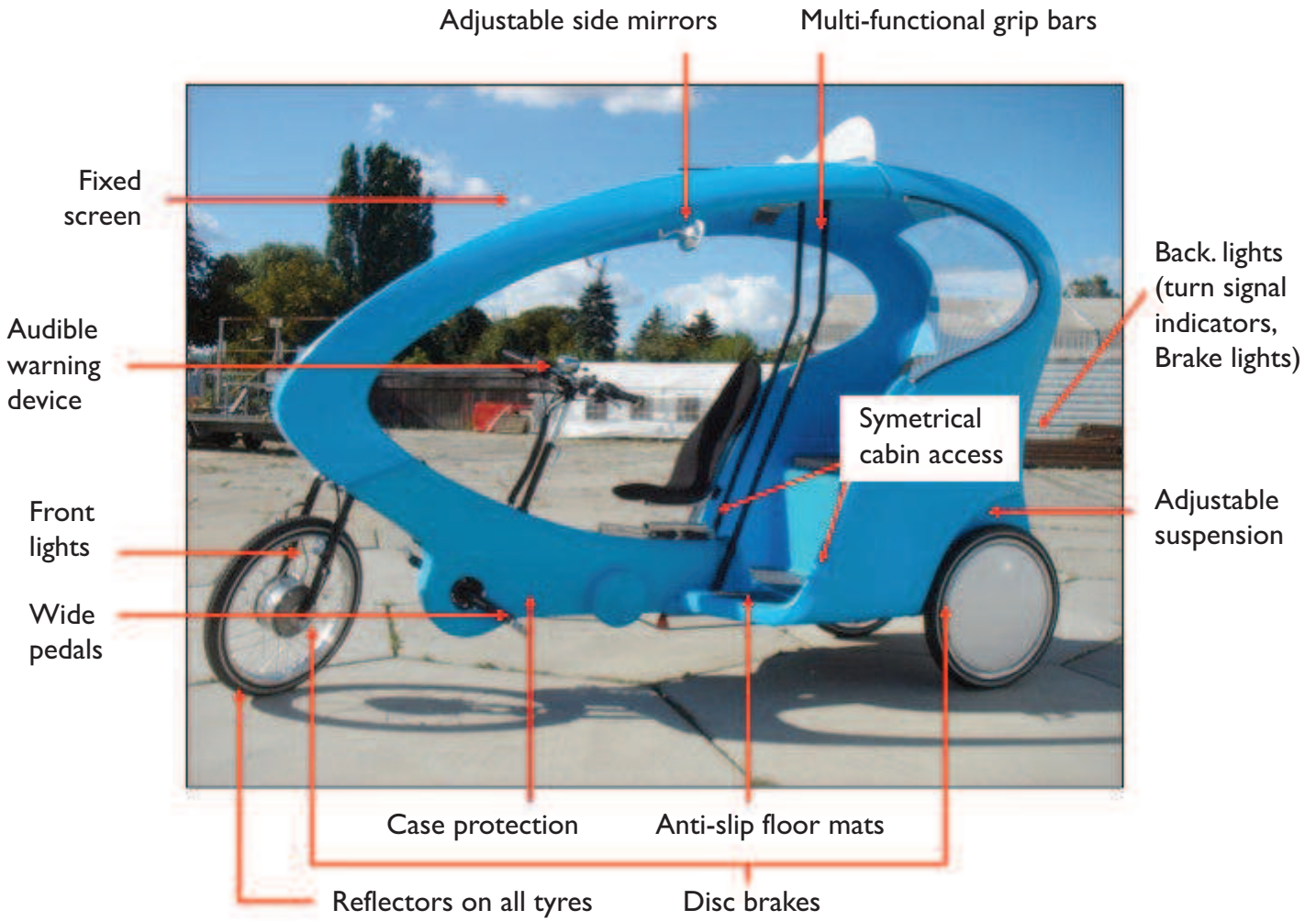
Special Features:

- Adjustment of the motor engine power according to licensing in each country
- Rohloff Speedhub Gear (14 gears)
- Lithium-Ion battery
- Additional battery capacity
- Fuel cell (65W, 1600 Wh/Day; 2,7A; 24V/36V)
- Solar panels (75W, 1700 Wh/Day; 2A, 24V/36V)
- Additional lighting (inside, outside)
- Sound system
- iPad-bracket in the passenger compartment
- Special paint chassis
- Special colouring for cabin
- Additional rain shield (rear)
- More extras on request



Annexe iv/a

CityCruiserII



Annexe iv/b

The CityCruiser does not require doors which makes alighting and exiting speedier and easier than in many other public vehicles. Safely tucked into the rear bench seat passengers can use seatbelts if they wish as they enjoy their ride. The compact design of the CCII (width:99cms) combined with a small turning circle enables this eco-friendly urban transport vehicle to move easily in congested locations.

Wheels cannot be reached by passengers when in motion



Forward facing driver seat, that can be moved forwards and backwards according to the requirements of the driver

Multi-functional grip bars (yellow markings can be added)

Forward facing passenger seating



Annexe iv/c



Anti-slip floor mats – easy to clean

Distance from ground is 33cm
(yellow markings can be added to the floor of the point of entry into the pedicab)

Rear bench seat for two passengers
(can be fitted accordingly with seatbelts bearing an EC mark)
(fire resistant and water resistant on demand)



Two rear back lights, including turn signal indicators and brake-lights

Large rear screen

ENVIRONMENTAL DEVELOPMENT

www.oxford.gov.uk



**APPLICATION PACK FOR:
HACKNEY
CARRIAGE &
PRIVATE HIRE
VEHICLE
LICENCE**



04/07/2012

OXFORD CITY COUNCIL

HACKNEY CARRIAGE & PRIVATE HIRE VEHICLE LICENSING APPLICATION PACK

CONTAINED WITHIN THIS APPLICATION PACK YOU WILL FIND:

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INTRODUCTION

It is important that you read this application pack in full before applying for a Hackney Carriage or Private Hire vehicle Licence. This application pack should be kept for future reference so that you are fully aware of the procedures in obtaining or renewing your licence, and the guidelines, criteria, conditions and regulations of the licence.

The Council licences Hackney Carriage and Private Hire drivers, vehicles and Private Hire Operators. The authority for doing so was adoption of the Local Government (Miscellaneous Provisions) Act 1976, Part 2, together with the Town Police Clauses Act 1847, and the Public Health Act 1875.

Appointments

Due to the high volume of drivers, vehicles, and new applicants, all applications to obtain or renew a licence must be made by a **pre-booked appointment only** with the Licensing Officer.

Licence

Licences are currently issued annually, subject to the Licensing Authority being satisfied that the applicant is "fit and proper" to be issued with the licence, and that the vehicle meets with the guidelines, criteria, conditions and regulations as described within this Application Pack. Private Hire vehicles are not permitted to be licensed to carry more than 8 passengers.

Fit and Proper Person: A person who poses no threat to the general public, has a good knowledge of the City, is healthy, and is of a good character (including driving record) will be deemed fit and able to hold a licence.

Renewal of Licence

It is the responsibility of the licence holder to apply for the renewal of the licence at the appropriate time. Licence renewals will not be granted until all of the relevant checks have been completed. **To avoid delay, applicants are advised to book an appointment to submit their application to the Licensing Officer approximately 2 to 4 weeks before the expiry of their current licence.** Should your licence expire, the Council permits a maximum period of 8 weeks for the licence to be renewed. If more than 8 weeks has passed since the licence expired your vehicle will have to meet the criteria that is set for a new licence.

Suitability

The Council reserves the right to require any applicant or existing licence holder to provide additional disclosures or other relevant information if the Licensing Officer has reason to believe that circumstances have changed since the application was made.

The Licensing Authority may get information about you from third parties, or give information to them to check the accuracy of information. This is to prevent or detect crime, or to protect public funds in other ways, permitted by legislation. These third parties include other local authorities and government departments.

The legislation states that the Council may grant a licence **ONLY** if it is satisfied that the person is fit and proper and that the vehicle meets with the relevant criteria applicable – **the onus is on the applicant to prove this, NOT the Council to demonstrate that they are not.**

Issuing / Suspending / Revoking / Withdrawing or Refusing to Renew a Licence

It must be clearly understood that the Hackney Carriage or Private Hire Vehicle Licence is issued in good faith, and should any information supplied by the applicant prove to be false or misleading, the licence may be suspended. The Council reserves the right to consider other matters which it feels are likely to be relevant to whether or not the applicant is a fit and proper person. These considerations also apply when considering whether to renew a licence.

Transfers of Ownership – Registered Holder of Licence: You have a legal obligation under Section 49 of the Local Government (Miscellaneous Provisions Act) 1976 to notify the licensing authority of a transfer of ownership. The notification must be in writing sent within 14 days of the transfer. Failure to comply may result in the Council taking legal action against you.

Interpretation: For the purpose of the conditions detailed in this application pack, **The Licensing Officer** means an officer of Oxford City Council for the time being authorised in writing by the council for the purposes of part II of the Local Government (Miscellaneous Provisions) Act 1976 or the Town Police Clauses Act 1847, The Transport Act 1985 and the bye laws made thereunder.

NOTE: The council being in possession of a certificate of exemption granted by the Secretary of State for Transport is required to issue a certificate of compliance in respect of each licensed vehicle operating within the district. By virtue of the said certificate of exemption, the council may not accept anything other than a certificate of compliance as evidence of the satisfactory condition of the vehicle which is to be licensed. The test may only be carried out at a testing station appointed by the council and authorised by the Department of Transport. The test must be at least to M.O.T. standard before the certificate can be issued. When presenting the vehicle for licensing or re-licensing you must ensure that the date of issue of the certificate of compliance is not more than 28 days prior to the date of issue of the licence.

The approved testing station is the Cowley Marsh Depot, who can also provide further details to the compliance test carried out on the vehicle. Details of the testing station can be found elsewhere on this page.

Nothing in this document shall be interpreted as over riding the provisions of the Part II of the Local Government (Miscellaneous Provisions) Act 1976 or the Town Police Clauses Act 1847, The Transport Act 1985 and the byelaws made thereunder.

CONTACT DETAILS:

OXFORD CITY COUNCIL LICENSING TEAM

Licensing Team, Oxford City Council, St. Aldate's Chambers, St. Aldate's, Oxford. OX1 1DS

Tel / Fax: 01865 252115

Email: licensing@oxford.gov.uk

Website: www.oxford.gov.uk/taxilicensing

OXFORD CITY COUNCIL'S MOTOR TRANSPORT SECTION

Cowley Marsh Depot, Marsh Road, Cowley, Oxford, OX4 2HH.

Tel / Fax: 01865 252946

FEES AND CHARGES

Fees once paid will on no account be refunded, and fees and charges may also be amended from time to time to meet the reasonable cost of issue and administration.

Please note that the vehicle licence fee does not include the costs of livery required for vehicles to meet with the Councils Conditions of Fitness (as described within this Application Pack). All required livery must be purchased from the Cowley Marsh Depot.

No vehicle will be deemed to meet with the criteria of the Certificate of Compliance unless it meets with the Councils Conditions of Fitness.

Payment must be made at the time of the pre-booked appointment with the Licensing Officer. Payment must be by way of Debit / Credit card, Postal Order or Cheque only. Please note that any failure to pay the appropriate fee, may result in the vehicle licence being suspended, until such time as payment has been made.

FEES & CHARGES: PAYABLE TO OXFORD CITY COUNCIL		
VEHICLE LICENCE FEES		
HACKNEY CARRIAGE	NEW HACKNEY CARRIAGE VEHICLE LICENCE	£450.00
	RENEWAL OF HACKNEY CARRIAGE VEHICLE LICENCE	£400.00
PRIVATE HIRE	NEW PRIVATE HIRE VEHICLE LICENCE	£312.00
	RENEWAL OF PRIVATE HIRE VEHICLE LICENCE	£262.00
VEHICLE ADMINISTRATION CHARGES		
PLATE DEPOSIT (NEW VEHICLE)		£50.00
CHANGE OF VEHICLE FEE		£100.00
TRANSFER OF OWNERSHIP FEE		£100.00
REPLACEMENT TEMPORARY VEHICLE FEE		£75.00
EXEMPTION NOTICE FEE (PRIVATE HIRE VEHICLE)		£50.00
ADDITIONAL VEHICLE CHARGES		
EXEMPT VEHICLE INTERNAL PLATES (PAIR)		£25.00
HCV INTERNAL PLATE		£5.00
HCV FARE CHART		£2.00
REPLACEMENT EXTERNAL PLATE		£25.00
DUPLICATE LICENCE		£2.00
RETURNED CHEQUE FEE		£30.00
VEHICLE LIVERY CHARGES PAID TO COWLEY MARSH DEPOT (APPLICABLE TO ALL VEHICLES) IT SHOULD BE NOTED THAT THESE LIVERY CHARGES ARE NOT INCLUDED IN THE LICENCE FEE		
HCV REAR QUARTER NUMBERS / REPLACEMENT		£10.00
PHV INTERNAL STICKER / REPLACEMENT		£5.00
PHV DOOR STICKERS (PAIR) / REPLACEMENT		£35.00
FEES PAID DIRECTLY TO THE COWLEY MARSH DEPOT		
HACKNEY CARRIAGE VEHICLE COMPLIANCE TEST		£66.20
PRIVATE HIRE VEHICLE COMPLIANCE TEST		£61.20
HACKNEY CARRIAGE VEHICLE RETEST		£30.00
PRIVATE HIRE VEHICLE RETEST		£30.00
DUPLICATE CERTIFICATE OF COMPLIANCE		£15.00
NON-SCHEDULED METER TESTING AND SEALING		£15.00
HCV REAR QUARTER NUMBERS / REPLACEMENT		£10.00
PHV INTERNAL STICKER / REPLACEMENT		£5.00
PHV DOOR STICKERS (PAIR) / REPLACEMENT		£35.00

PROCEDURE FOR A NEW HACKNEY CARRIAGE / PRIVATE HIRE VEHICLE LICENCE

It is your responsibility to ensure that the vehicle meets the conditions and criteria detailed in this document relating to Hackney Carriage and Private Hire vehicles. The full specifications are contained within this document. Therefore you should ensure that any vehicle you wish to purchase is suitable to be licensed before you buy it.

You will see from the full licensing conditions that the maximum age for a new vehicle is five years when it is licensed (not when the application is made). No allowance is made for the vehicle's age when it is and as it must be in an "as new" condition.

The procedure below relates to the licensing of all new vehicle licences, renewing a vehicle licence, and interim inspections:

1. You will need to contact the Licensing Team on 01865 252115 to be allocated an "Available Number", and then you will need to contact the Council's Motor Transport Section, Marsh Road, Cowley, Oxford, OX4 2HH. Tel. No. 01865 252946 to book an appointment for the vehicle to undergo a Compliance Test (M.O.T.).
2. If the vehicle passes the test, the Testing Station will issue a **CERTIFICATE OF COMPLIANCE** for the vehicle.
3. You will then need to book an appointment with the Licensing Team, on 01865 252115, informing them of the make, model, colour, registration number, passenger seating capacity of the vehicle.
4. You must then attend this appointment (held at St. Aldate's Chambers), and bring with you (if you fail to bring any of these documents, you will need to rebook your appointment):
 - **COMPLETED APPLICATION FORM**
 - **INSURANCE CERTIFICATE OR COVER NOTE (ORIGINAL, NOT A PHOTCOPY)**
 - **VEHICLE OWNERSHIP DOCUMENT / LOG BOOK**
 - **CERTIFICATE OF COMPLIANCE**
 - **PAYMENT FOR THE FEE (DEBIT / CREDIT CARD, CHEQUE, POSTAL ORDER) (SEE FEES & CHARGES)**
5. If all of the above documents are valid, and you make your payment in full, you will be issued with a licence plate*. The paper licence will be posted to your home address.
6. Upon receipt of your licence plate, you will need to contact the Testing Station, who will affix the licence plate* to the vehicle, and issue you with the relevant new stickers for your vehicle (if applicable).

PROCEDURE FOR INTERIM INSPECTION OF LICENSED VEHICLE

This procedure relates to the 6 monthly Certificate of Conformity that must be submitted to the Licensing Team. This process is known commonly as the "Interim Inspection".

1. Approximately 4 months in to your vehicle licence, the Licensing Team will send you a "Reminder Letter" (there is no legal obligation on the Council to do this, and it is your responsibility to ensure that the conditions of the vehicle licence are complied with) that the vehicle is due an "INTERIM INSPECTION". This is because the conditions applicable to vehicle licences state that your vehicle will need to be re-tested every 6 months

It is advisable to book this test before leaving the Testing Station at your original Test. The new Certificate of Compliance must not be dated any earlier than 28 days prior to the 6 month anniversary of your vehicle licence.

2. Upon completing the interim Certificate of Compliance Test, you will need request that the Test Station forward a copy of the Certificate to the Licensing Team.
3. Upon receipt of the interim Certificate of Compliance, the Licensing Team will update your records. If we have not received your Interim M.O.T. within 28 days of the date it was due to be taken, the vehicle licence may be suspended, until such time as a satisfactory M.O.T. Test Certificate is produced.

PROCEDURE FOR RENEWING AN EXISTING VEHICLE LICENCE

1. Approximately 2 months before the annual vehicle licence is due to expire, the Licensing Team will send you a "Reminder Letter". There is no legal obligation on the Council to do this, and it is your responsibility to ensure that the vehicle licence is renewed in a timely manner.
2. Upon receipt of the reminder letter, you should book your next Certificate of Compliance Test (if had have not already done with the Cowley Marsh Depot). **The new Certificate of Compliance must not be dated any earlier than 28 days prior to the expiry of your vehicle licence.**
3. You will then need to contact the Licensing Team to book an appointment to renew the vehicle licence.
4. You must then attend this appointment (at St. Aldate's Chambers), and bring with you (if you fail to bring any of these documents, you will need to rebook your appointment):
 - **COMPLETED APPLICATION FORM**
 - **INSURANCE CERTIFICATE OR COVER NOTE (ORIGINAL, NOT A PHOTCOPY)**
 - **VEHICLE OWNERSHIP DOCUMENT / LOG BOOK**
 - **CERTIFICATE OF COMPLIANCE**
 - **PAYMENT FOR THE FEE (DEBIT / CREDIT CARD, CHEQUE, POSTAL ORDER) (SEE FEES & CHARGES)**
 - **THE EXPIRING VEHICLE LICENCE PLATE**
5. If all of the above documents are valid, and you make your payment in full, you will be issued with your new licence plate. The paper licence will be posted to your home address.

PROCEDURE FOR CHANGING AN EXISTING LICENCE TO A NEW VEHICLE

The procedure below relates to the licensing of a vehicle when the proprietor purchases a vehicle to replace his current licensed vehicle:

1. You will need to contact the Council's Motor Transport Section, Marsh Road, Cowley, Oxford, OX4 2HH. Tel. No. 01865 252946 to book an appointment for the vehicle to undergo a Compliance Test.
2. If the vehicle passes the test, the Testing Station will issue a **CERTIFICATE OF COMPLIANCE** for the vehicle.
3. You will then need to book an appointment with the Licensing Team on 01865 252115, informing them of the make, model, colour, registration number, passenger seating capacity of the vehicle.
4. You must then attend this appointment (at St. Aldate's Chambers), and bring with you (if you fail to bring any of these documents, you will need to rebook your appointment):
 - **COMPLETED APPLICATION FORM**
 - **INSURANCE CERTIFICATE OR COVER NOTE (ORIGINAL, NOT A PHOTOCOPY)**
 - **VEHICLE OWNERSHIP DOCUMENT**
 - **THE BILL OF SALE**
 - **CERTIFICATE OF COMPLIANCE (ISSUED NO MORE THAN 28 DAYS PRIOR TO YOUR APPOINTMENT)**
 - **PAYMENT FOR THE FEE (DEBIT / CREDIT CARD, CHEQUE, POSTAL ORDER) (SEE FEES & CHARGES)**
 - **THE EXISTING LICENCE PLATE OF THE VEHICLE BEING REPLACED**
5. If all of the above documents are valid, and you make your payment in full, you will be issued with a licence plate. The paper licence will be posted to your home address.

PROCEDURE FOR TRANSFER OF OWNERSHIP OF A LICENSED VEHICLE

You have a legal obligation under Section 49 of the Local Government (Miscellaneous Provisions Act) 1976 to notify the licensing authority of a transfer of ownership. The procedure below relates to the licensing of a vehicle when the proprietor sells a vehicle to another licensed driver for his / her use:

1. You (the new owner) will need to book an appointment with the Licensing Team on 01865 252115.
2. You must then attend this appointment (at St. Aldate's Chambers), and bring with you (if you fail to bring any of these documents, you will need to rebook your appointment):
 - **COMPLETED APPLICATION FORM (BY THE NEW OWNER)**
 - **INSURANCE CERTIFICATE OR COVER NOTE (ORIGINAL, NOT A PHOTOCOPY)**
 - **VEHICLE OWNERSHIP DOCUMENT (LOG BOOK OR OTHER PROOF OF OWNERSHIP)**
 - **CERTIFICATE OF CONFORMITY (PASSED ON TO YOU BY THE PREVIOUS PROPRIETOR)**
 - **A SIGNED LETTER FROM THE PREVIOUS OWNER STATING:**
 - **THE MAKE / MODEL / COLOUR / REGISTRATION NUMBER / VEHICLE LICENCE NUMBER**
 - **THE DATE THE VEHICLE WAS SOLD TO YOU**
 - **TO WHOM THE VEHICLE WAS SOLD**
 - **THE BILL OF SALE**
 - **PAYMENT FOR THE FEE (DEBIT / CREDIT CARD, CHEQUE, POSTAL ORDER) (SEE FEES & CHARGES)**
- * *Please note that the previous owner must inform the Licensing Authority in writing that he / she is no longer the owner of the vehicle prior to you attending your appointment or the application will not be granted.*
3. If all of the above documents are valid, and you make your payment in full, you will be issued with a paper licence posted to your home address. The licence plate will not need to be changed.

PROCEDURE FOR REPLACEMENT VEHICLE FOLLOWING AN ACCIDENT

The procedure below relates to the licensing of a vehicle that will be used as a replacement vehicle should your current vehicles not be useable following an accident.

1. You will need to contact the Licensing Team on 01865 252115 to advise us that you have been involved in an accident. You must report this within 72 hours of the accident and provide a letter confirming this and give the vehicle licence plate back to the Licensing Team.
2. You must give the Licensing Team details of the company that will be providing you with a replacement vehicle. The Licensing Team will liaise directly with the company providing you with a replacement vehicle.
3. The replacement vehicle company will complete an application form to licence the replacement vehicle.
4. They will need to contact the Council's Motor Transport Section, Marsh Road, Cowley, Oxford, OX4 2HH. Tel. No. 01865 252946 to book an appointment for the vehicle to undergo a Compliance Test.
5. If the vehicle passes the test, the Testing Station will issue a **CERTIFICATE OF COMPLIANCE** for the vehicle.
6. The replacement vehicle company then need to book an appointment with the Licensing Team on 01865 252115.
7. When they then attend this appointment (at St. Aldate's Chambers), they will need to bring with them:
 - **COMPLETED APPLICATION FORM**
 - **INSURANCE CERTIFICATE OR COVER NOTE (ORIGINAL, NOT A PHOTOCOPY)**
 - **VEHICLE OWNERSHIP DOCUMENT**
 - **CERTIFICATE OF COMPLIANCE**
 - **PAYMENT FOR THE FEE (DEBIT / CREDIT CARD, CHEQUE, POSTAL ORDER) (SEE FEES & CHARGES)**
8. If all of the above documents are valid, and payment has been made in full, the paper licence will be posted to the Replacement Vehicle Company, and they will contact you to inform you that the vehicle is now licensed.
9. Upon receiving this confirmation, you will need to book an appointment with the Licensing Team to obtain the vehicle plate (and to surrender your original plates). Upon receipt of your vehicle plate, you will need to book an appointment with the Testing Station to collect and affix any additional stickers / livery required).

BYELAWS RELATING TO HACKNEY CARRIAGE VEHICLES

Made under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875, by the Lord Mayor, Alderman and Citizens of Oxford, acting by the Council, with respect to Hackney Carriages in Oxford.

INTERPRETATION

1. Throughout these byelaws "the Council" means the Lord Mayor, Alderman and Citizens of Oxford, acting by the Council, and "the district" means the City of Oxford.

PROPRIETORS AND DRIVERS

2. Every proprietor or driver of a Hackney Carriage shall, at times, when standing, plying, or driving for hire, conduct himself in an orderly manner. He shall also conduct himself with civility and propriety towards every person seeking to hire or hiring or being conveyed in such carriage, and shall comply with every reasonable requirement of any person hiring or being conveyed in such carriage.
3. Every driver of a Hackney Carriage shall be clean in person and shall, when standing, driving, or plying for hire, wear clean and respectable clothes.
4. Every driver of a Hackney Carriage of a description for which stands are fixed by any byelaw in that behalf shall:
 - a. if a stand, at the time of his arrival is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
 - b. on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand so as to face in the same direction;
 - c. from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward;
 - d. whilst his carriage is the first carriage stationed on a stand constantly attend such carriage and be ready to be hired at once by any person.
5. Every proprietor or driver of a Hackney Carriage who shall agree or shall have been hired to be in attendance with the carriage at an appointed time and place, shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
6. A driver of a Hackney Carriage shall not carry more than the number of passengers for which his carriage is licensed to carry.
7. Every driver of a Hackney Carriage shall at all times when standing, plying, or driving for hire, wear attached to his outer clothing in such a manner as to be clearly visible a badge to be provided by the Council. He shall not permit any other person to wear such badge.
8. Every driver of a Hackney Carriage shall when requested by any person hiring or seeking to hire the carriage:
 - a. convey a reasonable quantity of luggage;
 - b. afford reasonable assistance in loading and unloading;
 - c. afford reasonable assistance in removing it to or from the entrance of any house, station, or place at which he may take up or set down such person.
9. Every proprietor or driver of a Hackney Carriage who shall knowingly convey in the carriage the dead body of any person shall, immediately thereafter, notify the fact to the Medical officer of Health of the Council.
10. Every driver of a Hackney Carriage provided with a taximeter shall:
 - a. when standing or plying for hire keep the flag or other device of the taximeter bearing the words "FOR HIRE" locked in the position in which the words are horizontal and legible;
 - b. as soon as the carriage is hired by distance and before commencing the journey bring the machinery of the taximeter into action by moving the flag or other device so that the words are not conveniently legible.
12. A proprietor or driver of a Hackney Carriage shall not, with intent to deceive, tamper with or permit any person to tamper with any taximeter with which the carriage is provided.

HACKNEY CARRIAGES

13.
 - a. Every proprietor of a Hackney Carriage shall cause to be fixed to the rear of such carriage in such a manner as to be at all times plainly visible a metal plate bearing the number of such Hackney Carriage corresponding to its licence.
 - b. The proprietor or driver shall not wilfully or negligently cause such number to be concealed from the public view when such carriage is standing, driving or plying for hire.
14. Every proprietor of a Hackney Carriage shall cause such carriage to be fitted with a taximeter so constructed, attached, and maintained as to comply with the following rules, viz:
 - i. The taximeter shall be fitted with a flag or other device bearing the words "FOR HIRE" on each side thereof in plain letters at least 2 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;
 - ii. 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.
 - iii. 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.
 - iv. when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures 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 in pursuance of the byelaw in that behalf;
 - v. 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;
 - vi. the taximeter shall be so placed that all letters and figures on the face thereof may be at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be suitably illuminated when the carriage is in use during the hours of darkness.
 - vii. The taximeter and all the fittings thereof shall be so affixed to the 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.

15. No advertisements or written matter of any kind shall be exhibited on the inside or outside of any Hackney Carriage, except by special permission of the Council. Provided that this byelaw shall not apply to any sign which is required by law to be displayed in or upon such carriage.

STANDS

16. Each of the several places specified in the First Schedule to these byelaws shall be a stand for such number and description of Hackney Carriages as are specified in that said Schedule.

FARES AND OTHER CHARGES

17. The proprietor or driver of a Hackney Carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed in the table set out in the Second Schedule to these byelaws, the rate or fare being calculated by distance unless the hirer express at the commencement of the hiring his desire to engage by time. Provided always that where a Hackney Carriage furnished with a taximeter shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the table in the said Schedule which it may not be possible to record on the face of the taximeter.
18. Every proprietor of a Hackney Carriage plying for hire of a description for which any fares are fixed by any byelaw in that behalf shall:
- cause a statement of such fares to be displayed on the inside of the carriage, or on a plate affixed thereto, in clearly distinguishable letters and figures;
 - renew such letters and figures as often as is necessary to keep them clearly visible.
 - The proprietor or driver of a Hackney Carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.
19. In the case of journeys which end or start outside the City boundary, the driver of every Hackney Carriage shall before starting the journey inform his passengers that the fares laid down in these byelaws do not apply and shall state the manner in which he proposes to assess the fare or quote the fare for the whole journey.

LOST PROPERTY

20. Every proprietor or driver of a Hackney Carriage shall, immediately after the termination of any hiring, carefully search the carriage for any property which may have been accidentally left therein.
21. Every proprietor or driver of a Hackney Carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him:
- carry it within 24 hours, if not sooner claimed by or on behalf of its owner, to a Police Station, and leave it in the custody of the Police on obtaining a receipt for it;
 - be entitled to receive from any person to whom the property shall be redelivered an amount equal to one shilling in the pound of its estimated value but not more than five pounds or less than one shilling.

PENALTIES

22. Every proprietor or driver of a Hackney Carriage who shall offend against any of the foregoing byelaws shall be liable for every such offence to a penalty of twenty pounds and in the case of a continuing offence to a further penalty of two pounds for each day after written notice of the offence from the Council: Provided, nevertheless, that the justices or court before whom any complaint may be made or any proceedings may be taken in respect of any such offence may, if they think fit, adjudge the payment, as a penalty, of any sum less than the full amount of the penalty imposed by this byelaw.

REPEAL OF BYELAWS

23. The byelaw relating to Hackney Carriages in the City of Oxford which were made by the Council:
- on the third day of June 1929, allowed by the Minister of Health on the first day of August 1929;
 - on the seventh day of June 1937, and confirmed by the Minister of Health on the fourth day of August 1937;
 - on the twenty-first day of April 1958, and confirmed by the Secretary of State on the ninth day of June 1958;
 - on the sixteenth day of May 1964, and confirmed by the Secretary of State on the fourth day of June 1964;
- are hereby repealed.

FIRST SCHEDULE: STANDS FOR HACKNEY CARRIAGES IN THE CITY OF OXFORD

Queen Street / Carfax : For 3 Carriages

High Street : On the west side of Turl Street. **For 2 Carriages**

Gloucester Green : **For 12 Carriages**

Park End Street : **For 3 Carriages**

St Giles : In the centre of the road, immediately to the north of the public lavatory. **For 20 carriages**

The Plain : On the east side of the roundabout. **For 3 Carriages**

Cowley Road : On the west side of Manzil Way **For 2 Carriages**

Barns Road : Near the entrance to Templar Square. **For 4 Carriages**

Between Towns Road : Near the entrance to Templar Square. **For 2 Carriages**

London Road : South side of Kennett Road. **For 1 Carriage**

London Road : North east side of Old High Street . **For 1 Carriage**

Oakthorpe Road : **For 2 Carriages**

Oxford Rail Station : Subject to the consent of the land owner

SECOND SCHEDULE: FARES AND OTHER CHARGES

Fares for Distance Travelled and time		
Tariff 1	For the first 80 metres or part thereof	£2.45
06.00 - 22.00	Each subsequent 80 metres or part thereof until 1600 metres	£0.10
Monday to Saturday	each subsequent 125 metres or part thereof	£0.10
Waiting Time: For each period of 20.3 seconds or part thereof	£0.10	For each trunk carried
Tariff 2	For the first 53 metres or part thereof	£2.50
22.00 - 06.00 Monday to Saturday all day Sunday	each subsequent 53 metres or part thereof until 2120 metres	£0.10
All Public Holidays (except Tariff 3) from 00.01 until 06.00 the following day	each subsequent 130 metres or part thereof	£0.10
WAITING TIME For each period of 18.9 seconds or part thereof	£0.10	For each trunk carried
Tariff 3	For the first 80 metres or part thereof	£2.80
Christmas From 20.00 24th Dec Until 06.00 27th Dec	each subsequent 80 metres or part thereof until 1600 metres	£0.15
New Year From 20.00 31st Dec Until 06.00 2nd Jan	each subsequent 125metres or part thereof	£0.15
WAITING TIME For each period of 20.3 seconds or part thereof	£0.15	For each trunk carried
For each passenger in excess of one		£0.20
For each article of baggage carried outside the passenger compartment of the cab		£0.10
For each adult pedal cycle carried (except folding)		£1.00
For each wheeled vehicle carried (except mobility impaired persons vehicle)		£0.10
PAYMENT by cheque credit card or debit card		£0.50
SOILAGE CHARGE * To cover cleaning and loss of income, where the interior of the vehicle is soiled due to the excessive consumption of alcohol etc. or by the carriage of an animal, excluding guide dogs.		£30.00

LIMITING THE NUMBER OF LICENSED HACKNEY CARRIAGE VEHICLES

Full Council has decided that the Council's policy of quantity control on the number of Hackney Carriage vehicle licences should be maintained. It considers that the Council is best placed to determined local transport needs and that those needs must be determined in the context of the (long standing and consistent) traffic and transport policies in Oxford.

The City Council has maintained quantity control over the numbers of Hackney Carriage licences it issues for well over twenty years. However, it commissions regular surveys, conducted by independent specialist consultants, into whether there is, at the time of the survey, unmet demand for the services of Hackney Carriages in Oxford. Where the survey has found that there is unmet demand, the Council has issued additional licences so that supply equates with demand. In addition, both in connection with the survey and at other times, the Council has reviewed the amount and location of taxi stands. The Council has both full-time and part-time taxi stands, in the City centre and elsewhere.

In terms of quality control, the Council has driven up the quality of Hackney Carriages and Private Hire vehicles, and their drivers, so that the Council believes the quality and safety of the services provided by Hackney Carriages and Private Hire vehicles in Oxford is that of other leading local authorities. All Oxford's Hackney Carriages are wheelchair accessible. The Council is not complacent however, and continually reviews quality control, by enforcement and by other means.

At present there are 107 Oxford City licensed Hackney Carriages. An independent "unmet demand" survey is commissioned every 3 years, and it's results are presented to the Full Council to determine whether the number of licensed Hackney Carriages in Oxford should be increased.

EUROPEAN EMISSION STANDARDS INFORMATION FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

On 15th June 2009 the General Purposes Licensing Committee approved the adoption of the European Emissions Standards in the City, this regulation determines the maximum age for vehicles permitted to be licensed by this Authority. European emission standards define the acceptable limits for exhaust emissions of new vehicles sold in EU member states. The emission standards are defined in a series of European Union directives staging the progressive introduction of increasingly stringent standards.

New Vehicle Licences: Any vehicle not already licensed by this Authority, in order to meet the current regulations, must not be older than 5 years of age at the date of the grant of the vehicle licence.

Renewal of existing Vehicle Licences: From 1st January 2013, all vehicles submitted for a licence renewal will need to be Euro IV Emissions compliant, which in effect means that any vehicle first registered prior to 1st January 2006 will not meet current regulations.

Further information relating to the European Emissions Standards can be found on the European Commission website.

AUDIO AND VISUAL RECORDING EQUIPMENT IN LICENSED VEHICLES (SCHEME NOT YET OPERATIVE)

From the (T.B.A.) it is a mandatory requirement for Audio and Visual Recording Equipment to be fitted in all Hackney Carriage and Private Hire vehicles (save for those Private Hire vehicles that are granted an "Exemption Notice" in accordance with Section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976) licensed by this Authority.

Listed below is a summary of the timescale for the scheme, and the eligibility criteria for financial assistance with the reimbursement of fitting costs.

- i) Audio and Visual Recording Equipment will be a mandatory requirement for all Hackney Carriages and Private Hire vehicles (save for those Private Hire vehicles that are granted an "Exemption Notice" in accordance with Section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976) licensed for the first time by this Authority from (T.B.A.).
- ii) Audio and Visual Recording Equipment will be a mandatory requirement for all Hackney Carriage and Private Hire vehicles (save for those Private Hire vehicles that are granted an "Exemption Notice" in accordance with Section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976) licensed by this Authority prior to (T.B.A.), allowing until (T.B.A.) for the equipment to be fitted to the vehicle.
- iii) Any vehicle proprietor who holds a licence prior to (T.B.A.) and will have a licence in force after this date, will be eligible to apply for reimbursement of a maximum of £100 towards the fitting costs of Audio and Visual Recording Equipment to the vehicle (upon proof of receipt of payment for the fitting of the Audio and Visual Recording Equipment), restricted to no more than one payment per licensed vehicle.
- iv) Any Audio and Visual Recording Equipment system fitted to any licensed vehicle must comply with the criteria laid out in the Minimum Standard Specification for Audio and Visual Recording Equipment installed in licensed vehicles.
- v) Upon the fitting of Audio and Visual Recording Equipment to any Private Hire vehicle licensed from (T.B.A.), there shall be no requirement for the need to replace the standard manufactured rear side windows or rear windscreen of the vehicle.
- vi) Upon the fitting of Audio and Visual Recording Equipment to any Hackney Carriage, advertisements shall be permitted to be displayed on a screen placed behind the driver, on the partition of the Hackney Carriage. Guidelines relating to internal advertisements in Hackney Carriages can be found within the Conditions of Fitness.

MINIMUM STANDARD SPECIFICATION FOR AUDIO AND VISUAL RECORDING EQUIPMENT SYSTEMS

1. Meet the current Information Commissioner Data protection requirements, at the time of installation
2. Capable of date, time and vehicle identification test information
3. Capable of capturing images during daylight and darkness of sufficient quality to enable identification of any person travelling in the vehicle and be of such a quality that can be used for prosecution purposes where necessary
4. Capable of providing voice recording
5. The recording must be event activated (e.g. door or ignition) and continue to record 30 minutes after the ignition is switched off.
6. Capable of recording and storing images for a minimum of 28 days
7. A panic button which will then save all recording for a minimum of 10 minutes before activation in a separate part of the hard drive
8. Have the integrity to prevent images being reviewed, removed and/or downloaded except by a system administrator and/or an authorised council or police officer
9. The system must be digitally encrypted
10. Ensure that the hard disk or data card is not accessible to the driver or any other person travelling in the vehicle
11. The data unit must be securely fixed and stored separately from the camera(s) and out of view of any person travelling in the vehicle
12. All equipment must not present any risk to any person travelling in the vehicle and as far as possible cannot be tampered or damaged by any person travelling in the vehicle
13. All equipment installed in the vehicle must be capable of withstanding and functioning if the vehicle stops suddenly or there is any impact
14. The equipment must be marked as complying with European Industry Standards.
15. The camera(s) must be capable of recording all passengers travelling in the vehicle, including the driver. For vehicles other than a saloon car this may require more than 1 camera
16. All images and sound recorded must be in a format that is easily useable by police and the Court system (DVD format recommended)
17. The system must be fitted by an approved installer, specified by the manufacturer, and serviced and maintained as specified by the manufacturer

CONDITIONS APPLICABLE TO THE LICENSING OF HACKNEY CARRIAGE VEHICLES

Any requirements of legislation, which affect the operations carried out under the terms of a licence, shall be regarded as if they were conditions of that licence.

No vehicle shall be licensed as a Hackney Carriage unless it complies with the Council's Conditions of Fitness.

It must be understood that although the conditions of fitness set out may have been complied with, approval will be withheld if the Council is of the opinion that the vehicle is unsuitable for use as a Hackney Carriage.

A licence holder has a right of appeal to a Magistrate's Court against the imposition of the Conditions attached to a licence, by virtue of Section 300 – 302 of the Public Health Act 1936.

You should be fully aware that it is the policy of this Authority to only permit Hackney Carriages that are "manufactured as purpose-built nationally recognised taxis" to be deemed suitable for use as a licensed Hackney Carriage vehicle, and such vehicles must meet with all of the criteria, conditions and regulations applicable to the licensing of Hackney Carriage vehicles in Oxford. Details as to the makes and models of vehicles already deemed acceptable to be licensed by this Authority can be found on our website: www.oxford.gov.uk/taxilicensing.

Information relating to Audio and Visual Recording Equipment Systems, Euro Emissions Regulations, and the regulation of the number of Hackney Carriage vehicle licences permitted by this Authority can be found elsewhere in this application pack, and on our website: www.oxford.gov.uk/taxilicensing.

CONDITIONS OF FITNESS

1. Age of Vehicle

- a. **No vehicle will be first licensed as a Hackney Carriage vehicle unless it is less than five years of age from the date of first registration.**
- b. **All vehicles re-licensed from 1st January 2013 must be Euro IV emissions compliant (This will mean that vehicles registered prior to 1st January 2006 will not be able to have their licence renewed).**
- c. **Date of first registration will mean the date of first registration in the UK, or the date of manufacture in the case of vehicles first registered outside the UK.**
- d. **The minimum engine size for a vehicle is 1975cc**
- v) **For vehicles older than the maximum age for first licensing, the application formalities and payment of fees must be fully completed within eight weeks of any expired licence.**

2. General Construction

- a. **Every Hackney Carriage must be manufactured as a purpose-built nationally recognised taxi.**
- b. Every Hackney Carriage must comply in all respects with the requirements of any Acts and Regulations relating to motor vehicles in force at the time of licensing and must, in all respects, be "exceptionally well maintained" to a level so as to meet with the requirements of the Certificate of Compliance Test at all times when it is being used to carry out licensable duties. As a guide (but not an exhaustive list) "**Exceptionally well maintained**" means:
 - The vehicle to be in excellent mechanical condition.
 - The vehicle to be in all respects, safe and roadworthy, with no signs of corrosion to the mechanical parts, chassis, underside or body work.
 - The exterior of the vehicle to be clean and in excellent condition with no dents or damage of significance.
 - The paintwork to be in excellent condition, of professional standard and consistent with the colour scheme of the vehicle.
 - The interior of the vehicle to be in good condition. The upholstery, linings, seats and floor coverings to be clean with no holes, tears or signs of wearing.
 - The boot and luggage compartment to be in good condition, clean and uncluttered.
- c. Every Hackney Carriage must have been granted a whole vehicle type approval certificate.
- d. Hackney Carriages offered for type approval must be so constructed as to be capable of admitting, with assistance from the driver only, a person in a wheelchair without that person having to vacate the wheelchair and convey them in their wheelchair in comfort and safety.

3. Audio and Visual Recording Equipment (Scheme Not Yet Operative)

- a. No Audio and Visual Recording Equipment system shall be installed in a vehicle unless it fully meets with the Minimum Specification Standard as detailed by the Licensing Authority. A vehicle licensed for the first time by this Authority from (T.B.A.) must be fitted with an Audio and Visual Recording Equipment. No vehicle licensed by this Authority prior to (T.B.A.), shall be granted a licence after (T.B.A.) if an Audio and Visual Recording Equipment has not been fitted to it.
- b. No additional cameras shall be installed in the vehicle unless fitted by an approved installer. The number and location of cameras shall not be varied without the prior written consent of the Council.
- c. Advisory signage, provided by the Council / approved installer, shall be displayed inside the vehicle on each of the rear side passenger windows. The notices shall be positioned in a prominent position where they can be easily read by persons both inside and outside of the vehicle. The proprietor shall ensure that the notices are maintained in a clean and legible condition. In any event, the driver shall ensure that any passengers are informed that Audio and Visual Recording Equipment is in operation (both video and audio) throughout the duration of the journey.
- d. The vehicle proprietor shall ensure that the system is properly and regularly maintained and serviced in accordance with the manufacturer's instructions by a suitably qualified person. Written records of all maintenance and servicing shall be made and retained by the proprietor for the duration of the ownership of the vehicle. Such written records shall be made available on demand by an authorised officer of the Council or a Police officer.
- e. Upon request for image retrieval by an authorised officer of the Council or a Police officer the proprietor shall ensure that the Audio and Visual Recording Equipment system or hard-drive is made available to the relevant personnel at either the Council or Police, as soon as reasonably practicable, and in any event within 7 days of the request.
- f. The proprietor of the vehicle shall take all reasonable steps to ensure that every driver of the vehicle is made aware of all of the conditions in relation to any installed Audio and Visual Recording Equipment system, and has been given adequate instruction regarding the need for the system to be made available as soon as reasonably practicable, and in any event within 7 days of any authorised request for any image retrieval.

- g. The Audio and Visual Recording Equipment system shall remain in full working order and should the system develop a fault, the vehicle proprietor must make arrangements for the system to be rectified immediately. In the event of an Audio and Visual Recording Equipment system developing a fault during a fare paying journey, a period not exceeding 12 hours is permitted for the vehicle to continue being used in its capacity as a licensed vehicle. Upon the 12 hour limit being reached, the vehicle shall not be made available to carry out its licensed duties until the fault is rectified.
 - h. Should any Audio and Visual Recording Equipment system or camera be found not to be fully operational during either a Certificate of Compliance Test, or during an inspection by an authorised officer of the Council or a Police Officer, the vehicle licence shall be suspended with immediate effect unless the proprietor can provide evidence at the time of the inspection that the fault occurred within the permitted 12 hour period that the vehicle may continue to be used in its capacity as a licensed vehicle.
- 4. Steering**
- a. The steering wheel must be on the offside of the vehicle.
 - b. The steering mechanism must be so constructed or arranged that NO over-lock is possible and the road wheels do not in any circumstances foul any part of the vehicle.
 - c. The steering arms and connections must be of adequate strength and, as far as possible, protected from damage by collision.
- 5. Brake and Steering Connections**
- Where brake and steering connections are secured with bolts or pins, the bolts or pins must be fitted with approved locking devices and they must be so placed that, when in any position other than horizontal, the head of the bolt or pins must be uppermost.
- 6. Wheels and Tyres**
- a. All wheels and the tyres fitted, must be of the correct type, size and at the correct pressure for the vehicle they are fitted to. The spare wheel and tyre, which must be carried must also be of the same type and be at the correct pressure. Tools sufficient to allow the wheel to be changed during a journey will be carried in the vehicle in a safe and secure position.
 - b. All tyres, at normal pressure under load, must be approved as having a suitable minimum circumference for correct operation of the taximeter.
- 7. Brakes**
- a. All brakes must act directly on the wheels of the vehicle.
 - b. The brakes of one of the braking systems must be applied by pedal.
 - c. The pedal operated braking system must be designed that notwithstanding the failure of the brakes on any pair of wheels, either on one axle or diagonally opposite, there must still be available for application brakes on the other pair sufficient to bring the vehicle to rest within a reasonable distance.
 - d. Cable connections are not permitted in the pedal operated system.
- 8. Suspension**
- a. Every vehicle must be fitted with an efficient suspension system so designed and constructed that there is no excessive roll or pitch.
 - b. Every vehicle must be so constructed or adapted that a failure of a spring, torsion bar or other similar component of the suspension system is not likely to cause the driver to lose control of the vehicle.
- 9. Transmission**
- 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.
- 10. Nuts or Bolts**
- All moving parts subject to severe vibration connected by bolts or studs and nuts must be fitted with an approved locking device.
- 11. Fuel Tanks**
- a. Fuel tanks must not be placed under the bonnet and must be adequately protected from damage by collision.
 - b. All fuel tanks and all apparatus supplying fuel to the engine must be so placed or shielded that no fuel overflowing or leaking there from can fall or accumulate upon any part or fitting where it is capable of being readily ignited or can fall into any receptacle where it might accumulate.
 - c. The filling points for all fuel tanks must be accessible only from the outside of the vehicle and filler caps must be so designed and constructed that they form an adequate seal to prevent leakage and cannot be dislodged by accident.
 - d. A device must be provided by means of which the supply of fuel to the engine can be immediately cut off. Its situation together with the means of operation and 'OFF' position must be clearly marked on the outside of the vehicle. In the case of an engine powered by L.P.G. or petrol the device must be visible and readily accessible at all times from outside the vehicle.
- 12. Interior Lighting**
- Adequate lighting must be provided for the driver and passengers. Separate lighting controls for both passengers and driver must be provided. In the case of the passengers compartment an illuminated switch must be fitted in an approved position. Lighting must also be provided at floor level to every passenger door and be actuated by the opening of those doors.
- 13. Electrical Equipment**
- a. All leads and cables must be adequately insulated and where liable to be affected by exposure to water, petrol or oil must be adequately protected.
 - b. All electrical circuits must be protected by a suitable fuse.
 - c. Batteries must be so placed, secured, protected that they cannot be a source of danger.
- 14. Accessories**
- a. **Fire Appliances:** A fire extinguisher which complies with E.E.C. Standard EN3, which has a minimum capacity of 1.0 Kg must be carried securely in such a position as to be readily available for use.
 - b. The apparatus shall be clearly marked with the vehicle licence number.
 - c. **First Aid Equipment:**
 - i) A first aid kit must be carried securely in the vehicle and maintained at all times. The contents must be within the manufacturer's expiry date. It must be carried in such a way as to be readily available for immediate use by a qualified person or volunteer in an emergency.

- ii) The first aid kit, which complies with the table set out below, must be carried securely in the vehicle and a first aid window sticker must be prominently displayed on the vehicle.

Contents of First Aid Kit	Requirements for Vehicle Licensed to Carry Passengers
	Minimum number of
Individually wrapped sterile plasters, assorted sizes	20
Sterile eye pads	2
Sterile individually wrapped triangular bandages	4
Safety pins	6
Large sterile individually wrapped wound dressing	2
Medium sterile individually wrapped wound dressing	6
A pair of disposable gloves	1

15. Exhaust Pipe

The exhaust pipe must be so fitted or shielded that no inflammable material can be or be thrown upon it from any other part of the vehicle and that it is not likely to cause a fire through proximity to any inflammable material on the vehicle. The outlet must be so placed at the rear of the vehicle on the offside and in such a position as to prevent fumes from entering the vehicle.

16. Body

- a. The body must be of the fixed head type with a partially glazed partition separating the passenger compartment from the driver.
- b. Outside Dimensions
 - i) The overall width of the vehicle exclusive of driving mirrors must not exceed 1.8 metres.
 - ii) The overall length of the vehicle must not exceed 5.00 metres.
- c. Internal Dimensions of Passengers Compartment
 - i) The vertical distance between the point of maximum deflection of the seat cushion to the roof immediately above that point must not be less than 96.5 cm.
 - ii) Any curvature of the floor of the passengers' compartment must be continuous and must not exceed 2 cm at the partition and 5 cm at the base of the rear seat when measured between the centre line and sills.
 - iii) The door and doorway must be so constructed as to permit an unrestricted opening across the doorway of at least 75 cm.
 - iv) The minimum angle of the door when opened must be 90 degrees.
 - v) The clear height of the doorway must not be less than 1.195 metres.
 - vi) Grab handles must be placed at door entrances to assist the elderly and persons with disabilities.
 - vii) Where a boot lid is hinged at the bottom a restriction must be fitted to prevent the boot lid serving as a luggage platform.

17. Steps

- a. The top of the tread for any entrance must be at the level of the floor of the passenger compartment and must not exceed 38 cm above ground level when the vehicle is unladen.
- b. The outer edge of the floor at each entrance must be fitted with non-slip treads and must be colour contrasted to an approved type to aid partially sighted persons.
- c. An additional, if standard step height is more than 19 cm, removable step must be provided which must not exceed 19 cm above ground level when the vehicle is unladen. The step must be fitted with non-slip treads and must be colour contrasted to an approved type to aid persons with disabilities to enter the vehicle. The step must be of an approved design and be designed in such a way as to make it impossible for the door to be closed when the step is in place.

18. Wheelchair Facilities

- a. Approved anchorages must be provided for the wheelchair. These anchorages must be either chassis or floor linked. If floor linked they must be affixed in such a manner that the forces are distributed evenly throughout the floor area by means of a suitable galvanised plate of minimum dimensions 200 x 200 mm which must be used beneath the floor.
- b. Approved restraints must be provided for the wheelchair and the person using the wheelchair. These restraints must be independent of each other.
- c. Approved anchorages must also be provided for the safe storage of a wheelchair when not in use whether folded or otherwise if carried within the passenger compartment.
- d. All anchorages and restraints must be so designed that they do not cause a foreseeable danger to other passengers.
- e. An approved ramp or ramps or other apparatus for the loading and unloading of a wheelchair and occupant must be available at all times for use at an approved position. An adequate locating device must be fitted to ensure that the ramp(s) do not slip or tilt when in use. The ramp(s) must be capable of being stowed safely when not in use.
- f. Only in exceptional circumstances will a vehicle with rear loading wheelchair access be granted a licence.

19. Seat Belts

Every vehicle must be fitted with seat belts of a type that conform to the British Standards Institution standards. A seat belt must be provided for every passenger and the driver.

20. Passenger Seats

- a. The measurements from the upholstery at the back to the front edge of the back seat must be at least 40 cm and for each person carried a minimum of 40 cm must be available when measured along the front parallel edge of the seat cushion.
- b. The width of each front seat must not be less than 40 cm and such seats must be at least 35.5 cm when measured from the back to the front of the upholstery.
- c. The vertical distance between the highest point of the undeflected seat cushion and the top of the floor covering must not be less than 35.5 cm.
- d. Where seats are placed facing each other there must be a clear space of 48 cm between any part of the front of a seat and any part of any other seat that faces it. This measurement may be reduced to 43.5 cm provided adequate foot room is maintained at floor level. Where seats are placed facing to the front of the vehicle there must be a clear space of at least 66 cm in front of every part of each seat squab.
- e. Front seats (rear facing) must be so arranged as to rise automatically when not in use. They must be symmetrically placed and at least 4 cm apart.
- f. When not in use, seats must not obstruct doorways.
- g. Suitable means must be provided to assist persons ⁵⁹ from the rear seat with particular attention to the needs of elderly people and people with disabilities.

- h. The nearside front seat must be capable of swivelling on its axis to a position where a person with disabilities or an elderly person may seat themselves prior to entering the vehicle. The seat should be capable of resting securely in its travelling position with minimum effort from the passenger or minimum assistance from the driver only.
- i. Every vehicle must carry a booster cushion of a type that conforms to BSI standards, for use when carrying a child.

21. 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. The controls must be so placed as to allow reasonable access to the driver's seat and, when centrally placed, must be properly protected from contact with luggage.
- c. The driver's seat must be designed to accommodate the driver only and be adjustable for height and reach.
- d. The vehicle must be fitted with adequate devices for demisting, defrosting and washing the windscreen and with a sun visor adjustable by the driver.
- e. Direction indicators of an approved type must be fitted.
- f. Every vehicle must be provided with an approved means of communication between the passengers and the driver.
- g. When a sliding window is fitted at the rear of the driver's compartment, the maximum width of the opening must not exceed 11.5 cm.

22. Windows

- a. Windows must be provided at the sides and at the rear of the vehicle. The light transmission of any window in any position must not be less than that currently required of the front windscreen and side windows by The Road Vehicles (Construction & Use) Regulations 1986. For the sake of clarity, all windows must allow 70% of light through as tested by a light meter.
- b. Passenger door windows must be capable of being opened easily by passengers when seated. The control for opening a door window must be easily identified so as not to be mistaken for any other control.
- c. The light transmission through the windows of vehicles, including those licensed prior to the introduction of this regulation may not be reduced in any way from that present when the vehicle was approved for licensing.
- d. Passenger door windows must be capable of being opened easily by passengers when seated. The control for opening a door window must be easily identified so as not to be mistaken for any other control.
- e. Where electrically operated windows are fitted they must be approved and comply with the following:-
 - i) Switches must be available for passengers to operate the windows as required, but the driver's controls must be capable of overriding and locking out the passengers' controls when unescorted children are being carried.
 - ii) An approved sensing device must be fitted that will stop the window closing when an obstruction is present.

23. Heating and Ventilation

An adequate heating and ventilation system must be fitted for the driver and passengers. The driver and passengers must be provided with means for independent control.

24. Glass

The windscreen must be of laminated construction and not be tinted. All other windows and glass must be an approved safety type.

25. Door Fittings

- a. An approved type of automatic door locking device must be fitted to passenger doors. 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 interior door handle must be easily identifiable so as not to be mistaken for any other control.
- b. Double catches of approved type must be fitted to all doors.

26. Fare Table Frame

A frame must be provided for the fare table that must be fitted in an approved position.

27. Floor Covering

The flooring of the passengers' compartment must be covered with non-slip material which can easily be cleaned.

28. Horn

A horn of approved pattern must be fitted.

29. Taximeter

- a. A taximeter, which conforms to the Council's criteria for taximeters must be fitted in an approved position.
- b. Criteria for Taximeters Fitted in Hackney Carriages in Oxford
 - i) Taximeters must:-
 - ii) Conform to the standards set by the EU/ British Standards Institution for taximeters.
 - iii) Be approved by the licensing Authority for the Metropolitan area.
 - iv) Only display tariff rates or other charges set by the Council.
 - v) Be tested and approved prior to usage.
 - vi) Not be used for any reason, the seal has been removed or the meter tampered with until such time as the meter has been re-tested, resealed and approved for use.

30. "TAXI" Signs

A "TAXI" sign of approved pattern, must be fitted and must be an integral part of the original construction of the vehicle. It must be clearly visible, both by day and night, when the Hackney Carriage is not hired,

31. Radio Apparatus

- 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 passengers' compartment or in the rear boot compartment if L.P.G. tanks are situated therein.
- b. Any other radio equipment either in the passenger or driver compartment, must be approved.

32. Luggage

Provision must be made for carrying luggage and an efficient method of securing it must be provided.

33. Fittings

No fitting other than those approved may be attached to or carried upon the inside or outside of the vehicle.

34. Certificate of Insurance

A current certificate of insurance as required by an Acts or Regulations relating to motor vehicles and as required by any Acts or Regulations relating to Hackney Carriages, must be in force at all times.

35. Licence Plates

A plate, as supplied by the Council, must be securely affixed to the vehicle in approved position, at the rear of the vehicle. The plate will bear the following information:-

- i) The number of the licence issued in respect of the vehicle.
- ii) The maximum number of passengers allowed to be carried.
- iii) The registration number of the vehicle to which the licence has been issued.
- iv) The expiry date of the licence.

36. Additional Number Identification

The Hackney Carriage licence number, in a form prescribed by the Head of Environmental Development responsible for the licensing of Hackney Carriages, will be displayed on both rear side windows.

37. Advertisements

- a. Advertisements concerning a radio circuit or taxi business to which the proprietor belongs may be displayed on the rear window of the vehicle only measuring a maximum of 4" x 48". It must not obscure the driver's view to the rear.
- b. Suitable commercial advertisements may be allowed on the inside and outside of the vehicle subject to the approval of the Head of Environmental Development responsible for the licensing of Hackney Carriages. An application form may be requested from the Licensing Team.
- c. Interior advertisements may be displayed only on the bulkhead on top of the passenger/driver partition or on the base of the front seats. All such advertisements must be encapsulated in clear non-flammable plastic.
- d. Exterior advertisements may be displayed on a purpose-built taxi only:-
 - i) As a full-livery advertisement.
 - ii) On the lower panels of the front two or all four doors, or on the full side lower panels and doors of the vehicle as a continuous item.
 - iii) On the rear window subject to the advertisement being of such a form as not to obscure the driver's view to the rear. If such advertisements are displayed, no other matter may be displayed.
 - iv) Mixtures of advertisers or subject matter are not permitted.
- e. Advertisements must be of such a form as not to become easily soiled or detached.
- f. All materials and adhesives used in the manufacture of and for the purpose of affixing advertisements to vehicles must be non-flammable.
- g. Applications for approval of advertisements must be made in writing to the Head of Environmental Development responsible for the licensing of Hackney Carriages and, if approval is granted, the approval will be for the duration of the Hackney Carriage licence and such shorter time, which may be decided at the time of the application.
- h. The Head of Environmental Development is authorised to grant or refuse any such application provided he/she feels may be unsuitable.
- i. Permission will not be granted for the display of any advertisement that does not comply with the Council's criteria for the display of advertisements in or on Hackney Carriages.
- j. Advertisements displayed in or on Hackney Carriages licensed by Oxford City Council must not be, racist or sexist; and should not cause offence to persons with any form of disability, to the general public or any section of the community. Advertisements must not refer to tobacco or alcohol products unless as part of a health education or similar campaign.

38. Internal Advertisement Criteria

- a. All advertisements must be approved by the Head of Environmental Development and fulfil the criteria for advertisements.
- b. No sound for an advertisement may be permitted.
- c. All film/video material must:
 - i) be classified by the BBFC as U, Uc or exempt from classification
 - ii) comply with the criteria contained in the Council's advertising policy
- d. Prior to the approval of any advertisement, any equipment required for the viewing of a video advertisement will be at the expense of the advertiser's agent. All maintenance and any associated costs will be at the expense of the advertiser's agent.
- e. A charge will be made for confirming the suitability of all advertisements or other material intended to be shown. The Head of Environmental Development may review charges at any time.
- f. All systems complying with the following design and construction criteria:
 - i) All equipment must comply with any legislative requirements in respect of Construction and Use Regulations and other legislation.
 - ii) All equipment must be designed, constructed and installed in such a way and in such material as to present no danger to passengers or driver, including from impact with the equipment in the event of an accident or damage from the electrical integrity being breached through vandalism, misuse or wear and tear.
 - iii) The equipment must not interfere with any other safety, control, electrical, computer, navigation, satellite or radio system in the vehicle
 - iv) The intensity of any screen should not be such as to be visually intrusive or dazzling. The position of the screen must not obstruct the passenger's view of the meter and the visibility of the screen to following vehicles should be minimal.
 - v) All equipment must be installed in the driver's compartment and should not be visible from the driver position.
 - vi) The installation must not be such as to weaken the structure or any component part of the vehicle.
 - vii) The design must be discreet and complement the interior furnishing of the vehicle.
 - viii) The system must include safeguards to maintain the integrity of the system and prevent the display of unapproved material.
 - ix) Passengers MUST be able to switch the system off and once so switched off; the system MUST remain off for the rest of that passenger's journey. This condition is necessary both to accommodate passengers who may be susceptible to having flickering image induced fits and those who choose not to watch the advertisements.
 - x) A notice should be displayed within prominent view giving instructions to passengers as to switching off the system.
 - xi) All equipment must be protected from the elements, secure from tampering and located such as to have no impact on the luggage carrying capacity of the hackney carriage.

EXEMPTION FROM DISPLAYING PLATES & STICKERS: PRIVATE HIRE VEHICLE

Some customers prefer to be driven in executive vehicles that are low profile and represent their organisation - especially when meeting a client. Many chauffeur companies and some Private Hire Operators employ section 75(3) of the Act. Using this section of the law, allows for specific vehicles to be granted dispensation from displaying their Private Hire plate and door stickers. Vehicles issued with this "Exemption Notice" are not required to meet with the Authority's requirement for an Audio and Visual Recording Equipment system to be fitted.

Criteria: The work undertaken must not be conventional Private Hire work but regarded as specific 'chauffeur-driven' work, and that the vehicle to be used for such work is an "executive and prestigious" type vehicle of a higher standard than that of a 'normal' vehicle used for private hire work. This must be proved through the procedures detailed below.

Renewal of Exemption: Such an exemption must be reapplied for at the time of each vehicle licence renewal application. This exemption does not include school contracts or similar work for which a fully signed vehicle must be used.

Internal Plates: Exempt vehicles will be required to display two Oxford City Council vehicle internal plates showing that the vehicle is a licensed Private Hire Vehicle. Each internal plate must be displayed within its holder, one to be displayed at the top of the windscreen on the nearside and the second at the top of the rear window on the offside.

Revocation of Exemption: Exempt vehicles that undertake standard private hire work without an invoiced contract in place may have their Exempt status withdrawn.

PROCEDURE TO OBTAIN EXEMPTION FROM DISPLAYING PLATES & STICKERS

The procedure below relates to the application for Private Hire Vehicle licence holders seeking to be granted exemption from displaying door stickers and licence plates, or the renewal of the exemption:

1. You will need to submit to the Licensing Team the following:
 - **A LETTER FROM THE VEHICLE PROPRIETOR DETAILING THE FOLLOWING INFORMATION:**
 - **THE PRIVATE HIRE VEHICLE LICENCE NUMBER ISSUED BY THE COUNCIL**
 - **MAKE, MODEL, COLOUR, REGISTRATION NUMBER, PASSENGER SEATING CAPACITY OF THE VEHICLE**
 - **THAT THE NATURE OF THE WORK TO BE CARRIED OUT WILL BE SOLELY BY WAY OF CONTRACTED ACCOUNT WITH THE BUSINESS USER**
 - **THE NAME OF THE PRIVATE HIRE OPERATOR THROUGH WHOM BOOKINGS ARE PROVIDED**
 - **PAYMENT OF THE FEE**
2. The Private Hire Operator who holds the written contracts for the work that the vehicle seeking the exemption notice, needs to also submit to the Licensing Team the following:
 - **A LETTER ON COMPANY HEADED PAPER CONFIRMING THE FOLLOWING INFORMATION:**
 - **THE NAME OF THE VEHICLE LICENCE HOLDER**
 - **THE PRIVATE HIRE VEHICLE LICENCE NUMBER ISSUED BY THE COUNCIL**
 - **MAKE, MODEL, COLOUR, REGISTRATION NUMBER, PASSENGER SEATING CAPACITY OF THE VEHICLE**
 - **THAT THE NATURE OF THE WORK TO BE CARRIED OUT WILL BE SOLELY BY WAY OF CONTRACTED ACCOUNT WITH THE BUSINESS USER**
3. The decision to grant or refuse an exemption for the display of an identification plate and door stickers will be delegated to the Licensing Team Leader.
4. If granted, 2 internal plates and an Exemption Notice will be sent to the proprietor granting the exemption request, detailing the proprietor and vehicle to which the exemption is granted, and the conditions attached to the exemption. This letter must be kept in the vehicle at all times, and produced at the request of an Authorised Officer.

CONDITIONS APPLICABLE TO THE GRANT OF AN EXEMPTION NOTICE

1. The vehicle shall not undertake standard private hire bookings.
2. All bookings undertaken by the vehicle shall be by means of a written contract between the Private Hire Operator and the business user.
3. The vehicle shall be of an "executive and prestigious" type of a higher standard than that of a 'normal' vehicle used for private hire work.

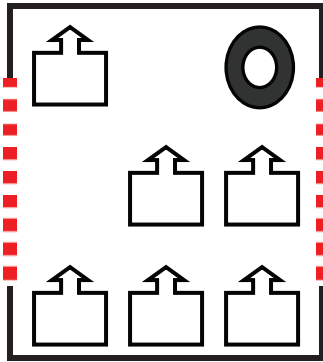
CONDITIONS ATTACHED TO AN EXEMPTION NOTICE

1. A copy of the Exemption Notice is kept in the vehicle at all times
2. The standard licence plate once issued is to be kept inside the vehicle and must be produced on demand to an Authorised Officer.
3. The vehicle is not used on conventional private hire work but is operated only on 'chauffeur-driven' work
4. There is no change as to who the proprietor of the vehicle is.
5. The vehicle is only operated through the Private Hire Operator named at the time of application.
6. The vehicle must display internal plates issued by the Licensing Authority that indicates to an Authorised Officer that the vehicle is indeed a licensed vehicle.
7. Exempt vehicles shall not display any Operators details in the vehicle.
8. The display of 'No Smoking' stickers inside the vehicle is still a condition of any exemption granted.

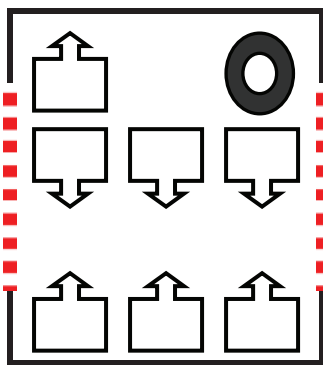
MULTI-PASSENGER VEHICLES: PASSENGER SEATING ARRANGEMENTS

In order to provide clarity to those who wish to purchase a Multi-Passenger Vehicle to carry out Private Hire duties, a series of diagrams is provided below detailing the seating configuration for such vehicles.

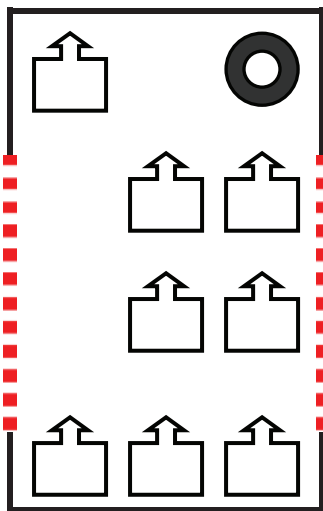
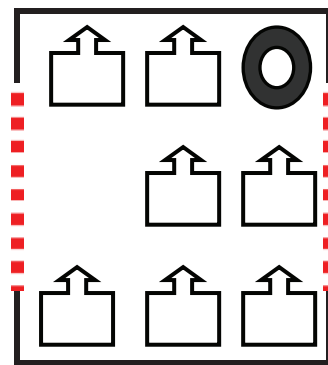
Please ensure that any vehicle that you purchase complies with at least one of the seating plans below, or the vehicle will not be deemed suitable for the grant of a Private Hire Vehicle licence.



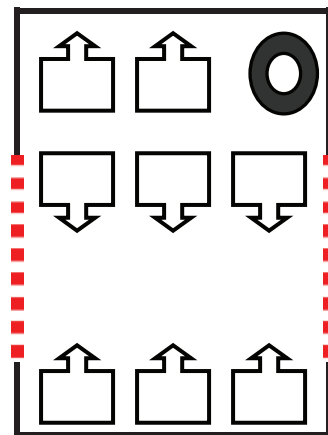
**SIX SEATER
MULTI-PASSENGER
VEHICLE**



**SEVEN SEATER
MULTI-PASSENGER
VEHICLE**



**EIGHT SEATER
MULTI-PASSENGER
VEHICLE**



DRIVER



FRONT FACING PASSENGER SEAT



REAR FACING PASSENGER SEAT



SIDE DOORS

CONDITIONS APPLICABLE TO THE LICENSING OF PRIVATE HIRE VEHICLES

Any requirements of legislation, which affect the operations carried out under the terms of a licence, shall be regarded as if they were conditions of that licence.

No vehicle shall be licensed as a Private Hire vehicle unless it complies with the Council's Conditions of Fitness.

Private Hire Vehicles can be licensed for up to eight passengers. If your vehicle seats more than 8 passengers you will need to contact the Department of Transport.

It must be understood that although the conditions of fitness set out may have been complied with, approval will be withheld if the Council is of the opinion that the vehicle is unsuitable for use as a Private Hire vehicle.

A licence holder has a right of appeal to a Magistrate's Court against the imposition of the Conditions attached to a licence, by virtue of Section 300 – 302 of the Public Health Act 1936.

Details as to the makes and models of vehicles already deemed acceptable to be licensed by this Authority can be found on our website: www.oxford.gov.uk/taxilicensing. Information relating to Audio and Visual Recording Equipment Systems and Euro Emissions Regulations can be found elsewhere in this application pack, and on our website: www.oxford.gov.uk/taxilicensing.

A. General

1. It must be understood that although the conditions of fitness set out may have been complied with, approval will be withheld if the Council is of the opinion that the vehicle is unsuitable for use as a Private Hire vehicle.
2. Vehicles offered for licensing as Private Hire vehicles in Oxford must not be the subject of a Private Hire vehicle licence issued by another Licensing Authority or be the subject of a Hackney Carriage licence issued by this or another Licensing Authority.
3. It must be understood that although the conditions set out may have been complied with and a certificate of compliance and Private Hire vehicle licence issued, full payment of the current fee for the issue of a Private Hire vehicle licence must be made or the licence will cease to be valid.
4. It is the responsibility of the proprietor(s) of the Private Hire vehicle to ensure that all conditions of fitness are complied with at all times and that there is in existence for the vehicle a valid and current insurance policy, a current certificate of compliance and a current licence.
5. The Council does not accept responsibility for informing licence holders of the need to re-licence before a particular date nor for inspecting vehicles before a particular date, although every effort will be made to inspect vehicles prior to the expiry of the licence or certificate if an application is made in good time.
6. At all times, the vehicle should be maintained in exceptional condition. The bodywork should be kept in a clean condition and the interior, including the floor, seats and any covers must be in good condition, clean and tidy. Any damage caused to the vehicle materially affecting its safety performance or appearance must be notified to the Licensing Office within 72 hours.

B. Type of Vehicle and Conditions of Fitness

No vehicle will be licensed as Private Hire vehicle unless it complies with the Council's Conditions of Fitness

1. Age of Vehicle

- a. **No vehicle will be first licensed as a Private Hire vehicle unless it is less than five years of age from the date of first registration.**
- b. **All vehicles re-licensed from 1st January 2013 must be Euro IV emissions compliant (This will mean that vehicles registered prior to 1st January 2006 will not be able to have their licence renewed).**
- c. **"Date of first registration" will mean the date of first registration in the UK, or the date of manufacture in the case of vehicles first registered outside the UK.**
- d. **The minimum engine size for a Private Hire vehicle is 1375cc.**
- e. **For vehicles older than the maximum age for first licensing, the application formalities and payment of fees must be fully completed within eight weeks of any expired licence.**

2. General Construction

- a. Every Private Hire vehicle must comply in all respects with the requirements of any Acts and Regulations relating to motor vehicles in force at the time of licensing and must, in all respects, be "exceptionally well maintained" to a level so as to meet with the requirements of the Certificate of Compliance Test at all times when it is being used to carry out licensable duties. As a guide (but not an exhaustive list) "**Exceptionally well maintained**" means:
 - The vehicle to be in excellent mechanical condition;
 - The vehicle to be in all respects, safe and roadworthy, with no signs of corrosion to the mechanical parts, chassis, underside or body work;
 - The exterior of the vehicle to be clean and in excellent condition with no dents or damage of significance. The paintwork to be in excellent condition, of professional standard and consistent with the colour scheme of the vehicle;
 - The interior of the vehicle to be in good condition. The upholstery, linings, seats and floor coverings to be clean with no holes, tears or signs of wearing;
 - The boot or luggage compartment to be in good condition, clean and uncluttered.
- b. Vehicles offered for licensing as Private Hire vehicles must be:
 - Fitted with an engine of a cubic capacity of not less than 1375cc.
 - Fitted with a minimum of four passenger doors
 - Allow unrestricted access and egress for every passenger, including access to the rear row of seats without tilting or moving a seat is required. (In most people carriers this is normally achieved by the removal of the nearside seat of the middle row).
 - Be safe and comfortable
 - Be suitable in type, size and design for use as a Private Hire vehicle.
 - Not of such design or appearance as to lead any person to believe that the vehicle is a Hackney Carriage.

3. Audio and Visual Recording Equipment (Scheme Not Yet Operative)

- a. No Audio and Visual Recording Equipment system shall be installed in a vehicle unless it fully meets with the Minimum Specification Standard as detailed by the Licensing Authority. A vehicle licensed for the first time by this Authority from (T.B.A.) must be fitted with an Audio and Visual Recording Equipment system. No vehicle licensed by this Authority prior to (T.B.A.), shall be granted a licence after (T.B.A.) if an Audio and Visual Recording Equipment system has not been fitted to it. A Private Hire vehicle that is granted an "Exemption Notice" in accordance with Section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976, shall be exempt from this requirement.
- b. No additional cameras shall be installed in the vehicle unless fitted by an approved installer. The number and location of cameras shall not be varied without the prior written consent of the Council.
- c. Advisory signage, provided by the Council / approved installer, shall be displayed inside the vehicle on each of the rear side passenger windows. The notices shall be positioned in a prominent position where they can be easily read by persons both inside and outside of the vehicle. The proprietor shall ensure that the notices are maintained in a clean and legible condition. In any event, the driver shall ensure that any passengers are informed that Audio and Visual Recording Equipment is in operation (both video and audio) throughout the duration of the journey.
- d. The vehicle proprietor shall ensure that the system is properly and regularly maintained and serviced in accordance with the manufacturer's instructions by a suitably qualified person. Written records of all maintenance and servicing shall be made and retained by the proprietor for the duration of the ownership of the vehicle. Such written records shall be made available on demand by an authorised officer of the Council or a Police officer.
- e. Upon request for image retrieval by an authorised officer of the Council or a Police officer the proprietor shall ensure that the Audio and Visual Recording Equipment system or hard-drive is made available to the relevant personnel at either the Council or Police, as soon as reasonably practicable, and in any event within 7 days of the request.
- f. The proprietor of the vehicle shall take all reasonable steps to ensure that every driver of the vehicle is made aware of all of the conditions in relation to any installed Audio and Visual Recording Equipment system, and has been given adequate instruction regarding the need for the system to be made available as soon as reasonably practicable, and in any event within 7 days of any authorised request for any image retrieval.
- g. The Audio and Visual Recording Equipment system shall remain in full working order and should the system develop a fault, the vehicle proprietor must make arrangements for the system to be rectified immediately. In the event of an Audio and Visual Recording Equipment system developing a fault during a fare paying journey, a period not exceeding 12 hours is permitted for the vehicle to continue being used in its capacity as a licensed vehicle. Upon the 12 hour limit being reached, the vehicle shall not be made available to carry out its licensed duties until the fault is rectified.
- h. Should any Audio and Visual Recording Equipment system or camera be found not to be fully operational during either a Certificate of Compliance Test, or during an inspection by an authorised officer of the Council or a Police Officer, the vehicle licence shall be suspended with immediate effect unless the proprietor can provide evidence at the time of the inspection that the fault occurred within the permitted 12 hour period that the vehicle may continue to be used in its capacity as a licensed vehicle.

4. Colour of Vehicles

A vehicle submitted for licensing as a Private Hire Vehicle, to carry more than five passengers or of a non-saloon type will not be approved for licensing if it is black in colour.

5. Alterations to vehicles

- a. All motor vehicles are required to have a type approval certificate before they can be licensed and used upon the public roads.
- b. No alterations to a vehicle as approved and granted the original manufacturers type approval certificate will be permitted, with the following exceptions.
- c. A conversion for which a whole vehicle type approval certificate has been granted.
- d. Following the grant of a whole vehicle type approval certificate, with the approval of the Council, the simple removal of a seat to allow the easy access to all seats, required by Council regulations

6. Passengers

- a. Every passenger must have a minimum of 40cm seat space. (If it is intended to licence a vehicle to carry 4 passengers then the rear seat must be at least 120cm).
- b. The minimum leg-room for passengers using the rear seats shall be 17cm. The measurement to be taken from the front edge of the rear seat to the back of the front seat when it is placed in the furthest possible position from the dashboard and the backrest part of the seat is at a 90% angle with the seat.
- c. The minimum clear space in front of every part of each seat squab, in the case of non-saloon car with forward facing seats, shall be 66cm.
- d. The minimum clear space in the case of non-saloon cars where seats are placed facing each other, between every part of the front of a seat and any part of any other seat with faces it shall be 48cm.
- e. Suitable measures must be provided to assist persons to rise from the rear seats with particular attention to the needs of elderly people and people with disabilities.

7. Seat Belts

Every vehicle must be fitted with seat belts of a type that conform to the British Standards Institution standards. A seat belt must be provided for every passenger and the driver.

8. Steering

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

9. Wheels and Tyres

- a. All wheels and the tyres fitted must be of the correct type, size and the correct pressure for the vehicle.
- b. Unless the vehicle is supplied by the manufacturer with approved run-flat tyres or a spare wheel and tyre of a compact design as original equipment, or supplied with the manufacturers approved repair kit (in place of a spare wheel), a spare wheel and tyre of the same type as that fitted to the vehicle and at the correct pressure must be carried.
- c. It is essential that vehicles with run flat tyres be fitted with a working tyre pressure monitoring system.
- d. Where a wheel and tyre of compact design (space saver) is carried, tools sufficient to allow the spare wheel to be fitted during a journey will be carried in the vehicle in a safe and secure position.
- e. The vehicle must only be used with a space saver tyre, or when normal pressure has been lost from a run flat tyre, or when a tyre has been repaired with the use of the manufacturers approved repair kit (in place of a spare wheel) to enable a hiring to be completed and then must only be used in accordance with the parameters prescribed by the manufacturer. The vehicle may not be used for any further hirings until the "temporary" wheel and tyre has been replaced by ones of the correct type.

10. Windows

- a. Windows must be provided at the sides and at the rear of the vehicle. The light transmission of any window in any position must not be less than that currently required of the front windscreen and side windows by The Road Vehicles

(Construction & Use) Regulations 1986. For the sake of clarity, all windows must allow 70% of light through as tested by a light meter, with the exception that upon the fitting of Audio & Visual Recording Equipment to any Private Hire vehicle licensed from 1st April 2011, there shall be no requirement for the need to replace the standard manufactured rear windows or rear windscreen of the vehicle.

- b. A Private Hire vehicle that is granted an "Exemption Notice" in accordance with Section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976, shall be exempt from the requirement to replace the standard manufactured rear side windows and rear windscreen of the vehicle.
- c. The light transmission through the windows of vehicles, including those licensed prior to the introduction of this regulation may not be reduced in any way from that present when the vehicle was approved for licensing.
- d. Passenger door windows must be capable of being opened easily by passengers when seated. The control for opening a door window must be easily identified so as not to be mistaken for any other control.
- e. Where electrically operated windows are fitted they must be approved and comply with the following:
 - i) Switches must be available for passengers to operate the windows as required, but the driver's controls must be capable of overriding and locking out the passenger's controls when unescorted children are being carried.
 - ii) An approved sensing device must be fitted that will stop the window closing when an obstruction is present.

11. Glass

The windscreen must be of laminated construction and not be tinted. All other windows and glass must be an approved safety type.

12. Luggage

Provision must be made for carrying a reasonable amount of luggage and an efficient method of securing it must be provided.

13. Fittings

No fitting other than those approved may be attached to or carried upon the inside or outside of the vehicle.

14. Certificate of Insurance and Form of Holder

A current certificate of insurance as required by any Acts or Regulations relating to Private Hire Vehicles, must be carried in a holder securely affixed to the vehicle in an approved position and be positioned in the holder in such a manner that the details of commencement, expiry and details of cover are clearly visible.

15. Licence Plates

A plate, as supplied by the Council, must be securely affixed to the vehicle in approved position, at the rear of the vehicle. The plate will bear the following information:

- a. the number of the licence issued in respect of the vehicle.
- b. the maximum number of passengers allowed to be carried.
- c. the registration number of the vehicle to which the licence has been issued.
- d. the expiry date of the licence.

16. Door stickers

Door stickers in a form supplied by the council, identifying the vehicle and bearing the words 'Office and Telephone Bookings Only' and listing the "licence number of the vehicle" shall be affixed directly to the front doors on both sides of the vehicle. No method of attachment to the vehicle other than that intended or supplied by the council shall be used.

17. Plying for Hire Sticker

A sticker in a form supplied by the council, indicating that the Private Hire vehicle is not available for public hire shall be affixed to the windscreen.

18. Operator's Sign

- a. A sign must be displayed on the rear doors on both sides of the vehicle containing details of the name of the Operator of the vehicle and any telephone number, fax number or email or web address of that firm.
- b. The sign shall be no larger than the door sign supplied by the Council to identify the vehicle and required under condition introduced in April 1993 and amended in September 2000, to be fitted on the front doors of the vehicle.
- c. The sign shall not contain the words "tax", "taxi", "cab", "taxi-cab" or "for hire", whether or not as part of another word.
- d. Exemption for the display of the sign will be granted to those vehicles, which have been granted exemption for the display of a licence plate under s74 (3) Local Government (Miscellaneous Provisions) Act 1976 and with the same conditions contained in legislation for that exemption.

19. Steps (for non-saloon vehicles)

- a. The top of the tread for any entrance must be at the level of the floor of the passenger compartment and must not exceed 38cm above ground level when the vehicle is unladen.
- b. The outer edge of the floor at each entrance must be fitted with non-slip treads and must be colour contrasted to an approved type to aid partially sighted persons.
- c. An additional, if standard step height is more than 19cm, removable step must be provided which must not exceed 19cm above ground level when the vehicle is unladen. The step must be fitted with non-slip treads and must be colour contrasted to an approved type to aid persons with disabilities to enter the vehicle. The step must be of an approved design and be designed in such a way as to make it impossible for the door to be closed when the step is in place.

20. Wheelchair Facilities (where fitted)

- a. Approved anchorages must be provided for the wheelchair. These anchorages must be either chassis or floor linked. If floor linked they must be affixed in such a manner that the forces are distributed evenly throughout the floor area by means of a suitable galvanised plate of minimum dimensions 200 x 200mm which must be used beneath the floor.
- b. Approved restraints must be provided for the wheelchair and the person using the wheelchair. These restraints must be independent of each other.
- c. Approved anchorages must also be provided for the safe storage of a wheelchair when not in use whether folded or otherwise if carried within the passenger compartment.
- d. All anchorages and restraints must be so designed that they do not cause a foreseeable danger to other passengers.
- e. An approved ramp or ramps or other apparatus for the loading and unloading of a wheelchair and occupant must be available at all times for use at an approved position. An adequate locating device must be fitted to ensure that the ramp(s) do not slip or tilt when in use. The ramp(s) must be capable of being stowed safely when not in use.

21. Swivel Seat (where fitted)

The nearside of the front seat must be capable of swivelling on its axis to a position where a person with disabilities or an elderly person may seat themselves prior to entering the vehicle. The seat should be capable of re-siting securely in its travelling position with minimum effort from the passenger or minimum assistance from the driver only.

22. Accessories

- a. **Fire Appliances:** A fire extinguisher which complies with E.E.C. Standard EN3, which has a minimum capacity of 1.0 Kg must be carried securely in such a position as to be readily available for use.
- b. The apparatus shall be clearly marked with the vehicle licence number.
- c. **First Aid Equipment:**
 - i) A first aid kit must be carried securely in the vehicle and maintained at all times. The contents must be within the manufacturer's expiry date. It must be carried in such a way as to be readily available for immediate use by a qualified person or volunteer in an emergency.
 - ii) The first aid kit, which complies with the table set out below, must be carried securely in the vehicle and a first aid window sticker must be prominently displayed on the vehicle.

Contents of First Aid Kit	Requirements for Vehicle Licensed to Carry Passengers
	Minimum number of
Individually wrapped sterile plasters, assorted sizes	20
Sterile eye pads	2
Sterile individually wrapped triangular bandages	4
Safety pins	6
Large sterile individually wrapped wound dressing	2
Medium sterile individually wrapped wound dressing	6
A pair of disposable gloves	1

- d. **Booster Cushion**
Every vehicle must carry a booster cushion of a type that conforms to BSI standards, for use when carrying a child.

23. Taximeter (where fitted)

- a. A taximeter, which conforms to the Council's criteria for taximeters may be fitted and if fitted must be fitted in an approved position.
- b. Taximeters fitted in Private Hire vehicles in Oxford must:
 - i) Conform to the standards set by the British Standards Institution and E.E.C. for taximeters and be certified by the manufactures that it does conform.
 - ii) Be approved by the Public Carriage Office
 - iii) only display tariff rates or other charges set out in the table of fares which must be displayed in a clearly visible position in the vehicle.
 - iv) be tested, sealed and approved prior to usage.
 - v) not be used if, for any reason, the seal has been removed or the meter tampered with until such time as the meter has been retested, resealed and approved for use.

C. DURATION OF CERTIFICATES OF COMPLIANCE

1. Certificates of Compliance will be issued with duration of a minimum of four months and a maximum of six months. In general certificates will be issued with duration of six months.
2. Certificates of Compliance may be renewed up to 14 days in advance of expiry, when, and only upon immediate production of the expiring certificate by the person presenting the vehicle for testing, the new certificate will be dated to expire six months (four months) from the expiry date of the previous certificate.
3. The Council reserves the right to extend or shorten the above periods subject to a minimum and maximum durations given above. Each case will be decided upon its own merits.
4. It must be understood that it is unlawful for a Private Hire vehicle licensed by the Council to be driven on the highway without a current Certificate of Compliance.

CONDITIONS ATTACHED TO THE GRANT OF A PRIVATE HIRE VEHICLE LICENCE

In these conditions 'the Council' means the Oxford City Council, 'Operator' means the holder of a Private Hire operator's licence issued by the Council, 'Vehicle' means a Private Hire vehicle licensed by the Council, 'Proprietor' means the holder of a Private Hire vehicle licence. 'Driver's Licence' means a Private Hire vehicle driver's licence issued by the Council. Any requirements of legislation, which affect the operations carried out under the terms of a licence, shall be regarded as if they were conditions of that licence.

1. The proprietor of a Private Hire vehicle shall not within the Council's district the following permit the display on or in any vehicle:
 - a) any sign, notice or advertisement on the roof;
 - b) any sign, notice or advertisement which is illuminated;
 - c) any sign, notice or advertisement or other manner of public display whatsoever that includes the words whatsoever that includes the words, "tax", "taxi", "Cab", "taxi-cab" or "for hire" whether or not as part of another word.
2. The proprietor of a Private Hire vehicle shall not permit to be displayed on or in that vehicle any advertisement or notice whatsoever except:
 - a) not more than one REAR window strip measuring a maximum 4" x 48" indicating only the name of the Private Hire operator and the corresponding telephone number;
 - b) on the outside of the rear off-side and near-side doors signs indicating only the name of the Private Hire operator and corresponding telephone number. The dimensions of such signs must not be greater than the dimensions of the signs described in paragraph 3(c) below;
 - c) notices or signs that are required to be displayed by this Council.
3. The proprietor of a Private Hire vehicle shall securely affix in a conspicuous position:
 - a) outside the Vehicle at the rear a licence plate, which will be issued in respect of the vehicle by the Council;
 - b) inside the Vehicle a notice which will be issued in respect of the vehicle by the Council;
 - c) on the outside of the front off-side and near-side doors, signs, which will be issued in respect of the vehicle by the Council;
 - d) if the vehicle is equipped with a meter, a table of fares charged by the Private Hire Operator.
4. The proprietor of a Private Hire vehicle shall ensure:
 - a) that the Vehicle is provided with sufficient means by which any person in the vehicle may communicate with the driver and that such means of communication is maintained;

- b) that the vehicle is kept clean, safe, tidy and mechanically sound, and that all relevant statutory requirements including those contained in the Motor Vehicles (Construction and Use) Regulations 1978 or any statutory modifications or replacement of them are complied with;
 - c) that no material alteration or change in the specification, design, condition or appearance of the Vehicle is made without prior written approval of the Council; and
 - d) where a taxi-meter is fitted to the vehicle and is used to record the fare for hiring, the Proprietor shall ensure;
 - i) that a table indicating the fare scale is prominently displayed in the Vehicle;
 - ii) that the taxi-meter is fitted in such a position as to enable the fare recorded to be clearly visible to passengers.
5. The Proprietor of a Private Hire vehicle shall provide a suitable book, the pages of which are numbered consecutively, to enable the driver of that Private Hire vehicle to record the following particulars:
 - a) At the start of each shift - the driver's name and badge number;
 - b) Prior to commencement of each hiring:
 - i) The date and time the hiring was allocated that vehicle;
 - ii) The name and address of the hirer;
 - iii) The pick-up point and time;
 - iv) The destination;
 - c) On completion of each hiring - the fare charged; and shall make such book available for inspection on request by an authorised officer of the Council or a Police Officer and shall keep such records for a minimum of 12 months.
 6. The proprietor of a Private Hire vehicle shall ensure that a copy of the following documents are kept in the vehicle at all times whilst it carries out licensable duties, and that all Private Hire Drivers are aware of the documents are located, should they be asked to produce it to an Authorised Officer:
 - i) Certificate of Insurance
 - ii) Certificate of Conformity (M.O.T.)
 - iii) Ownership Document (V5 Log Book)
 7. The proprietor of a Private Hire vehicle shall provide the Private Hire Operator to whom he or she supplies the vehicle to undertake journeys with a copy of his or her Private Hire Vehicle Licence during the period that the vehicle is utilised so.
 8. The proprietor of a Private Hire Vehicle must report to the Licensing Officer as soon as reasonably practicable, and in any case within 72 hours, the occurrence of any accident involving the vehicle.
 9. The proprietor of a Private Hire Vehicle, in the event that following an accident, he or she does not believe that the vehicle requires replacing, and who wishes to continue to use the vehicle as a licensed Private Hire Vehicle shall make the vehicle available to the Licensing Officer, who will inspect the vehicle and decide whether the vehicle is fit to continue in service. If the Authorised Officer considers the damage to be such that the vehicle may continue in service until such time as a permanent repair is undertaken these must be undertaken within 28 days of the damage occurring. If any damage is considered by the Authorised Officer to be extensive enough to affect the safety or general appearance of the vehicle it must be immediately withdrawn from service and the plate removed. The vehicle must be repaired before the plate is re-affixed and the vehicle returned to service. In the case of any dispute as to fitness for service the vehicle will be taken to the Council nominated testing station where a qualified mechanic will give a binding decision, which will be final. The owner will pay the fee for such examination.
 10. The proprietor of a Private Hire vehicle shall report the loss of the licence and/or plate to the Council as soon as such loss becomes known, and arrange an appointment with the Licensing Officer for the issue of any replacement.
 11. The proprietor of a Private Hire Vehicle shall cease to allow the use of such vehicle which at any time fails in any way to comply with the conditions under which it was licensed.
 12. The proprietor of a Private Hire vehicle shall maintain a record that provides information as to which driver has use of the vehicle at all times.
 13. The proprietor of a Private Hire vehicle shall only permit drivers licensed by Oxford City Council and who are insured by the proprietor, to drive the vehicle.
 14. The proprietor of a Private Hire vehicle shall contact the Licensing Officer in the event that he or she sells or disposes of the vehicle, and in any event within 7 days of such sale or disposal.
 15. The proprietor of a Private Hire vehicle shall in the event of transferring the ownership of the vehicle to another person, ensure that he or she contacts the Licensing Officer within 7 days of the transfer occurring, and provide to the new proprietor:
 - i) A signed letter stating:
 - The make / model / colour / registration number / vehicle licence number
 - The date of sale
 - To whom the vehicle was sold
 - ii) A bill of sale for the vehicle
 - iii) The Certificate of Conformity (M.O.T.)
 16. The proprietor of a Private Hire vehicle shall upon obtaining the vehicle by means of having the ownership transferred to him or her, contact the Licensing Officer in order to make an appointment for the licence to be amended within 14 days of the transfer having occurred.
 17. The proprietor of a Private Hire vehicle shall notify the Council in advance, in writing, if he or she is to be away from the address shown of the licence, for a period of more than 28 days.
 18. The proprietor of a Private Hire vehicle shall not wilfully obstruct an Authorised Officer, or without reasonable excuse fail to comply with any requirement made by such a person, or without reasonable cause, fail to give any such person any other assistance or information such person may reasonably require in the performance of his or her duties.
 19. The proprietor of a Private Hire vehicle shall within 7 days of any request made by an Authorised Officer, make available any records or other information that would reasonably assist with an investigation.
 20. The proprietor of a Private Hire vehicle shall ensure that a copy of these conditions are retained within the vehicle and made available for inspection by the hirer or any passenger, or Authorised Officer upon request.

EQUALITY ACT 2010

HOW DOES THIS AFFECT HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER?

There are some changes in the law which will come into effect in October 2010 which might affect you. The Equality Act 2010 includes provisions relating specifically to Hackney Carriages and Private Hire vehicles and disability. The Government brought into force several provisions of the Act in October 2010, Further provisions will come into force later – but not before April 2011.

The information below provides details of the provisions that came in to force in October 2010 in relation to Hackney Carriages and Private Hire vehicles, and what the implications will be for Hackney Carriage and Private Hire vehicle drivers; and details of the further measures that are due to be implemented at a future date yet to be determined.

DUTIES ON DRIVERS TO ASSIST PASSENGERS IN WHEELCHAIRS

The Equality Act is due to place duties on the drivers of designated wheelchair accessible Hackney Carriages and Private Hire vehicles to provide physical assistance to passengers in wheelchairs. A further announcement will be made on when the duties will come into force, but it will not be before April 2011.

The duties will apply to the driver of any wheelchair accessible Hackney Carriages and Private Hire vehicles which is on the licensing authority's list of "designated vehicles". Oxford City Council will be maintaining a list of designated vehicles and therefore the following duties will apply to you. Before the duties are brought into force, any drivers who suffer from a disability or a condition which would make it difficult for them to provide physical assistance can apply for an exemption from the duties to offer assistance. The opportunity to apply for exemptions started on 1 October 2010.

LISTS OF WHEELCHAIR ACCESSIBLE VEHICLES

Section 167 of the Act allows licensing authorities to maintain a list of "designated vehicles", that is, a list of wheelchair accessible Hackney Carriages and Private Hire vehicles licensed in their area. The consequence of being on this list is that the driver must undertake the duties in section 165. This section will be commenced at a later date (not before April 2011).

When section 167 comes into force, and the lists of designated vehicles have a statutory effect, it will be possible for the owner of a vehicle to appeal against a licensing authority's decision to include his or her vehicle on the list. This appeal will also go to the magistrates' court.

WHAT ARE THE DUTIES PLACED ON HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS?

The duties being placed on the drivers of designated wheelchair accessible Hackney Carriages and Private Hire vehicles are (under Section 165 of The Equalities Act 2010):

- to carry the passenger while in a wheelchair
- not to make any additional charge for doing so
- If the passenger chooses to sit in a passenger seat, to carry the wheelchair
- to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
- to give the passenger such mobility assistance as is reasonably required.

WHAT DOES MOBILITY ASSISTANCE MEAN?

Mobility assistance essentially means helping passengers who use wheelchairs by providing physical assistance. If the passenger wishes to remain in the wheelchair, the driver must help the passenger to get into and out of the vehicle. If the passenger wants to transfer to a seat, the driver must help him or her to get out of the wheelchair and into a seat and back into the wheelchair; the driver must also load the wheelchair into the vehicle. The driver must also offer to load the passenger's luggage into and out of the vehicle.

WHAT IF I HAVE A MEDICAL CONDITION WHICH PREVENTS ME FROM CARRYING OUT THESE DUTIES?

The new Act allows for exemptions from the duties on medical grounds or if the driver's physical condition makes it impossible or unreasonably difficult for him or her to comply with those duties. It is the responsibility of drivers who require an exemption to apply for one from their licensing authority before the duties come into force; they will have at least six months to go through this process.

WHO DECIDES IF A DRIVER IS EXEMPT?

The local licensing authority decides if a driver should be exempt from the duties.

WHAT IF THE LICENSING AUTHORITY SAYS THAT I AM OK TO CARRY OUT THE DUTIES AND I DISAGREE?

The legislation allows a driver to appeal to the magistrates' court within 28 days if the licensing authority decides not to issue an exemption certificate.

HOW WILL PASSENGERS KNOW THAT I AM EXEMPT FROM THE DUTIES TO ASSIST PASSENGERS?

The Department will be printing and issuing to licensing authorities special Exemption Notices which exempted drivers must display on their vehicles in order that passengers will know that the driver is exempt from duties.

GUIDE DOGS

The other thing that will happen on the 1st of October 2010 is that the duties placed on Hackney Carriages and Private Hire drivers and on Private Hire Vehicle operators to carry guide dogs and other assistance dogs will transfer from the Disability Discrimination Act 1995 to the Equality Act 2010. In practice, the duties will remain exactly the same as they are now. Any person who is currently exempt from the duty to carry an assistance dog on medical grounds will continue to be exempt. That is because we have made a change in the law so that all existing exemption certificates and all existing exemption notices remain in force as though they had been made under the Equality Act 2010.

I HAVE AN EXEMPTION CERTIFICATE WHICH SAYS THAT IT WAS ISSUED UNDER THE DISABILITY DISCRIMINATION ACT 1995 – DO I HAVE TO GET A NEW ONE?

No, you do not have to get a new certificate, the certificate which you have been granted remains valid until its expiry date.

I HAVE A SPECIAL NOTICE IN MY HACKNEY CARRIAGE / PRIVATE HIRE VEHICLE WHICH SAYS THAT I AM EXEMPT FROM CARRYING GUIDE DOGS AND MENTIONS THE DISABILITY DISCRIMINATION ACT 1995 SO WILL I NEED TO GET A NEW ONE?

No, you do not have to get a new exemption notice; the notice which was provided by the licensing authority remains valid until its expiry date.

APPLICATION FORM: HACKNEY CARRIAGE VEHICLE

REQUEST TO DISPLAY ADVERTISEMENTS (INTERNAL / EXTERNAL)

To: The Head of Environmental Development, Oxford City Council, Ramsay House, St Aldate's Chambers, 109 St Aldate's, Oxford, OX1 1DS

ALL QUESTIONS BELOW MUST BE ANSWERED AND NOT CROSSED OUT. PLEASE COMPLETE THIS FORM IN BLOCK CAPITALS

THIS APPLICATION FORM MUST BE COMPLETED BY THE OWNER(S) OF THE VEHICLE:

ALL ADVERTISEMENTS MUST ADHERE TO THE CONDITIONS APPLICABLE TO THE LICENSING OF HACKNEY CARRIAGE VEHICLES (Please refer to the Hackney Carriage & Private Hire Licensing Application Pack for information relating to the relevant conditions).

NAME OF PROPRIETOR:	
ADDRESS OF PROPRIETOR:	
HOME TELEPHONE:	MOBILE TELEPHONE:
EMAIL ADDRESS:	
LICENCE NUMBER OF HACKNEY CARRIAGE VEHICLE:	
DATE VEHICLE LICENCE IS DUE TO EXPIRE:	
REGISTRATION NUMBER OF HACKNEY CARRIAGE VEHICLE:	
MAKE & MODEL OF HACKNEY CARRIAGE VEHICLE:	
NAME OF ADVERTISING AGENCY:	
ADDRESS OF AGENCY:	
DETAILS OF PRODUCT TO BE ADVERTISED:	
PROPOSED POSITION OF ADVERTISEMENT:	

I declare that I have read and understand the criteria and conditions applicable to the licensing of Hackney Carriage vehicles in Oxford and the advertisement described above complies with those criteria and conditions. I am aware that the request to provide advertisements either internally or externally must be applied for annually at the time of renewing the Hackney Carriage vehicle licence, or upon the request to transfer the ownership of the Hackney Carriage vehicle, or upon the request to change the currently licensed Hackney Carriage vehicle to another vehicle intended to be licensed as a Hackney Carriage vehicle. I am aware that if any person knowingly or recklessly makes a false statement or omits any material particular in giving information on this form that person shall be guilty of an offence. I declare that I have checked the details given on this application form and to the best of my knowledge and belief they are correct. I am entitled to the grant of permission for which I apply.

DATE:..... SIGNATURE:.....

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see <http://www.oxford.gov.uk/websitetools/privacy.cfm>.

APPLICATION FORM: HACKNEY CARRIAGE / PRIVATE HIRE VEHICLE LICENCE

Preamble: We may get information about you from certain third parties, or give information to them, to check the accuracy of information, to prevent or detect crime, or to protect public funds in other ways, as permitted by law. These third parties include other local authorities and Government departments.

To: The Head of Environmental Development, Oxford City Council, St Aldate's Chambers, 109 St Aldate's, Oxford, OX1 1DS

ALL QUESTIONS BELOW MUST BE ANSWERED AND NOT CROSSED OUT. PLEASE COMPLETE THIS FORM IN BLOCK CAPITALS

THIS APPLICATION FORM MUST BE COMPLETED BY THE OWNER OF THE VEHICLE. IF THE VEHICLE IS OWNED BY MORE THAN ONE PERSON, PLEASE PROVIDE DETAILS OF ALL OTHER OWNERS.

NAME:		
ADDRESS:		
HOME TELEPHONE:	MOBILE TELEPHONE:	
EMAIL ADDRESS:		
DATE OF BIRTH:	NATIONALITY:	
I am applying to: GRANT / RENEW / CHANGE VEHICLE / TRANSFER OWNER / TEMPORARY VEHICLE (delete as applicable) a: HACKNEY CARRIAGE / PRIVATE HIRE (delete as applicable) VEHICLE		
VEHICLE MAKE:	MODEL:	COLOUR:
REGISTRATION NUMBER:	ENGINE CAPACITY (cc):	
DIESEL / PETROL:	REGISTRATION DATE:	
HACKNEY CARRIAGE / PRIVATE HIRE PLATE NO.:		
PASSENGER SEATING CAPACITY:		
WHEELCHAIR ACCESSIBLE?:	YES / NO (delete as applicable)	
IS THE VEHICLE TO BE DRIVEN BY ANY OTHER LICENSED DRIVER(S)?:	YES / NO (delete as applicable)	
IF YOU HAVE ANSWERED "YES" ABOVE, PLEASE GIVE DETAILS OF THE DRIVERS NAME & BADGE NUMBER: (If you need to amend your insurance certificate at any time, you must inform the Licensing Officer in writing and submit your Certificate of Insurance (not a photocopy) as proof – failure to do so is an offence)		
DETAILS OF THE LICENCED OPERATOR FOR THIS VEHICLE (i.e. 001 Cars, ABC, Royal Cars, etc):		

PLEASE PROVIDE DETAILS OF ANY OTHER OWNERS OF THIS VEHICLE, IF NOT JUST YOURSELF

NAME:		
ADDRESS:		
HOME TELEPHONE:	MOBILE TELEPHONE:	
EMAIL ADDRESS:		

Please continue on a separate sheet if there is more than 1 owner of the vehicle.

I declare that I have read and understand the criteria and conditions of fitness for Hackney Carriage / Private Hire Vehicles in Oxford and the vehicle described above complies with those criteria and conditions. I am aware of and accept the duties and responsibilities in respect of the licensing and maintenance of the vehicle, the supervision of the driver, duty to provide information when required to do so and all other requirements under statute, byelaw and local regulations. I am aware that if any person knowingly or recklessly makes a false statement or omits any material particular in giving information on this form that person shall be guilty of an offence. I declare that I have checked the details given on this application form and to the best of my knowledge and belief they are correct. I am entitled to the licence for which I apply.

DATE:..... SIGNATURE:.....

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see <http://www.oxford.gov.uk/websitetools/privacy.cfm>.

FOR OFFICE USE ONLY: PARIS CODE: K9571 COST CENTRE: ED25

To: General Purposes Licensing Committee

Date: 17th October 2012 **Item No:**

Report of: Head of Environmental Development

Title of Report: Hackney Carriage Tariff – Application for Increase

Summary and Recommendations

Purpose of report: To consider a request for a Hackney Carriage Tariff increase from the City of Oxford Licensed Taxicab Association (COLTA)

Report Approved by:

Finance: Paul Swaffield

Legal: Daniel Smith

Policy Framework: Vibrant Sustainable Economy

Recommendation(s):

Committee is requested to:

- i) consider the request from the City of Oxford Licensed Taxicab Association for an increase in the Hackney Carriage tariff in accordance with the information contained within this report; and subject to this decision**
- ii) request that the Head of Environmental Development and the Head of Law and Governance carry out the statutory requirement of a public consultation.**

Introduction

1. Under section 65 of the Local Government (Miscellaneous Provisions) Act 1976 a Local Authority may set the fares for Hackney Carriages within its district.

Background

2. The City of Oxford Licensed Taxicab Association (COLTA) has applied for a variation in the Hackney Carriage tariff to commence from the 10th December 2012. The request from the Secretary of COLTA is attached at **Appendix One**.

3. COLTA has provided information from the journal "Private Hire Monthly" highlighting the average national fare for a 2 mile journey set at tariff 1, and compared that to the current local tariff and their proposed tariff increase. In the July 2012 issue of the "Private Hire Monthly" Oxford City Council were placed 126th most expensive authority out of 363 authorities for the fare price of a 2 mile journey on tariff 1.
4. In brief COLTA has requested that :-
 - **Tariff 1** the flag full will increase from £2.45 to £2.50
 - **Tariff 1 & 3** waiting time decreased from 20.3 seconds to 20 seconds
 - **Tariff 2** waiting time increased from 18.9 seconds to 19 seconds
 - **Tariff 1 & 3** distance of first flag fall to be reduced from 80 metres to 70 metres. Subsequent metres increased from 1600 to 1610 metres, then decreased from 125 metres to 110 metres
 - **Tariff 2** distance of first flag fall to be reduced from 53 metres to 47 metres. Subsequent metres decreased from 2120 to 2115 metres, then decreased from 130 metres to 110 metres.
5. The Committee should be aware that the last tariff increase was on the 10th January 2011. Attached at **Appendix Two** is the current tariff chart, and the new proposed tariff chart is attached at **Appendix Three**.
6. If the Committee agree to COLTA's request for a tariff increase a Public Notice shall be required to be placed in a local newspaper, detailing the proposed tariffs, and a period of 14 days shall commence for a public consultation.
7. COLTA has also requested that the Committee give consideration to the placement of a notice in all Hackney Carriage vehicles stating that any fare that ends outside the City boundary shall be charged on the metre at tariff 3. A copy of this request is attached at **Appendix Four**.
8. The currently applied regulation as to fares that terminate outside of the City boundary is detailed below (and can be found displayed on the current tariff chart that is displayed in all licensed Hackney Carriage vehicles, and can be found within the Hackney Carriage and Private Hire Vehicle Application Packs and detailed on the Council website):
 - **The driver does not have to accept journeys that end outside the City of Oxford boundary; the fare or rate of fare must be by agreement between the hirer and driver before the journey commences. The fare is likely to be higher than within the City as drivers cannot accept a return hiring. Where no such**

agreement exists then the scale of charges applicable to journeys within the City shown below will apply.

9. The Licensing Authority occasionally receives complaints from members of the public who claim not to be aware of the above regulation, and have perceived that the driver of a Hackney Carriage has either overcharged them for a fare, or has refused to use a metre and quoted a price for the intended journey.
10. The general public appear not to realise that if a journey does not end within the City boundary the driver can legitimately refuse the fare or can negotiate a fare; or that the driver cannot ply for hire until the vehicle has returned to within the City boundary.

Legal Considerations

11. The charging of Hackney Carriage fares and payment are governed by a number of different legislation
 - Local Government (Miscellaneous Provisions) Act 1976 Section 65 to set the fare and 65(5) within the district to charge more than the fare shown on the meter
 - Town Police Clauses Act 1847 Section 54 allows agreement to be made in advance of the hiring that a sum less than that shown on the meter at the end of the hiring will be paid
 - Local Government (Miscellaneous Provisions) Act 1976 Section 66 prohibits any demand of a fare greater than that shown on the meter for hiring's which end outside the district, unless an agreement to pay more than the metered fare has been made in advance of the journey.
12. The Committee may take a view that the request from COLTA to set a fare at tariff 3 for journeys that end outside of the City boundary is a reasonable one, however, Members are reminded of the comments made in this report at paragraphs 8 to 10 and that they may take a view that improved communications between the driver and any potential passengers would result in fewer misunderstandings as to what the current regulation states,

Financial Considerations

13. There are no financial implications to a tariff increase as a portion of the Hackney Carriage licence fee is to pay for any costs involved.

Recommendations

14. The Committee is recommended:

- i) to consider the request from the City of Oxford Licensed Taxicab Association for an increase in the Hackney Carriage tariff in accordance with the information contained within this report; and subject to this decision
- ii) to request that the Head of Environmental Development and the Head of Law and Governance carry out the statutory requirement of a public consultation.

Name and contact details of author: Jill Cramer
Senior Licensing Officer
Environmental Development
Tel: 01865 (252257
Email: jcramer@oxford.gov.uk

Appendix One : Request from COLTA for tariff increase

Appendix Two : Current tariff chart

Appendix Three : Proposed new tariff chart

Appendix Four : Request from COLTA for notice in Hackney Carriages

Version number: 1

APPENDIX ONE

COLTA Fare Increase Report July 2012

Introduction

This report will provide an overview for the formal request of a fare increase rise for COLTA. The fare increase has not happened for a period of approximately eighteen months. This has been due to variety of Socio and Economic factors that have culminated in a stall in the rate of fare increase and contributory factors concerning the day to day running of a licensed hackney carriage in Oxford.

The report will also include a schedule of increases in line with National inflationary and cost of living derivatives. An attached pro-forma for the increases will explain the requested rate increase and breakdown of how these figures were achieved.

Overview

COLTA are requesting the fare increase in line with the rate of inflation over the past 18 months and then an additional six months . So in short two and a half increases breaks down in terms of 1 increase per year as of 2009- 2012, then an additional increase for a further 6 month period from 2012- mid 2013. This 2.5 figure reflects a hike in the inflation rate over the past two years whereby there has been no fare increase for COLTA.

Rational

In the middle of 2008 record high oil prices were driving up transport costs etc, feeding through into the prices of products in the shops and contributing to higher household energy bills. Food prices were also rising fast. This has been blamed on oil price rises, which make commodities such as fuel more expensive but also due to the drought, rising demand from emerging economies and land being used for such resources such as biofuel. A fall in the value of sterling also forced up the cost of imported goods.

By early 2009 the price of crude oil had slumped losing two thirds of its value in just six months. The global recession had taken hold and this caused an array of fiscal, monetary and household expenditure issues.

The RPI measure which includes housing costs was negative because successive cuts in interest rates meant lower monthly mortgage repayments for many. The overall residing factor here however is that the inflation rates were short lived. VAT went back up to 17.5% and then at the beginning of 2010 went up to 20% the following year. As one can see, a very sharp hike for the cost of living in a 6-9 month period.

It was fairly evident for the British population especially in a City such as Oxford that big rises were coming along. Low and behold gas, electricity, oil, and other fuels shot up in price. Food and transport costs including the running of vehicle soared as a result. This quite simply meant that by September 2011 the RPI rose to 5.6% the highest annual rate since June 1991.

Spending Power for the British Public 2009-2012

The changes in the inflation rate over the past couple of years reflects periods when prices have been rising by different amounts. Prices have been going up consistently so even during periods when the inflation rate was falling prices were still going up.

This meant that for households wage growth was well below the rate of inflation for the past four years which equates to the buying power for families has dwindled as the money that comes in will not be able to buy that much.

Since 2007 increases in VAT , import prices and energy prices have together pushed up price levels by up to 15%. This has choked real wages and this will culminate in the longest period whereby real wage levels have failed to rise since the 1920's.

COLTA Fare Rise Request

This report has tried to raise the plight of the Global economy which will affect the Eurozone and then on a National and ultimately Local Level. Factors that have come to light since the recession and indeed we are still in a third negative growth period, means that real wages and cost of living is being squeezed.

We are facing more austerity measures as well as other economies crashing and costs rising further. Therefore we are requesting the following fare increase to help us keep up with the CPI and RPI increases over the past two years. Please find proposed increase below. (The National Average Fare at July 2012 taken from the Private Hire Monthly Magazine).

	Average	Oxford 2011/12	Oxford 2013
Flag fall on Tariff 1	£2.65	£2.45	£2.50
Flag fall on Tariff 2	£3.53	£2.50	£2.50
1 mile fare on Tariff 1	£3.63	£4.38	£4.70
1 mile fare on Tariff 2	£4.80	£5.46	£5.85
2 mile fare on Tariff 1	£5.42	£5.68	£6.18
2 mile fare on Tariff 2	£7.16	£7.27	£7.93
5 mile fare on Tariff 1	£10.81	£9.58	£10.62
5 mile fare on Tariff 2	£14.50	£11.17	£12.37
10 mile fare on Tariff 1	£19.81	£16.08	£18.02
10 mile fare on Tariff 2	£25.97	£17.67	£19.77
Running mile on Tariff 1	£1.79	£1.30	£1.48
Running mile on Tariff 2	£2.34	£1.25	£1.48
Running mile on Tariff 3	£2.69	£1.95	£2.22

The running mile in Oxford on Tariff 1 will still be 17% less than the national average.
 The running mile in Oxford on Tariff 2 will still be 37% less than the national average.

Tariff 1 % increase at 1 mile = 7.5% At 2 miles = 8.5%

Tariff 2 % increase at 1 mile = 7% At 2 miles = 9.0%

Tariff 1.	The first 70m	£2-50
	Each 70m to 1610m	£0-10
	Then each 110m	£0-10
	Waiting time 20sec	£0-10
Tariff 2	The first 47m	£2-50
	Each 47m to 2115m	£0-10
	Then each 110m	£0-10
	Waiting time 19sec	£0-10
Tariff 3	The first 70m	£2-80
	Each 70m to 1610m	£0-15
	Then each 110m	£0-15
	Waiting time 20sec	£0-15

The last time that an increase in meter price was given on journey distance was in January 2009 when diesel was 98.7 ppl (from the AA web site) it now costs 137.9 ppl a rise of 38.2 ppl. Or £1-74.9 per gallon.

Insurance has gone up 100%

Servicing costs for a purpose built taxi work out at - £16-00 per 1000 miles

Tyres cost - £13-00 per 1000 miles

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APPENDIX TWO

MAXIMUM FARES set by OXFORD CITY COUNCIL for licensed taxi-cabs. OPERATIVE FROM 10th January 2011

The driver must, unless he has reasonable excuse, accept any hiring within the City of Oxford boundary if the destination is also within the City of Oxford boundary. The fare for such a journey, shown below, will be calculated by the taxi meter.

The driver does **not have to accept journeys** that end **outside the City of Oxford** boundary; the fare or rate of fare **must be by agreement** between the hirer and driver before the journey commences. The fare is likely to be higher than within the City as drivers cannot accept a return hiring. **Where no such agreement exists then the scale of charges applicable to journeys within the City shown below will apply.**

FARES FOR DISTANCE TRAVELLED & TIME

TARIFF 1 06.00 -22.00 Monday to Saturday	For the first 80 metres or part thereof	£2.45
	each subsequent 80 metres or part thereof until 1600 metres	£0.10
	each subsequent 125 metres or part thereof	£0.10

WAITING TIME For each period of 20.3 seconds or part thereof	£0.10	For each trunk carried	£1.00
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TARIFF 2 22.00 - 06.00 Monday to Saturday all day Sunday All Public Holidays (except Tariff 3) from 00.01 until 06.00 the following day	For the first 53 metres or part thereof	£2.50
	each subsequent 53 metres or part thereof until 2120 metres	£0.10
	each subsequent 130 metres or part thereof	£0.10

WAITING TIME For each period of 18.9 seconds or part thereof	£0.10	For each trunk carried	£1.00
---	--------------	------------------------	--------------

TARIFF 3 Christmas From 20.00 24 th Dec Until 06.00 27 th Dec New Year From 20.00 31 st Dec Until 06.00 2 nd Jan	For the first 80 metres or part thereof	£2.80
	each subsequent 80 metres or part thereof until 1600 metres	£0.15
	each subsequent 125metres or part thereof	£0.15

WAITING TIME For each period of 20.3 seconds or part thereof	£0.15	For each trunk carried	£1.50
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For each passenger in excess of one	£0.20
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For each article of baggage carried outside the passenger compartment of the cab	£0.10
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For each adult pedal cycle carried (except folding)	£1.00
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For each wheeled vehicle carried (except mobility impaired persons vehicle)	£0.10
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PAYMENT by cheque credit card or debit card	£0.50
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SOILAGE CHARGE * To cover cleaning and loss of income, where the interior of the vehicle is soiled due to the excessive consumption of alcohol etc. or by the carriage of an animal, excluding guide dogs.	£30.0
---	--------------

Complaints about the cab or driver should be sent immediately **PREFERABLY IN WRITING or E mail** to the Oxford City Council, Taxi Licensing, 10 St. Ebbes Street, OXFORD. OX1 1PT. (taxilicensing@oxford.gov.uk) quoting the large vehicle identification number shown on the rear side windows of the vehicle or licence plate

Complaints can also be notified by telephone on 01865 252115

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APPENDIX THREE

MAXIMUM FARES set by OXFORD CITY COUNCIL for licensed taxi-cabs. OPERATIVE FROM XXXXXX

The driver must, unless he has reasonable excuse, accept any hiring within the City of Oxford boundary if the destination is also within the City of Oxford boundary. The fare for such a journey, shown below, will be calculated by the taxi meter.

The driver does **not have to accept journeys** that end **outside the City of Oxford** boundary; the fare or rate of fare **must be by agreement** between the hirer and driver before the journey commences. The fare is likely to be higher than within the City as drivers cannot accept a return hiring. **Where no such agreement exists then the scale of charges applicable to journeys within the City shown below will apply.**

FARES FOR DISTANCE TRAVELLED & TIME

TARIFF 1 06.00 -22.00 Monday to Saturday	For the first 70 metres or part thereof	£2.50
	each subsequent 70 metres or part thereof until 1610 metres	£0.10
	each subsequent 110 metres or part thereof	£0.10

WAITING TIME For each period of 20 seconds or part thereof	£0.10	For each trunk carried	£1.00
---	--------------	------------------------	--------------

TARIFF 2 22.00 - 06.00 Monday to Saturday all day Sunday All Public Holidays (except Tariff 3) from 00.01 until 06.00 the following day	For the first 47 metres or part thereof	£2.50
	each subsequent 47 metres or part thereof until 2115 metres	£0.10
	each subsequent 110 metres or part thereof	£0.10

WAITING TIME For each period of 19 seconds or part thereof	£0.10	For each trunk carried	£1.00
---	--------------	------------------------	--------------

TARIFF 3 Christmas From 20.00 24 th Dec Until 06.00 27 th Dec New Year From 20.00 31 st Dec Until 06.00 2 nd Jan	For the first 70 metres or part thereof	£2.80
	each subsequent 70 metres or part thereof until 1610 metres	£0.15
	each subsequent 110metres or part thereof	£0.15

WAITING TIME For each period of 20 seconds or part thereof	£0.15	For each trunk carried	£1.50
---	--------------	------------------------	--------------

For each passenger in excess of one	£0.20
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For each article of baggage carried outside the passenger compartment of the cab	£0.10
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For each adult pedal cycle carried (except folding)	£1.00
---	--------------

For each wheeled vehicle carried (except mobility impaired persons vehicle)	£0.10
---	--------------

PAYMENT by cheque credit card or debit card	£0.50
--	--------------

SOILAGE CHARGE * To cover cleaning and loss of income, where the interior of the vehicle is soiled due to the excessive consumption of alcohol etc. or by the carriage of an animal, excluding guide dogs.	£30.0
---	--------------

Complaints about the cab or driver should be sent immediately **PREFERABLY IN WRITING or E mail** to the Oxford City Council, Taxi Licensing, 10 St. Ebbes Street, OXFORD. OX1 1PT. (taxilicensing@oxford.gov.uk) quoting the large vehicle identification number shown on the rear side windows of the vehicle or licence plate

Complaints can also be notified by telephone on 01865 252115

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APPENDIX FOUR

Outside of the City Fare agreement Protocol for COLTA.

There has been a long history of problems for customers and drivers on journeys that finish outside the district as to how the fare should be agreed. The current scenario entails a fare that may be picked up within the City and ends outside the City must be conducted with an agreed set price. Under a 'Gentleman's' agreement we cover Botley, Sandford and Sanford Science Park also the Crematorium on the City Tariff the fare is not deemed as out of the district and for this reason the journey continues to its conclusion and we will continue to do this.

However as a licensed cab cannot ply for hire out of the City Boundaries then this has a ramification for anyone trying to hail a cab. Passengers and drivers both need to agree a fare and to understand the current setup in relation to 'out of the City boundary fares'. This can cause problems at different points of the day and particularly late evening when licensed premises call time for their clients and patrons.

This can make the customer feel that the driver is trying to charge them more than a fair fare and can put the driver in the position of being in an isolated location with a customer who disagrees the fare and becomes aggressive. There have been occasions where drivers have been challenged violently and the cab attacked when asked for the fare. When a fare is agreed and the meter not used, people can forget what was agreed at the beginning of the journey and this puts a high element of risk into the equation.

Drivers are constantly asked about how much is owed at various points of the journey and for this reason the attention of the driver is constantly distracted. Passengers also may take advantage of a lone working situation and take the cab to a remote location whereby both parties could be deemed at risk of many scenarios that could result in criminal outcomes. Some incidences have led to drivers being robbed at knife or gun point, verbally and or physically abused, car jacked and put at risk of lone working outside of the City boundaries.

Whilst COLTA is aware of the legislation regarding the charging of fares outside the district we are proposing the following as we feel that this would help stop the problems for customers and drivers as stated above. COLTA would like all HC'S to have a notice placed on the security screen behind the driver stating that any fares outside the district will be charged on Tariff 3. COLTA is proposing a £2.22p per mile Tariff. The tariff 3 fare is a reasonable reflection of this fare and proposes a levy that will hopefully quell any discrepancies at the moment. Please bear in mind that the driver cannot ply for hire on the return journey back to district.

COLTA would like to make a formal request to the General Purposes Sub Committee to be allowed to use the Council logo on the notice. This would show customers that this committee are aware of the notice and hopefully make them feel they are being fairly charged.

Obviously this notice is not legally binding and should a customer wish to do so, can agree a flat fee fare with the driver.

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To: General Purposes Licensing Committee

Date: 17 October 2012 **Item No:**

Report of: Head of Environmental Development

Title of Report: Taxi Licensing Customer Satisfaction Survey

Summary and Recommendations

Purpose of report: To report the results of the Taxi Licensing Customer Satisfaction Survey to Committee.

Report Approved by:

Finance: Paul Swaffield

Legal: Daniel Smith

Policy Framework: Vibrant Sustainable Economy
Strong, Active Communities

Recommendation(s):

Committee is recommended to note this report.

Background

1. The Taxi Licensing Customer Satisfaction Survey was carried out to gauge customer satisfaction following the implementation of improvements to the taxi licensing process. The survey was carried out independently of the taxi licensing office by the Head of Environmental Development.
2. Survey forms were sent to all applicants for Hackney Carriage and Private Hire Driver and Vehicle Licence applications between 1st April 2011 and 31st March 2012. A high proportion of applications are for annual renewals, hence the survey was carried out monthly for the duration of a year to complete the cycle. Each month survey forms were sent to those who had made applications during the preceding month. The survey forms are attached at **Appendix One** and the results of the survey are attached at **Appendix Two**.

Number of survey forms sent out – 1338. Number returned 266 (20%).

Overall Conclusions

3. The responses to the survey have revealed high levels of satisfaction with the services provided. 89% of respondents felt our officers are polite and helpful and 86% felt they were treated fairly. 89% of respondents like being able to pay their licence fee at the licensing office and 83% found it easy to book an appointment. Although 86% of respondents felt they were given sufficient information to understand the taxi licensing procedure, only 66% thought the new procedures have made it more straightforward to renew their licence. This may in part be due to the relocation of the office to St Aldate's Chambers as a number of respondents commented about not being able to park outside St Aldate's Chambers.
4. In terms of the information provided by the taxi licensing service, more respondents (87%) found the newsletter helpful and informative whereas only 68% found the website helpful and informative. This may well reflect the level of access to the internet that our customers have.
5. Diversity monitoring data has been collected giving details of gender, age, disability and ethnicity. Further work needs to be done to assess diversity issues around service satisfaction and accessibility to our services.
6. The data collected is subject to the Data Protection Act 1998. The forms were destroyed once the data had been processed.

Financial Considerations

7. There are no material financial considerations contained within the content of this report that apply to the Authority.

Legal Considerations

8. There are no material legal considerations contained within the content of this report that apply to the Authority.

Name and contact details of author:

Tony Payne

Licensing and Development Manager

Tel: 01865 25(2062)

Email: tpayne@oxford.gov.uk

Background papers:

Appendix One: Customer Satisfaction Survey Forms

Appendix Two: Customer Satisfaction Survey Results

Version number: 1.0

Environmental Development

Direct Line: 01865 252128

Fax: 01865 252344

E-mail: kfranklin@oxford.gov.uk

{Name and Address}

Date: {Date}

Dear {Name},

Oxford City Council is committed to developing and improving services and considers the views and comments of service users to be important in achieving this aim. As you will know, the taxi licensing office has recently introduced many changes to the taxi licensing systems with the aim of improving efficiency and making it more straightforward for you to renew your licence. We would value your feedback around these changes.

This customer satisfaction survey is being carried out independently of the taxi licensing office and we are inviting everyone who has renewed or made an application for a new licence since the changes were introduced to respond to the survey.

We would be grateful if you could complete the enclosed survey and return it in the pre-paid envelope. Alternatively, the survey is available on line at:

www.oxford.gov.uk/consultation

Thank you for your time and if you have any queries please do not hesitate to contact me.

K Franklin

Karen Franklin

**ENVIRONMENTAL DEVELOPMENT
CUSTOMER SATISFACTION SURVEY
TAXI LICENSING**

www.oxford.gov.uk



Please indicate whether you agree or disagree with each of the following about your recent contacts with the Taxi Licensing Service		Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Not applicable
1	I was given sufficient information to understand the taxi licensing procedure						
2	I find the taxi licensing newsletter helpful and informative						
3	I find the taxi licensing pages on the Council's website helpful and informative						
4	I think the new procedures have made it more straightforward for me to renew my licence						
5	It was easy for me to book an appointment with the licensing officer						
6	I like being able to pay my licence fee at the licensing office						
7	I felt the officers I dealt with were polite and helpful						
8	I felt I was treated fairly						

Any other comments about the taxi licensing service?

.....

About You – Diversity Monitoring

The following information is needed to help us ensure that our services are accessible to all. Your answers will be treated in the strictest confidence and will not be used to identify you. You do not have to answer every question, but it may help us improve our services if you do.

Data Protection Act 1998

The data collected in this form will only be used for the purpose of statistical monitoring. This information will only be retained for as long as is considered necessary for monitoring purposes and then it will be destroyed. At all times it will be kept in Accordance with the Act.

Your gender:

Male		Female	
------	--	--------	--

Your age:

20 – 29 years		30 - 39 years	
40 – 49 years		50 – 59 years	
60 – 64 years		65+ years	

Do you have a disability, long term limiting illness or health problems (12 months or more) which limits daily activities or the work you can do?

Yes		No	
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Our ethnic group describes how we think of ourselves. Ethnic background is not necessarily the same as nationality or country of birth. Please mark the box which is closest to how you see yourself (please tick one only):

White British		White Irish	
Asian or Asian British – Bangladeshi		Asian or Asian British – Pakistani	
Asian or Asian British – Indian		Black or British – African	
Black or British – Caribbean		Mixed White & Asian	
Mixed – White & Black Caribbean		Mixed – White & Black African	
Chinese		Asian or Asian British – other	
White – other		Mixed – other	
Black or British - other			

APPENDIX TWO

Taxi licensing Survey 2011/12

Service users were asked whether you agree or disagree with each of the following statements about their last contact with the service.

Statement	<i>Strongly agree</i>	<i>Agree</i>	<i>Neither agree or disagree</i>	<i>Disagree</i>	<i>Strongly disagree</i>	<i>Total</i>
I was given sufficient information to understand the taxi licensing procedure	85 32%	143 54%	18 7%	10 4%	8 3%	264 100%
I find the taxi licensing newsletter helpful and informative	80 30%	150 57%	17 6%	10 4%	7 3%	264 100%
I find the taxi licensing pages on the Council's website helpful and informative	38 16%	123 52%	44 19%	14 6%	16 7%	235 100%
I think the new procedures have made it more straightforward for me to renew my licence	67 26%	105 40%	37 14%	28 11%	24 9%	261 100%
It was easy for me to book an appointment with the licensing officer	100 38%	118 45%	18 7%	20 8%	9 3%	265 100%
I like being able to pay my licence fee at the licensing office	138 52%	98 37%	16 6%	0 0%	11 4%	263 100%
I felt the officers I dealt with were polite and helpful	127 48%	109 41%	11 4%	12 4%	7 3%	266 100%
I felt I was treated fairly	111 42%	117 44%	21 8%	8 3%	7 3%	264 100%

Diversity Monitoring Data

	Number	%
Gender		
Male	244	97.2%
Female	7	2.8%
	251	
Age		
19-29	26	10.4%
30-39	76	30.3%
40-49	66	26.3%
50-59	46	18.3%
60-64	23	9.2%
65+	14	5.6%
	251	
Disability		
Yes	7	2.8%
No	243	97.2%
	250	
Ethnicity		
Asian or Asian British – Bangladeshi	19	8.1%
Asian or Asian British – Indian	4	1.6%
Asian or Asian British – Other	25	10.1%
Asian or Asian British – Pakistani	98	39.7%
Black or British – African	8	3.2%
Black or British – Caribbean	1	0.4%
Chinese	0	0
Mixed – Other	6	2.4%
Mixed – White and Asian	3	1.2%
Mixed – White & Black African	0	0
Mixed – White & Black Caribbean	1	0.4%
White – British	62	25.1%
White – Irish	0	0
White - Other	20	8.1%
	247	

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GENERAL PURPOSES LICENSING COMMITTEE

Monday 28 May 2012

COUNCILLORS PRESENT: Councillors Cook (Chair), Gotch (Vice-Chair), Canning, Clarkson, Coulter, Goddard, O'Hara, Royce and Williams.

OFFICERS PRESENT: Mathew Metcalfe (Democratic and Electoral Services), Daniel Smith (Law and Governance), Tony Payne (Licensing and Development Manager), Julian Alison (Licensing Team Leader) and Samantha Howell (Licensing Officer)

1. ELECTION OF CHAIR FOR THE COUNCIL YEAR 2012/13

The Committee agreed to elect Councillor Colin Cook as Chair for the Council Year 2012/13.

2. ELECTION OF VICE-CHAIR FOR THE COUNCIL YEAR 2012/13

The Committee agreed to elect Councillor Mike Gotch as Vice-Chair for the Council Year 2012/13.

3. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Mark Lygo.

4. DECLARATIONS OF INTEREST

None declared.

5. POWERS AND DUTIES OF THE COMMITTEE

The Head of Law and Governance informed the Committee that full Council had agreed to change the reporting route concerning licensing policy, namely that consideration of reports concerning the making of, or any changes to policies would now be undertaken by the City Executive Board which would then make recommendations to full Council which had responsibility for setting policies and any changes.

Members of the Committee were of the understanding that licensing policies etc. would still come to the General Purposes Licensing Committee, to allow it to make comments, which would be passed to the City Executive Board to consider when making its recommendations to full Council.

The Committee agreed to inform the City Executive Board of its wish to continue to receive reports concerning draft policies and proposed changes to existing policies before they were presented to the City Executive Board, as Members felt that they were best placed in the first instance to make comments as they

undertook licensing responsibilities such as attending hearings etc. on a regular basis.

6. GENERAL PURPOSES LICENSING COMMITTEE - APPOINTMENT OF SUB-COMMITTEES

The Head of Law and Governance submitted a report (previously circulated, now appended) the purpose of which was to establish Sub-Committees for the 2012/13 Council Year, to deal with the casework flowing from the Committees own responsibilities.

The Committee agreed:

- (a) To establish a Hackney Carriages and Private Hire Licensing Sub committee for the Council Year 2012/13, and agreed its powers and duties, and to appoint members to it on the basis of political balance where possible and practical as follows:

Councillor Mary Clarkson (Councillor Van Coulter as substitute)
Councillor Colin Cook
Councillor Gwynneth Royce (Councillor John Goddard as substitute)

- (b) To establish a Licensing and Registration Sub-Committee for the Council Year 2012/13 and agreed its powers and duties and to appoint members to it on the basis of political balance where possible and practical as follows:

Councillor Colin Cook
Councillor Van Coulter
Councillor Michael Gotch
Councillor Gwynneth Royce

7. LAW COMMISSION CONSULTATION - REFORMING THE LAW ON TAXI AND PRIVATE HIRE SERVICES

The Head of Environmental Development submitted a report (previously circulated, now appended) the purpose of which was to consider and respond to the Law Commission's consultation on reform of the law of taxi and private hire services.

Julian Alison introduced the report and took the Committee through the proposals.

The Committee agreed to delegate authority to the Head of Environmental Development to draft a response in conjunction with the Chair and Vice-Chair and to circulate this draft to Members of the Committee before it being submitted to the Law Commission.

8. A REVIEW OF THE AUDIO AND VISUAL RECORDING SCHEME AGREED FOR HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES

The Head of Environmental Development submitted a report (previously circulated, now appended) the purpose of which was to review the audio and visual recording scheme for Hackney Carriages and Private Hire vehicles following receipt of late views on the imminent introduction of the scheme.

Tony Payne introduced the report and took Members through the recommendations.

The Committee agreed to suspend the introduction of the requirements for audio and visual recording equipment to be installed in licensed Hackney Carriage and Private Hire vehicles, pending the results of further and more extensive consultation on the Scheme and the outcome of the Law Commission's review on reforming the law on taxi and private hire services.

9. UPDATE ON TAXI LICENSING ACTIVITY - JANUARY - MARCH 2012

The Head of Environmental Development submitted a report (previously circulated, now appended) the purpose of which was to inform the Committee of activity undertaken by the Taxi Licensing function between January and March 2012.

Julian Alison introduced the report.

The Committee agreed to note the report.

10. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING VEHICLES - REVIEW OF EURO EMISSION STANDARD LEVELS AND VEHICLE AGE LIMITS

The Head of Environmental Development submitted a report (previously circulated, now appended) the purpose of which was to seek approval to consult on the proposals to increase the rate of compliance for licensed vehicles in order to meet the latest Euro Emission Levels and to implement an upper age limit for licensed vehicles.

Julian Alison introduced the report. The Committee also heard Committees from the Hackney Carriage and Private Hire trade.

The Committee agreed to request the Head of Environmental Development to carryout consultation with the Hackney Carriage and Private Hire trade on the proposed changes and a five year limit for new licences and an eight year limit for re-licences, and to provide the outcome from this consultation to the next scheduled meeting of the General Purposes Licensing Committee in October 2012.

The proposed new wording would read:

New Vehicle Licences:

- (a) Any vehicle must not be older than 5 years of age at the date of the grant of the vehicle licence.

Renewal of existing Vehicle Licences:

- (b) From 1st January 2013, all vehicles submitted for a licence renewal will need to be Euro 4 Emissions compliant, which in effect means that any vehicle first registered prior to 1st October 2006 will not meet current regulations.
- (c) From 1st January 2014 no vehicle shall be re-licensed if it has reached 8 years of age from the date of first registration.

11. DRAFT SEX ESTABLISHMENT LICENSING POLICY - RESPONSES TO CONSULTATION

The Head of Environmental Development submitted a report (previously circulated, now appended) which detailed the responses received following consultation on the Draft Sex Establishment Licensing Policy.

Tony Payne introduced the report.

The Committee agreed:

- (a) To request the Head of Environmental Development to carry out an analysis of the City on order to assess the “characteristics” of all potential “relevant localities”:
- (b) To receive a further report following the outcome of recommendation (a) above, with a view to identifying any localities where a limit on the number of sex establishments may be considered appropriate by the Authority.

12. STREET TRADING CONSENT FEES 2012/13 - FURTHER CONSULTATION

The Head of Environmental Development submitted a report (previously circulated, now appended) the purpose of which was to report the responses received to further consultation on the proposed fee for street trading outside of the City centre and to seek agreement to a fee for Street Trading Consents in these locations.

Samantha Howell introduced the report.

The Committee agreed having considered the responses to the consultation to agree to implement the recommended fee structure as set out in the report for daytime street trading for sites outside of the city centre.

13. UPDATE ON MISCELLANEOUS LICENSING ACTIVITY - OCTOBER 2011 - APRIL 2012

The Head of Environmental Development submitted a report (previously circulated, now appended) which informed the Committee of activity undertaken

by the Miscellaneous Licensing Function between October 2011 and April 2012 and any future developments.

Samantha Howell introduced the report.

The Committee agreed to note and welcome the report.

14. MINUTES

The Committee agreed to approve the minutes (previously circulated, now appended) of the meeting held on 22nd February 2012.

15. DATES OF FUTURE MEETINGS

The Committee noted that it would meet in the Town Hall, at 5.30pm or following the conclusion of the Licensing and Gambling Acts Committee, on the following dates:

Wednesday 17th October 2012

Tuesday 19th February 2013

The meeting started at 6.20 pm and ended at 8.15 pm

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