

Application for Hackney Carriage Proprietors (vehicle) Licence.

Town Police Clauses Act 1847 and Local Government
(Miscellaneous Provisions) Act 1976



Culture And Environmental Protection,
Environmental Health & Licensing
Council Offices, Market Street,
Newbury, Berkshire RG14 5LD
Tel: (01635) 519184 Fax (01635) 519172

I hereby apply to West Berkshire District Council for the ***grant / renewal** of a licence to use as a Hackney Carriage within the District of West Berkshire.

The motor vehicle the particulars of which are specified below.

* Please delete as appropriate Please refer to guidance notes

SECTION A – Particulars of Motor Vehicle

1.	<input type="checkbox"/> PLEASE NOTE: All Hackney Carriage vehicles first licensed from 15th March 2005 are required to provide full wheelchair accessibility.
	Registration Number Make Engine Capacity: Colour Saloon / Hatchback / MPV Number of seats (exclusive of driver) Date of First Registration Number of doors Number of Licence Plate (if any) Meter No.
	<p>Please give the address to which you wish all business correspondence to be send and a business contact telephone number:</p>Telephone..... E Mail address (optional).....

If you are the sole proprietor of the vehicle complete **Section B**, if the vehicle is owned by more than one person, complete **Section C**

SECTION B – Details of Applicant

1.	ONLY FILL THIS IN IF YOU ARE THE SOLE PROPRIETOR (OWNER) OF THE VEHICLE.
	Surname (IN BLOCK CAPITALS) Other Names Home Address: Postcode Please give any trading name you may use

SECTION C – Details of Part Proprietors

1.

If the vehicle is owned by **more than one person** (e.g. Husband and Wife, or by a business partnership), complete this section, giving the name and addresses of **all** the proprietors (owners). Please see guidance notes. Please continue on a separate sheet of paper if there is insufficient room here.

Name in BLOCK CAPITALS (State Mr., Mrs. or Miss)	Home Address	Telephone
Surname		
Other Names		
Surname		
Other Names		
Surnames		
Other Names		

Please give any trading name you may use

SECTION D – Where is the Vehicle Being Kept?

1.

Please state the address at which the vehicle is being kept when not in use:

.....

Please Note: Planning permission may be required in some circumstances.

SECTION E – Leased or Hired Vehicles

1.

Is the vehicle leased? * **YES / NO**

If YES, please state from whom and their address:

Name.....

Address.....

.....

.....

Postcode

Is the vehicle going to be leased or hired to any other party?

***YES / NO**

If YES, please state to whom and their address:

Name

Address

.....

Postcode

SECTION H – Previous Applications

1.	<input type="checkbox"/> Have any of the applicants ever held any type of Private Hire or Hackney Carriage proprietor's Licence, which was suspended or revoked? *YES / NO If YES , please give details Have any of the applicants ever been refused any type of Private Hire or Hackney Carriage Proprietor's Licence? *YES / NO If YES , please give details
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SECTION I – Declaration

1.	<input type="checkbox"/> I/ We confirm that the information I/ we have given is correct to the best of my/ our knowledge and belief. I/ We declare that the motor vehicle subject to this application is owned by the applicant(s) shown in Section B or Section C and that to the best of my / our knowledge the particulars are true in every respect. We have read the Explanatory Guidance and Licence Conditions and undertake in the event of a licence being granted to observe and perform such conditions. I/ We understand that I/ We shall be liable to prosecution if I/ We have knowingly or recklessly make a false statement or omitted any relevant information. All Proprietors to Sign Signed..... Date Signed..... Date Signed..... Date
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TO AVOID THE POSSIBILITY OF YOUR APPLICATION BEING RETURNED TO YOU, PLEASE ENSURE ALL SECTIONS OF THE APPLICATION FORM HAVE BEEN FULLY COMPLETED

This Form should be returned to Licensing, Public Protection Partnership, Council Offices, Market Street, Newbury, Berkshire RG14 5LD together with the documents listed on the following page.

Vehicle Registration Document	
Insurance Policy /Certificate	
Certificate of fitness issued by an authorised agent	
MOT certificate (where applicable)	
Certificate/Proof of Ownership	
Meter Certificate (only required if meter changed or repaired or tariff changed)	
Appropriate Fee	

It is a condition of the licence, that any taxi licensee presenting a vehicle for licensing who cannot produce a certificate which certifies that the tariff applicable at the time, has been set on the meter, will not be able to licence that vehicle.

PLEASE NOTE WITHOUT ANY OF THE ABOVE ITEMS THE APPLICATION CANNOT BE ACCEPTED

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.

Your personal data will be used in line with the EU General Data Protection Regulation (GDPR) to process your application or the service you require by The Public Protection Partnership. The retention period is set in legislation or as required for the service that is being provided. Your data will not be kept for longer than is necessary. If you are not satisfied with the way that your data is being processed the Information

Commissioner can be contacted

<https://ico.org.uk/concerns/handling/>

Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

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Notes for Applicants

SECTION A – Particulars of Motor Vehicle

1.	Complete all details of the vehicle the licence is being applied for. Details of the Registered Keeper are those on the V5 UK Registration Certificate. Note: this may not necessarily be the OWNER of the vehicle.
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If you are the sole proprietor of the vehicle complete **Section B**, if the vehicle is owned by more than one person, complete **Section C**.

SECTION C – Details of Part Proprietors

1.	<p>It is important that a contact telephone number is given for each proprietor in order that the council can make contact with all part owners in the event of an enquiry.</p> <p><i>The following is an extract from Town Police Clauses Act 1847:</i> <i>A requisition for a licence shall be made and signed by the proprietor or one of the proprietors of the hackney carriage in respect of which such licence is applied for; and in every requisition shall be truly stated the name and surname and place of abode of the person applying for such a licence, and of every proprietor or part proprietor of such carriage, or person concerned, either solely or in partnership with any other person, in the keeping, employing, or letting to hire of such carriage, and any person who, on applying for such licence, states in such requisition the name of any person who is not a proprietor or part proprietor of such carriage, or who is not concerned as aforesaid in the keeping, employing, or letting to hire of such carriage, and also any person who wilfully omits to specify truly in such requisition as aforesaid the name of any person who is a proprietor or part proprietor of such carriage, or who is concerned as aforesaid in the keeping, employing, or letting to hire of such carriage, shall be liable to a fine.</i></p>
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SECTION D – Where is the Vehicle Being Kept?

1.	You should enter the overnight / day address or site at which the vehicle is regularly parked. If parked in more than one location, please give details. This information may assist where complaints are received by the council regarding parked taxis.
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SECTION E – Leased Vehicles

1.	This information MUST be disclosed in order that the council has a full record of ownership and /or who controls the activities of the vehicle.
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SECTION G – Details of Equipment

1.	Modifications to assist disabled passengers MUST be declared. This would include ramps for wheelchairs, tail or side lifts, swivel seats or specially adapted seats.
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SECTION H – Previous Applications

1.	Failure to disclose this information where applicable could result in the refusal to issue a licence or where a licence has been issued, revocation.
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SECTION I – Declaration

1.	When Signing the declaration, you are confirming that all information given is correct to the best of your knowledge and that you have read and understood the appropriate licence conditions. Falsifying information or omitting any relevant information may jeopardise the issue of a licence or if issued, may result in the revocation of a licence.
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Hackney Carriage Proprietors (vehicle) Licence Conditions

A hackney carriage proprietor is an owner or part/co owner of a vehicle, or where a vehicle is subject to a leasing contract, hiring agreement or hire purchase, a proprietor is the person in possession of the vehicle under the agreement. See Guidance Note Section C 1. In each case the proprietor requires a Hackney Carriage Proprietors Licence from West Berkshire District Council (the Council), before he/she is legally entitled to use the vehicle for plying for hire.

The holder of every Hackney Carriage licence (the Proprietor) shall comply with the provisions relating to hackney carriages contained in the following legislation:

Town Police Clauses Act 1847 (the 1847 Act)
Part II Local Government (Miscellaneous Provisions) Act 1976 (the 1976 Act)
West Berkshire District Council Byelaws Relating to Hackney Carriages
Road Traffic Act 1988 Part 11 (a) Construction and Use of Vehicles and
Equipment
Motor Vehicles (Tests) Regulations 1981
The Equality Act 2010 (sections 168 – 171 for the carriage of guide dogs etc)
The West Berkshire Council Hackney Carriage Proprietors (Vehicle) Licence
Conditions

Every person holding such a licence should be aware of and become familiar with the provisions of this and any other relevant legislation and if necessary seek their own legal guidance on the statutory requirements of the above Acts.

Any person aggrieved by any conditions attached to their licence may appeal to a Magistrates' Court within 21 days of a licence being issued.

Any person who is refused a licence or has a licence revoked or suspended may appeal to a Magistrates' Court with 21 days of such action being taken by the Council.

1. General Duties

The Proprietor shall:

- a) inform the Council's Licensing Officers in writing, any change of permanent address within 10 days of such change.
- b) only permit drivers who hold a hackney carriage driver's licence for the relevant zone, where appropriate, to drive his/her vehicles within the zone for which the vehicle is licensed. The area (zone) in which a vehicle licensed by the Council shall be permitted to ply for hire, shall be determined by the Council and is currently within the area which is legally administered by West Berkshire District Council.
- c) retain the hackney carriage driver's licence of any person he/she permits or employs to drive a hackney carriage whilst that person is in their employment and

shall return the licence to the driver, once that contract has ceased, or to the Council if the licence has expired.

- d) ensure that any arrest, caution, charge or conviction for criminal offences, including driving offences, of him/herself or any driver employed by them, where known, shall be notified to the Council's Licensing Officers, in writing, within 7 days.
- e) ensure that a fully charged and serviced fire extinguisher which contains either dry-powder or aqueous film forming foam (AFFF) is available in the vehicle. It must comply with 'BS.5423' "British Standard Specification for Portable Fire Extinguishers," have a minimum test rating of 8A or 21B (this should be marked on the side of the extinguisher) and be of a suitable size (minimum sizes of 1kg for dry powder and 0.9kg for AFFF would be satisfactory). Vehicles first licensed after 1 August 2015 must provide a fire extinguisher which complies with BS EN3. The fire extinguisher must be legibly marked with the hackney carriage vehicle licence number.

The fire extinguisher must be kept secure in the vehicle (for example, in a quick release bracket, where practicable) and must be positioned so that it is readily available for use. However, it is necessary to ensure that its position does not interfere with the proper driving of the vehicle, and does not encourage mischievous or malicious use of the extinguisher.

- f) ensure that a first aid kit is provided and contains the following;

ITEM	NUMBER REQUIRED
No. 16 Dressing	2
No.2 Ambulance Dressing	3
No.3 Ambulance Dressing	2
Airstrip Handy (Pack of 12)	2
Antiseptic Wipes	10
Crepe Bandage 7.5cm by 4.5m	2
Triangular Bandage - Calico	2
First Aid Scissors	1
Large Safety Pins	6
Small Safety Pins	6
First Aid Kit Carried Sticker	1
First Aid Guidance Leaflet	1

The kit shall be kept on the vehicle and be located in a position which is easily accessible to the driver. The kit shall be legibly marked with the hackney carriage vehicle licence number.

2. The Vehicle

The Proprietor shall:

- a) ensure that all passenger/s are able to easily communicate with the driver at all times.
- b) provide adequate windows as detailed in the specification of the vehicle and ensure that the means of opening them works efficiently at all times. Where a

vehicles windows have this shall be notified to the Council's Licensing Officers who reserve the right to refuse a licence or apply conditions as appropriate.

- c) ensure that vehicle's are not fitted with one or more blacked out windows nor shall they be so modified. Exceptions for those vehicles which have darkened windows as standard specification for the vehicle from manufacture and that are in accordance with the current VOSA standards may be made at the discretion of the Council's Licensing Officers.
- d) cause the seats to be properly covered and cushioned and be in good repair at all times.
- e) cause the floor to be covered with carpet or matting as specified by the manufacturers of the vehicle or to the approval of the Council's Licensing Officers.
- f) ensure that within reason, the exterior of the vehicle is kept clean and presentable.
- g) if the vehicle is an estate car, ensure that provisions for the safe securing of luggage are provided and used.
- h) ensure that all seat belts or restraints are securely fixed to the vehicle.
- i) ensure that no material alteration or change in the vehicle's specification, design, condition or appearance is made without prior approval, in writing, from the Council's Licensing Officers.
- j) ensure that the vehicle is presented promptly for test and or inspection at the request of the Council, at such times and places as the Council's Licensing Officers may reasonably require during the period of the licence.
- k) ensure that the vehicle is roadworthy at all times whilst licensed. Where a vehicle becomes temporarily un-roadworthy, the proprietor shall inform the Council's Licensing Officers of the nature of the defect and the period during which it is anticipated the vehicle will be off the road. Temporary suspensions may be placed upon the vehicle at the discretion of the Council's Licensing Officers.
- l) Where any vehicle has been adapted from manufacturer's specification, for any purpose, with the intention of applying for a licence, the owner must provide an Individual Vehicle Approval certificate (IVA) prior to the vehicle being considered for licensing. Failure to provide this information may mean that the vehicle is not deemed suitable to hold a licence. This decision shall be at the discretion of the Council's Licensing Officers.
- m) Any taxi which is licensed as a wheelchair accessible vehicle (WAV) shall have available on the vehicle at all times whilst working, suitable approved equipment (ramps, hoist, winch or other lifting device) for facilitating wheelchair access into the vehicle.
- n) Straps, belts of other safety restraining equipment as is necessary to ensure that the travelling customer is kept secure and safe whilst in the vehicle shall be

provided and all such equipment shall be in full working order and where non metal fabrics are used, not broken, frayed or torn.

- o) All ramps and other non manufacturer's standard equipment which is provided as disabled access facilities must be stamped or otherwise indelibly marked, if of metal construction, with the registered number of the vehicle and all non metal equipment similarly marked by means approved by the Council. Both types of marking shall be of such proportions as to be easily readable and in the case of non metal equipment, shall be indelible. Any vehicles fitted with a swivel seat shall ensure that the seat is in good repair and is tested regularly to ensure free movement.
- p) Where a temporary licence is applied for in the event of a vehicle having to be taken off the road due to accident damage or break down, a licence may be issued for a period of one month. This may be extended in exceptional circumstances for a further two months in total, at one monthly interval's.
- q) Any temporary replacement vehicle will be required to be like for like. I.e. if a wheelchair accessible vehicle is replaced, it must be substituted with a similar accessible vehicle. If a swivel seated vehicle is replaced it must be substituted for a wheelchair accessible vehicle. All vehicles which are not required to provide disabled access by virtue of the licence may be substituted by any suitable vehicle.
- r) The proprietor shall ensure that any system of communications, including mobile phones, installed or used in the vehicle, are capable of being operated on a hands free basis and do not hinder the drivers ability to drive safely and in accordance with road traffic law.

3. Vehicle Age and Testing

- a) Vehicles of any age may be presented for initial licensing, or re - licensing. However, the Council will only consider vehicles which are safe and suitable for the purpose of becoming or remaining a hackney carriage. The Council therefore reserves the right to consider the age of a vehicle, along with any other material factors that it may consider relevant at the time.
- b) Land Rovers and other similar vehicles and three door vehicles will not normally be considered for licensing.
- c) Each hackney carriage vehicle presented for licensing must have a valid MOT if over 1 year from first registration. A valid MOT must be presented for each renewal of the vehicle licence.
- d) Vehicles from 6 to 8 years old will require an interim test certificate at the 6 month stage and those over 8 years old will require the test three times per year. Each test will be required to be to the same standard of a VOSA MOT and certification will be required to be produced. This may not always be a standard MOT certificate as some garages are refusing to supply them, however a statement

from the garage certifying that a valid test has been carried out to VOSA MOT standard will be acceptable. The MOT can be carried out by any garage or person qualified and certified by VOSA.

- e) All vehicles failing the inspection will be refused a licence until such time as defects identified are remedied and the vehicle has been re - inspected and passed as suitable to operate as a taxi.
- f) The age of imported vehicles will be considered to be from the date of first registration of the vehicle whether registered in this country or abroad, with the same criteria, a) and c) above, applying.

4. Vehicle identification marks

- a) The identification plate issued and owned by the Council bearing the number and vehicle details, granted in respect of the vehicle, shall be clearly visible and be securely fixed to the rear exterior surface of the vehicle, at all times, in a position which is not higher than the lower edge of the rear window. Brackets can be supplied for the correct fixing of the plate. The plate remains the property of the Council at all times. It should be noted that the plate is not the licence, but is a legal requirement to indicate the number of passengers carried within the vehicle.
- b) The identification plate shall at no time be wilfully defaced or obstructed from public view.
- c) The licence/plate cannot be transferred without the permission of the Council and can only be transferred with the vehicle to which it currently applies.
- d) The licence/plate cannot under any circumstances be sold or leased.
- e) The proprietor shall ensure that the licence number of the vehicle and the number of persons permitted to be carried is displayed prominently in the vehicle, in the form of the identification badge or sticker provided by the Council. This will be in a position within the vehicle, which all passengers can read easily. This notice must not be obscured.
- f) The proprietor shall ensure that tables or scales of charges, as determined by the Council, are displayed inside the vehicle in such position as to be clearly visible to the hirer and passengers. These must be permanently displayed in the front of the vehicle and readily available to passengers in the rear, at all times.

5. Advertising

- a) All advertising on the exterior surfaces of the vehicle must comply with the British Code of Advertising Practice, Sales Promotion and Direct Marketing and is the responsibility of the agency or individual seeking the Council's approval, to ensure that they do so. Approval must be sought from the Licensing Team before works are carried out by supplying photographs or other images of the advertising material. With the exception of those subjects in section 5. b) most other forms of advertising will receive approval.
- b) Advertising containing political, ethnic, religious, sexual or controversial texts, those for massage parlours or escort agencies, nude or semi nude figures, those

seeking to involve the driver as an agent of the advertisers, those likely to offend public taste or those that seek to advertise more than one company, other than the taxi company, will not be approved.

- c) The above conditions 5. a) and b) are applicable from 23 September 2015 for newly licensed vehicles and for those vehicles which currently have advertising material displayed externally, a moratorium is in place until the 23rd September 2015 in order for retrospective permissions to be granted.

6. Roof Signs (General)

- a) A single roof sign shall be fitted to each taxi and meet the following conditions and specification:
- b) Roof signs shall be kept clean and in good repair and at all times be securely mounted on the vehicle roof, with the main face showing the Council logo facing forward. The sign is to be positioned forward of the pillar between the front and rear doors, wherever possible. Vehicles with glass or fibreglass roofs or similar must attach the sign at the foremost point on the roof, where suitable magnetic adhesion is possible.
- c) The proprietor shall provide a roof sign to the following specification: (unless the vehicle is a London Cab or other similar vehicle which was manufactured as a taxi and produced with a built in sign).

7. Roof Signs (Saloon Cars, Minibuses, Galaxy's and similar)

- a) The roof sign will have dimensions of:
60.5 centimetres long, 17.5 centimetres wide at the middle point. 11 centimetres high at the rear middle point and 3 centimetres high at the front middle point. These dimensions will not include any raised lip or edging. Reference should also be made to any illustrative art work, or model signs, provided by the Council to show the approved design.
- b) The roof sign shall be white in background colour. When lit, the sign must show red to the rear but not red to the front and sides. No other colours will be permitted.
- c) The roof sign must be connected to the taximeter to be automatically controlled. The roof sign must be lit when the taximeter is not active and not lit when the taximeter is in use.
- d) The front face of the roof sign shall show the words "**TAXI**", "LICENSED BY" followed by the West Berkshire Council Corporate Logo. The licence number shall be shown, within a circle, on both sides of this wording. TAXI shall be in capitals, in Ariel font and approximately 2.5 inches (65mm) in height. The circles shall be approximately 5.5 inches (135mm) in diameter and have the number cut out, 2.5 inches (45mm) high in Ariel font. The front face will not show anything else.
The words and the circles will be in Kelly Green (pantone 335c).
- e) The rear face of the roof sign shall show the licence number (once only) to the same specifications as on the front. The number may be positioned anywhere on

the rear face at the discretion of the licensee. The licensee may use the remaining space for any reasonable use. Examples of reasonable use include the word "TAXI", the name of the proprietor and the telephone number of the proprietor. This text does not have to be green, (although the number does). All inappropriate or unauthorised signage will be required to be removed.

8. Roof Signs (Wheelchair Accessible Taxis)

- a) In the case of wheelchair accessible vehicles, the front face of the roof sign will show the words "**TAXI**" "LICENSED BY" followed by the West Berkshire Council Corporate Logo. The licence number shall be shown, within a circle, on the off side of the sign. The sign specification shall be that as a) to e) above other than the rear side of the sign will show a wheelchair logo in white on a blue background. The wheelchair logo will be in reflex blue. The logo shall be 4 inches (100mm) square.
- b) It may be necessary for some wheelchair accessible taxis to display the sign on the front bulkhead of the vehicle due to height restrictions. Other than this variation, there shall be no other variations from the specification.
- c) In the event of the Council's Licensing Officers not being satisfied that a roof sign meets the specification, the conditions of the vehicle licence will be deemed to have been breached and the proprietor requested to remedy the defect. The licence holder of the vehicle may then be subject to a penalty within any point's scheme should one be in existence at the time and if not suitably rectified may have the sanction of law imposed.
- d) Vehicles which are purchased as custom constructed taxis that have a sign provided by the manufacturer, which is not a sign fitted into the fabric of the vehicle, must comply with the above specification.

9. Door Signs

- a) The proprietor shall provide door signs to the following specification:
- b) the door sign will be manufactured, designed and maintained for the intended purpose.
- c) door signs will be kept clean, in good repair and permanently mounted and will be positioned on the top part of both front doors of the vehicle.
- d) the door sign shall be white and show the words "West Berkshire Council in the form of the Council's logo", below the word "**TAXI**" "LICENSED BY", in green, as specified above for roof signs. The licence number will also be shown within a circle, as specified for the front of the roof sign, but only once and to the left of the wording. This sign shall be the only permitted sign attached to the front doors of the vehicle.
- e) the sign shall be a minimum of 15 inches (380mm) by 6 inches (150mm).
- f) the sign will be made of self adhesive vinyl or similar and be permanently displayed. It cannot be of magnetic type. Door signs for use in the event of a

temporary vehicle being approved may be provided, on loan for the duration of the use of a replacement vehicle, by the Council.

- g) all vehicles, including “London Cabs” or other similar types, will display these door signs. Vehicles which have a council approved, “all over” advertising livery, may be exempt of this requirement.
- h) minor variations from the specification may be permitted at the discretion of the Council’s Licensing Officers. Any variations granted will be confirmed in writing and may be subject to conditions.
- i) in the event of the Council’s Licensing Officers not being satisfied that a door sign meets the specification, the conditions of the vehicle licence will be deemed to have been breached. The licence holder of the vehicle may be subject to a penalty within any point’s scheme should one be in existence at the time and if not suitably rectified may have the sanction of law imposed.

10. Taximeters

- a) The proprietor shall ensure that all vehicles, of which they are the proprietor, have taxis meters fitted, which have been sealed by an authorised representative of the Council.
- b) The proprietor shall ensure that the driver of any vehicle fitted with a sealed taximeter, charges a fare calculated from the point in the District from which the hirer commences the journey and shall not charge a fare which exceeds that displayed upon the taximeter at the completion of the journey, except for any additional charges as specified in the scale of fares approved by the Council.
- c) The proprietor shall notify the Council’s Licensing Officers immediately upon becoming aware that the taximeter seal is broken.
- d) The proprietor shall ensure that a vehicle fitted with a taximeter shall not operate unless the meter is working correctly and has been checked and sealed by an authorised representative of the Council.

11. Disabled Accessibility

- a) Those taxis licensed before April 2001, the group presently not subject to conditions requiring disabled access, will continue to be free from conditions relating to disabled access, subject to any national legislation or change in the Council’s conditions which might be introduced at a later date.
- b) Applicants who were granted licences subject to disabled conditions and who met those conditions by providing either wheelchair access or a swivel seat shall remain subject to those conditions unless either national legislation or West Berkshire Council conditions are introduced at a future date.
- c) All taxis first licensed from 15th March 2005 will be granted on the condition that vehicles provide full wheelchair accessibility.

- d) If a taxi proprietor transfers whole or in part his/her interest in a hackney carriage proprietor's licence, that transfer shall, subject to the family exemption, be treated as a grant of a new licence for the purpose of applicability of the disabled access condition. Therefore, the disabled access condition requiring the provision of a fully wheelchair accessible vehicle will be applied to that licence with immediate effect from the date that licence is transferred.

12. The Family Exemption

- a) Any transfer by a hackney carriage proprietor of an interest in his/her licence, in whole or in part, which is limited to a transfer of such interest to a member of the proprietors immediate family as defined below, shall not be affected by the disabled access condition to any greater extent than the licence would have been affected had the transfer not occurred. Therefore, upon a transfer to a family member of an interest in a hackney carriage proprietor's licence, the relevant disabled access condition applicable to that licence immediately before the transfer was affected will remain in force.
- b) For the purposes of the above condition, "immediate family" shall mean the:-
- Mother or Father
 - Spouse or Partner
 - Children
 - Brothers or Sisters
 - Step-Mother or Step-Father
 - Step-Children
 - Step-Brothers or Step-Sisters of the hackney carriage proprietor, but shall not extend to any additional family member.
- c) Where it is claimed upon the transfer of an interest in a hackney carriage proprietors licence that the family exemption applies, it shall in every case be for the proprietor of the licence to prove that a family relationship exists within the above definitions.

Please note that any other condition may be attached to a licence which is considered reasonably necessary by the Council. Local Government (Miscellaneous Provisions) Act 1976 section 47.