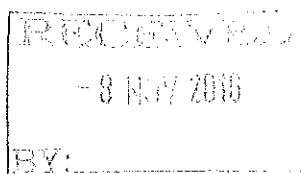


SR075068

APPENDIX A



Roy Ball
t/a Diamond Taxis

[REDACTED]
Binstead
Ryde
Isle of Wight
PO33 [REDACTED]

Licensing Officer
Isle of Wight Council
Licensing Section
Jubilee Stores
The Quay
Newport
Isle of Wight
PO30 2EF

2nd November 2016

Reference Hackney Proprietors Licence Plate number 005077

Dear Sir / Madam

Please find enclosed the completed Isle of Wight Council Application for the Transfer of a Hackney Carriage Proprietor's Licence.

The vehicle I wish the licence to be transferred from Skoda Octavia (SJ05 MTE) to a Peugeot 5008 Sport HDI (YC60 AOO).

The replacement vehicle meets the Isle of Wight Council Hackney Carriage Proprietors licence conditions as revised May 2015 in the following ways:

1. YC60 AOO and all its fittings and equipment are and will be at all times kept in and efficient, safe, tidy and clean condition and complies fully with the Road Vehicles (Construction and Use Regulations) 1986 as amended 2015. This is demonstrated by the provision of a current and valid MOT certificate and the manufacturer authority to distribute and offer for sale the Peugeot 5008 MPV for the UK automotive market. (Please note - I am unable to comply with "Motor Vehicle (Constructions and Use Regulations", as per paragraph 1 of the Isle of Wight Council Hackney Carriage Proprietor's Licence conditions as this is either applicable for Northern Ireland only or legislation that is pre 1986 and has been


superseded by Road Vehicles (Construction and Use) regulations 1986). YC60 AOO does not deviate from the manufactures (Peugeot) specification in any way including in the provision of the vehicle having been manufactured as a 7 seat vehicle.

2. The interior of YC60 AOO is clean, tidy and free from any litter or other rubbish.

3. YC60 AOO is kept and maintained to a high standard of appearance being free from any dents, scratches, rust or damage to any external part.

4. All windows and doors are fully operational.

5. Any subsequent damage to article 3 or failure of article 4 will be notified to the Isle of Wight Council Licensing department as soon as reasonably practicable and in any case within 24 hours of the damage/failure occurring.

 **6.** The boot is clear of personal belongings to allow adequate storage for the luggage of passengers.

7. As per article 1 there are no alterations in the manufacturer specification of YC60 AOO and none shall be made without written consent of the Isle of Wight Council Licensing Department.

8. No signs, notices or advertisements, plates, marks, letters, figures, symbols or emblems or devices shall be displayed in or on YC60 AOO without prior written approval of the Isle of Wight Council Licensing Department.

9. The following signage will remain visible to all passengers at all times:

- A sign approved in writing by the Isle of Wight Council Licensing Department requesting passengers not to smoke in the vehicle;
- The current table of fares tariff card;
No sign is necessary for Closed circuit television monitoring as none is in use and neither shall it become so without express written consent of the Isle of Wight Council Licensing Department.
No sign is necessary for payment of fares by credit cards as this is not in use.

10. A roof sign bearing the word "TAXI" will be plainly and distinctly visible from both the front and rear of YC60 AOO, including the ability for illumination of said sign to indicate to the General Public that YC60 AOO is available for hire.

11. No passenger shall be carried in YC60 AOO when a space saver wheel is in use save for to complete a journey during which the application of such a wheel has become necessary.

12. The identification plate (when issued) for YC60 AOO, provided by the Isle of Wight Council Licensing Department, in shall bear the number of the license and will be securely fixed to the rear of YC60 AOO in a position such that it will remain clearly visible from the rear of YC60 AOO.

13. The identification card (when issued) by the Isle of Wight Council Licensing Department that bears the number of the licence shall be placed in the front nearside windscreen and shall remain visible at all times.

14. Should either/and/or the items specified in article 12. & 13. above become broken, lost or defaced the Isle of Wight Council Licensing department shall be informed immediately and as soon as it practicably possible.

15. Items as specified in articles 12. &13. Will be returned to the Isle of Wight Council Licensing Department within Seven days of expiry, revocation, cancellation or surrender.

16. YC60 AOO is fitted with a one litre foam or 1kg dry powder fire extinguisher (BS EN3 classification, with gauge depicting charge level) that shall be carried at all times and is securely mounted in the boot of YC60 AOO.

17. An appropriately stocked and adequate first aid kit shall be carried in YC60 AOO at all times.

18. An approved taximeter is safely and securely installed in a position which is clearly visible to all passengers in YC60 AOO.

19. The taximeter in article 18. Has been set to the Isle of Wight Council current approved table of fares, been sealed by the Licensing Department, will not be tampered with and will be used for all journeys, clearly displaying the fare on the face of the meter and in accordance with article 18 above.

20. Please see article 9 above.

21. YC60 AOO will not enter a taxi rank if doing so will cause the number of taxis for which the rank is appointed.

22. YC60AOO will not be towing a trailer and will not do so without adequate insurance provision and further liaison with the Isle of Wight Council Licensing Department.

23. Should YC60AOO be transferred to another person notice will be given to the Isle of Wight Council Licensing department at least 24 hours prior to the transfer and will include the name and address of the transferee.

24. This article specifies for any convictions imposed on any person for Private Hire Operator's Licence. This is assumed to be an administrative error. **Please clarify as currently not stated as applicable to Hackney Carriage licence.**

25. Any change of address of the proprietor will be notified the Isle of Wight Council Licensing Department as soon as practicably possible and within 7 days after the change has taken place.

26. All correspondence with the Licensing Authority shall be submitted in writing as per this letter.

27. Article 27 duplicates article 26 of the Hackney Carriage Proprietor's Licence Conditions. Please clarify if there is a condition missing.

Specific vehicles,

Peugeot 5008 Multi purpose vehicle (MPV), YC60AOO should be accepted as a 7 seat (6 passenger + 1 driver) as this is how it has been manufactured. This vehicle has the maximum NCAP safety rating of 5 stars and gained the accolade of MPV of the year 2013 for its versatility.

<http://www.peugeot.co.uk/showroom/5008/mpv/#spacious-practical-family-focused>

The Isle of Wight Council Private Hire and Hackney Carriage Licensing Policy, March 2015, Section 4, Replacement Vehicles states

4.3 Owners of licensed Hackney Carriage and Private Hire Vehicles can request to replace their existing licensed vehicles at any time.

This is a formal request to replace my existing licensed vehicle

4.4 An application will need to be submitted to the Council's Licensing Department using the prescribed form which must be accompanied by the relevant fee.

The prescribed form has been completed and is enclosed with this letter, payment will be provided upon the Isle of Wight Council Licensing Department providing written confirmation of the sum due.

4.5 A replacement vehicle will only be considered if it is;

- ☒ *A substantial improvement on the existing licensed vehicle;*
- ☒ *Available for a full inspection by the Licensing Department.*

YC60 AOO is 5 years newer and has significantly lower mileage than the current licensed vehicle. It has been made available for a full inspection by the Licensing Department.

4.6 The replacement vehicle must comply with all relevant standards and criteria detailed within this policy.

YC60 AOO meets these standards and criteria, as mirrored and demonstrated in the replies to Isle of Wight Council Hackney Carriage Proprietors licence conditions as revised May 2015

4.7 If the existing licensed vehicle has been licensed as a wheelchair accessible vehicle the replacement vehicle must also be wheelchair accessible.

Not applicable as current vehicle is not wheelchair accessible

4.8 If the vehicle is approved as a suitable replacement the Licensing Department will provide provisional approval. The vehicle will then only be licensed when the following documents are supplied with the prescribed application form:

- ☒ *A valid insurance certificate;*
- ☒ *A valid Certificate of Compliance inspection sheet dated no more than seven days prior to the application date.*

Valid certificate of insurance (TFP) for YC60 AOO with a seating capacity of 7 people.
Certificate of Compliance as enclosed

4.9 Where a vehicle registration document cannot be provided at the time of application, it must be provided within one month of the vehicle licence being granted.

Currently awaiting Vehicle registration document to be returned from DVLA after provision of document for update of registered keepers details

The Department for Transport (DFT) Taxi and Private Hire Vehicle Licensing Best Practice Guidance March 2010 (to which the Isle of Wight Council Licensing Department refers people for further information) specifically states under articles 26 to 29; Specification of vehicle types that may be licensed, states that 'the legislation gives local authorities a wide

range of discretion over the types of vehicles that may be licensed as Taxis'. It further states that 'it is good practice for local licensing authorities to adopt the principle of licensing as many different types of vehicle as possible'. Therefore, to say that a vehicle of MPV type has as yet, not been licensed for 6 passengers on the Isle of Wight would not be an adequate reason for refusal. The replies to articles 1-27 of the Isle of Wight Council Hackney Carriage Proprietors Licence Conditions as aforementioned clearly show that YC60 AOO meets all the local authority of the Isle of Wight's criteria for a Hackney Carriage (Taxi) vehicle.

Furthermore the DFT Best Practice Guidelines article 29 further states 'It is suggested that local licensing authorities should give very careful consideration to a policy which automatically rules out particular types of vehicle or prescribes only 1 type or a small number of vehicle. It may also be too restrictive to automatically rule out considering Multi Purpose Vehicles (MPV) or to license them for fewer passengers than their seating capacity. '

I would like to add that I have personally comfortably seated 6 large adults of over average size comfortably in this car. Should a significant amount of luggage be required to be carried a member of the public is free to choose from any other vehicle on the taxi rank and would do so if this vehicle was unable to meet their requirements. Pre booked journeys allow for luggage to be taken into consideration and such a booking would only be accepted if a vehicle with sufficient safe storage is available. Far from being restrictive this vehicle gives the general public a greater flexibility of choice in the configuration of seating and luggage space whilst meeting NCAP safety rating of 5* with all passengers having 3 point over shoulder safety restraints, meeting the legislative Road traffic construction and use regulation as shown below.

Maintenance and use of vehicle so as not to be a danger, etc

100.—(1) A motor vehicle, every trailer drawn thereby and all parts and accessories of such vehicle and trailer shall at all times be in such condition, and the number of passengers carried by such vehicle or trailer, the manner in which any passengers are carried in or on such vehicle or trailer, and the weight, distribution, packing and adjustment of the load of such vehicle or trailer shall at all times be such, that no danger is caused or is likely to be caused to any person in or on the vehicle or trailer or on a road.

Provided that the provisions of this regulation with regard to the number of passengers carried shall not apply to a vehicle to which the Public Service Vehicles (Carrying Capacity) Regulations 1984 apply.

(2) The load carried by a motor vehicle or trailer shall at all times be so secured, if necessary by physical restraint other than its own weight, and be in such a position, that neither danger nor nuisance is likely to be caused to any person or property by reason of the load or any part thereof falling or being blown from the vehicle or by reason of any other movement of the load or any part thereof in relation to the vehicle.

(3) No motor vehicle or trailer shall be used for any purpose for which it is so unsuitable as to cause or be likely to cause danger or nuisance to any person in or on the vehicle or trailer or on a road.

www.legislation.gov.uk 02.11.2016

I would therefore appreciate it if you would give careful consideration to the fact that the vehicle YC60AOO is indeed perfectly fit for purpose as a Hackney Carriage vehicle that should be licensed to carry 6 passengers (plus driver).

I look forward to hearing from you and to a swift and mutually agreeable resolution to the licensing of YC60AOO as a hackney carriage to plate 005077 for 6 passengers.

Yours faithfully



Roy Ball t/a Diamond Taxis

Enclosure:

Application for the (Transfer) of a Hackney Carriage Proprietors Licence
Certificate of compliance and MOT