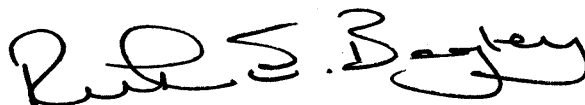


Date of issue: 27th September 2011

| | |
|--|--|
| MEETING | LICENSING COMMITTEE (Councillors Davis (Chair), Abe, S Chaudhry, Dodds, Long, Plenty, Rasib, Sharif and Sohal) (2 Committee Vacancies) |
| DATE AND TIME: | WEDNESDAY, 5TH OCTOBER, 2011 AT 6.30 PM |
| VENUE: | COUNCIL CHAMBER, TOWN HALL, BATH ROAD, SLOUGH |
| DEMOCRATIC SERVICES OFFICER: (for all enquiries) | SHABANA KAUSER 01753 875013 |

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



RUTH BAGLEY
Chief Executive

AGENDA

PART I

AGENDA
ITEM

REPORT TITLE

PAGE

WARD

Apologies for absence.

AGENDA
ITEM

REPORT TITLE

PAGE

WARD

CONSTITUTIONAL MATTERS

1. Declaration of Interest

(Members are reminded of their duty to declare personal and personal prejudicial interests in matters coming before this meeting as set out in the Local Code of Conduct).

- | | | | |
|----|---|-------|---|
| 2. | Minutes of the Last Meeting held on 2 June 2011 | 1 - 4 | - |
| 3. | Committee Membership – Verbal Update | - | - |

LICENSING ISSUES

- | | | | |
|----|---|---------|-----|
| 3. | Review of Licensing Rear Loading Wheelchair Accessible Vehicles | 5 - 22 | All |
| 4. | Distribution of Free Printed Material | 23 - 34 | All |
| 5. | Members' Attendance Record | 35 - 36 | - |

Press and Public

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Special facilities may be made available for disabled or non-English speaking persons. Please contact the Democratic Services Officer shown above for further details.

Licensing Committee – Meeting held on Thursday, 2nd June, 2011.

Present:- Councillors Davis (Chair), Dodds, Long, Plenty, Rasib, Sharif and Sohal

Apologies for Absence:- Councillor Abe and S Chaudhry

PART 1

34. Declarations of Interest

Councillor Davis declared a personal interest as a family member worked for Burnham Cabs.

35. Minutes of the Last Meeting held on 23rd February 2011

The Minutes of the last meeting of the Licensing Committee held on 23rd February 2011 were approved as a correct record.

36. Appointment of Licensing Sub Committee and Designated Chairs

Members were reminded that in May 2006 the Licensing Committee established a Licensing Sub-Committee in order to consider and assess matters relating to the Licensing Act 2003, the Gambling Act 2005 and taxi licensing. At that meeting, the Committee had also agreed to the appointment of designated chairs of the Sub-Committee and that these members would chair meetings on a rota basis.

Members were advised that the Sub-Committee would consist of three members to be drawn on a rota basis from members of the Committee on a politically proportionate basis. Members were informed that as the Labour group had an overall majority on the Council, the Sub-Committee would comprise 2 Labour Group Members and 1 Conservative Group Member.

Resolved –

- (a) That a Licensing Sub-Committee be established with terms of reference as set out in the Appendix.
- (b) That the Committee appoint Councillors Dodds, Long and Sharif to act as designated Chairs of the Sub-Committee for the municipal year 2011/12.

37. Revised Report on Convictions and Cautions

Members were reminded that in February 2011 a report was considered by the Licensing Committee to approve a reformatted policy document on 'Convictions and Cautions for determining the Grant, Renewal, Suspension or Revocation of a Hackney Carriage Drivers Licence, a Private Hire Drivers

Licensing Committee - 02.06.11

Licence or Operator's Licence.' It was noted that amendments were made to the document following guidance that had been circulated to all licensing authorities by the Office of the Local Government Regulation. At the meeting in February it was resolved that a consultation be carried out with all private hire and hackney carriage licence drivers with regard to the revised policy document.

A full consultation was conducted between March 2011 and May 2011 and Committee Members were informed that only one response to the consultation had been received.

The Licensing Officer summarised the additions and amendment to the policy document which included –

- Clarification on administering of cautions which was a National Standard.
- Further clarification on what should be considered in determining as to whether a person is a 'fit and proper person'
- Clarification by way of case law stated for a Council not to review the merits of a conviction.
- Inclusion of guidance on offences committed under 'relevant legislation i.e. illegally plying for hire, overcharging and refusal to carry disabled persons.
- Inclusion of the Assistant Director for Public Protection in determining matters as well as the Licensing Sub Committee.

A Member expressed disappointment with regard to the poor response that had been received during the consultation period, given that the matter had been adjourned from the last meeting in order for the consultation to be carried out.

Resolved – That the revised policy document when determining the 'Grant, Renewal, Suspension or Revocation of a Hackney Carriage Drivers' Licence, a Private Hire Drivers' Licence or Operators Licence' be approved.

38. Advertising on Private Hire Vehicles

Members were reminded that a District Council could approve and permit the type and format of advertising on private hire vehicles, with a proviso that the vehicle was not of such design and appearance as to lead any person to believe that the vehicle was a hackney carriage.

The current policy for advertising on Private Hire Vehicles was approved by the Licensing Committee in 2001. This policy permitted a sticker with a web address for the company that controls a particular car to be displayed on the inside of the front windscreen, the rear window and on the rear bumper. It was brought to Members' attention that over the past few years, a number of Private Hire Operators had requested that they be allowed to advertise their

Licensing Committee - 02.06.11

companies on Private Hire Vehicles in a more prominent and conspicuous manner than the current policy allowed.

Licensing Officers had looked at a number of other local authorities who allowed additional advertising on Private Hire Vehicles and noted that signage on vehicles was displayed on the front nearside and front offside doors. It was noted that those local authorities that allowed advertising on Private Hire Vehicles had the proviso that any advertising must include the wording "Private Hire Vehicle – Advanced Bookings Only" or a similar wording. Members were informed that this was already used on the licence plates for all private hire vehicles within Slough and was essential in identifying vehicles as private hire vehicles and not hackney carriage vehicles.

Members were informed that a formal consultation with all Slough Licensed Private Hire Operators had been conducted and there had been no responses to this consultation.

Resolved - That the new recommended policy to allow Private Hire Operators to display additional advertising of their services on Private Hire Vehicles under their control as contained in the Appendix, in addition to the current policy permitting advertising, be approved.

39. Date of Next Meeting

Thursday, 21 July 2011.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 6.45 pm)

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SLOUGH BOROUGH COUNCIL

REPORT TO: Licensing Committee **DATE:** 5th October 2011

CONTACT OFFICER: Tolani Idowu – Licensing Officer
(01753 875675)
Michael Sims – Licensing Manager
(10753 477387)

WARD(S): All

PART I
FOR DECISION

REAR LOADING WHEELCHAIR ACCESSIBLE VEHICLES

1. **Purpose of Report**

To consider a request by a member of Hackney Carriage vehicle licence holders, for a review of the current Council Policy on the specifications for Wheelchair Accessible Hackney Carriage Vehicles to licence Rear Loading Wheelchair Accessible vehicles.

2. **Recommendation**

To decide whether Rear Loading Wheelchair Accessible Vehicles (RLWAV) are suitable to be licensed as Hackney Carriage vehicles by Slough Borough Council and if so to authorise a full consultation with stake holders including disability groups to be conducted.

3. **Community Strategy Priorities**

- **Being Safe, Feeling Safe**
- **Prosperity for All**

4. **Other Implications**

(a) **Financial**

There will be a cost implication involved in conducting a consultation if approved.

There will not be any financial implications if the policy is approved following a consultation being conducted.

(b) **Risk Management**

| Recommendation | Risk/Threat/Opportunity | Mitigation(s) |
|--|---|---|
| From section 2 and as detailed within the report | A consultation on the possible licensing of rear loading wheelchair accessible vehicles will highlight the views of disability groups | If approved the licensing of rear loading wheelchair accessible vehicles will provide an alternative form of transport for some disabled persons. |

(c) Human Rights Act and Other Legal Implications

Articles 1 and 6 of The Human Rights Act apply:

Article 1 – Every person is entitled to the peaceful enjoyment of his or her possessions including the possession of licence and shall not be deprived of the possession except in the public interest

Article 6 – That in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

(d) Equalities Impact Assessment

An Equalities Impact Assessment screening has been completed and the conclusions are that there are no adverse or negative impacts of opportunity for any equality target group or for any reasons.

5. Supporting Information

- 5.1 In 2005, The Licensing Committee recommended to Full Council a report to remove the limit on the number of Hackney Carriage vehicles and to approve conditions that must be met by any new vehicle to be licensed and used as a Hackney Carriage.
- 5.3 The approved conditions stated that only vehicles meeting European Whole Vehicle Type Approval or UK Low Volume Type Approval be licensed as Hackney Carriages. Vehicles that meet UK Single Vehicle Approval should not be licensed as Hackney Carriage vehicles. A copy of the current conditions is attached at **Appendix A**.
- 5.4 The Conditions also prohibited the licensing of vehicles in which a wheelchair is loaded into the vehicle from the rear. This condition was added after advice from the National Taxi Association, the Spinal Injuries Association, as well as a number of other associations such as Primary Care Trusts.
- 5.5 Research has shown there are approximately 400,000 rear-end shunts on the roads each year in the UK, accounting for one in four of all road traffic accidents. Data from more than 200,000 accident claims in 2010 found that 27% of them occurred when one car hit another from behind.
- 5.6 Due this fact, in a situation where a RLWAV vehicle is struck from behind by another vehicle, there may not be any way for the wheelchair occupant to exit the damaged vehicle without help from the emergency services.
- 5.7 On the 22nd August 2011, the Licensing Office received a formal request by email, to licence RLWAV's from a Mr Mohammed Mustafa, a Hackney Carriage vehicle licence holder.
- 5.8 The Licensing Manager acknowledged the email request and asked Mr Mustafa to provide further information and written evidence to support his request as this would assist Members in their decision making process and help with any questions that they may have. A copy of the original request by Mr Mustafa and the acknowledgement by the Licensing Manager is attached at **Appendix B**.

- 5.9 At the time of the writing this report, the additional information as requested by the Licensing Manager to support Mr Mustafa's request has not yet been supplied.
- 5.10 An example of a Rear Loading Wheelchair Accessible Vehicle is attached at **Appendix C.**

13 Conclusion

To decide whether Rear Loading Wheelchair Accessible Vehicles (RLWAV) are suitable to be licensed as Hackney Carriage vehicles by Slough Borough Council and if so to authorise a full consultation with stake holders to be conducted

14. Appendices Attached

- 'A' - Copy of current condition relating to Wheelchair Accessible Vehicles
- 'B' - Copy of email request by Mr Mustafa and request for further supporting information by the Licensing Manager.
- 'C' - Copy of an examples of Rear Loading Wheelchair Accessible vehicles.

9. Background Papers

Local Government (Miscellaneous Provisions) Act 1976

Equality Impact Assessment Screening

Committee Report from 2005

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NEW HACKNEY CARRIAGE VEHICLE GUIDANCE NOTES AND CONDITIONS OF LICENSING

- The vehicle must be fully wheelchair accessible.
- All vehicles must meet **European Whole Vehicle Type Approval** or **UK Low Volume Approval**. (Evidence of this must be produced).

Any vehicle meeting UK Single Vehicle Approval will not be licensed as a Hackney Carriage vehicle.

- Only Vehicles in which the wheelchair is loaded/unloaded through the side of the vehicle will be licensed.
- The vehicle must have a minimum seating capacity for 4 passengers with at least one passenger seated in a wheelchair and a maximum of 8 passengers with at least one passenger seated in a wheelchair.
- A bulkhead/drivers safety screen should be fitted, and it should be a full width, full height screen fitted directly behind the driver's seat. The upper section of the bulkhead/safety screen should contain a clear vision panel sufficient for the driver to be able to see a substantial amount of the passenger compartment, which must include vision of all access doors.
- The bulkhead/safety screen should allow communication between the driving and passenger compartments.
- The bulkhead should have no discontinuities that would allow a passenger to reach into the driver's compartment from the passenger compartment.
- The vision panel section of the bulkhead/safety screen should be constructed of safety glass or any clear material with at least the same impact resistance and safety qualities as that safety glass.
- A lightweight ramp or ramps for the loading of a wheelchair and occupant must be available at all times for use at the nearside rear passenger door.
- An adequate locking device must be fitted to ensure that the ramp/s do not slip or tilt when in use.
- Provision must be made for the ramps to be permanently stored in the vehicle safely when not in use
- All passenger seats must be permanently fixed to the vehicle. Demountable seats that are removed for the purpose of providing space for wheelchair passengers shall not be allowed. Fold away seats are to be permitted providing they remain attached to the vehicle

- Grab handles must be fitted in appropriate positions in all passenger access door entrances to aid passenger ingress and egress from the vehicle while using any steps provided
- There must be no steps within the passenger compartment
- All floor areas and passageways between seats over which passengers will be expected to pass must be free of all steps, encumbrances or trip hazards and have a slip resistant surface
- Only rearward and forward facing passenger seats should be allowed
- All passenger seats must be provided, where possible, with a lap and diagonal 3 point seat belt and where not possible a 2 point lap seat belt appropriate to the type and position of the seat.
- The passenger/passengers confined to a wheelchair must be provided, where possible, with a lap and diagonal 3 point seat belt and where not possible a 2 point lap seat belt appropriate to the position of the wheelchair
- A plate bearing the licence number of the vehicle must be displayed within the vehicle in a position that it is clearly visible to the passengers.
- If a two-way radio system is fitted to a vehicle, it must be positioned and properly secured so as not to interfere with the safe operation of the vehicle and no part of the apparatus may be fixed in the passenger compartment or in the boot
- The vehicle must be less than five years old for new Hackney drivers (and less than 9 years old for current Hackney drivers).

Some of the vehicles that meet the criteria set out in this report are

LTI TXII

TTT Metrocab

Cabdirect - Eurocab (Peugeot, Citroen, Volkswagen, Mercedes)

Jubilee Eurocab

Patons TW200

For more information on appropriate vehicles, please contact the Taxi Licensing Office.

From:
Sent: 24 August 2011 14:56
To:
Subject: FW: Request to licence Rear Accessible Wheelchair Vehicles
Importance: High

I am now in the process of arranging dates for a possible consultation on this issue and would be grateful for the information in my below email as soon as possible.

In addition I also need the following:

- At point 12 you mention Slough Borough Councils fleet of wheel chair accessible vehicles, can you please enlarge on this!
- I would also advise that you must provide to me again as soon as possible and to be included in the report, written proof, evidence and statistical data on all the comments you have made below as it will also help the Committee greatly and may answer some questions they may have.

Also it would be advisable to again provide answers to the below points

- If a rear loading wheelchair accessible vehicle in on a taxi rank in the middle of a row of cars, how are you going to ensure that there is sufficient space to load the person in the wheelchair into the rear of the vehicle!
- If you are hailed in the street, what safety provisions will you have in place to stop and load the wheelchair on a busy road!
- If you pick up a fare from an area which has restricted access, again what provision will be in place to deal with!
- Once the wheelchair in the rear of the vehicle what addition space is available for any friends or family that will also be travelling with the disabled person!

Regards

Licensing Manager

Slough Borough Council

www.slough.gov.uk

Please don't print this email unless you really need to - think of the environment.

From:
Sent: 22 August 2011 08:49
To:
Subject: RE: Request to licence Rear Accessible Wheelchair Vehicles
Importance: High

Thank you for your below email submitted as a formal request for Slough Borough Council to review the licensing of Rear Accessible Wheelchair Vehicles.

I will put your request before the Full Licensing Committee on **5th October 2011** (which is the next scheduled Full Licensing Committee Meeting) as an 'Information Report' for the Members to consider your request and if necessary for a full consultation exercise to be conducted.

In the meantime I would be grateful if can provide to me by the end of this week if possible, with as much

information as possible to support your request, i.e.

- The various types of Rear Accessible Wheelchair Vehicles.
- The cost comparisons between these types of vehicles and the currently licensed wheelchair accessible vehicles.
- With regards to the types of vehicles, please submit this information by way of adverts or manufacturers brochures.
- Other than the details of the local authorities you have mentioned in your request, any other local authorities that also licence Rear Accessible Wheelchair Vehicles. This information will assist for any recommended formal consultation exercise.

Finally, on the 5th October, you may wish to have possibly two different types of rear accessible wheelchair vehicles for the Members to inspect prior to them making a decision for a consultation to take place.

Regards

Licensing Manager

Slough Borough Council

www.slough.gov.uk

Please don't print this email unless you really need to - think of the environment.

From:

Sent: 22 August 2011 02:22

To:

Subject: Request to licence Rear Accessible Wheelchair Vehicles

Dear

Ref: Request to licence Rear Accessible Wheelchair Vehicles

Thank you for letter dated 3rd August to regarding rear accessible wheelchair vehicles. As you stated in your letter that you require us to make a formal written request for this type of vehicle to be licensed, please accept this as a formal request.

Please find list below of reasons for wanting rear accessible wheelchair vehicles:-

1. As there is very limited wheelchair work from any of the Ranks in Slough.
2. Side loading wheelchair vehicles are a lot larger so therefore take up more space at ranks so therefore fewer vehicles can park there.
3. Side loading wheelchair vehicles are larger can carry more passengers but most of the customers we pick from any of the Ranks are One or Two therefore there isn't a need for such large vehicles.
4. Side loading wheelchair vehicles are a lot larger and consume more fuel than rear loading vehicles. The TX2 and TX4 do on average 23 miles to the Gallon whereas a Peugeot Partner does 50+ miles to the Gallon.
5. Side loading wheelchair vehicles are a lot dearer to purchase than rear loading wheelchair vehicles. A four year older Mercedes Vito Or LTI TX4 costs At least £18,000.00 whereas a brand new rear loading vehicle can be purchased for £12,000.00. A four year old Peugeot Expert Side Loading E7 costs £13-15,000.00

6. Other Local councils allow rear loading wheelchair vehicles such as Windsor, Ascot, Maidenhead, Bracknell, Wokingham, Runnymede, Hemel Hempstead to name a few.
7. Almost all Private Wheelchair accessible vehicles are rear loading. There isn't even a side loading option available to them that I am aware of unless they buy a purpose built Taxi. These people buy these rear loading wheelchair vehicles for their children, partners, parents or other family members. These people use the rear loading vehicles to get out and at least 2 or 3 times a week, whereas there are Hackney drivers with wheelchair accessible vehicles who have not picked a single passenger in a wheelchair from any rank in Slough in the last 5 years.
8. You mentioned the opposition from the National Taxi Association to rear loading taxis in your letter. This organisation only represents or has members in about 20 boroughs in the whole of the UK.
9. If rear wheelchair loading vehicles were so dangerous then the Motor Industry would not produce them for the general public to buy.
10. Slough Borough Council's Out and About service has only Rear loading wheelchair accessible vehicles. These vehicles carry more passengers in wheelchairs in a week than all Hackney's do in a year from all Ranks in the Borough.
11. All Ambulances are rear loading. To this day I haven't come across a side loading Ambulance.
12. If Rear loading wheelchair accessible vehicles were so dangerous why would all Ambulance be rear loading and why would Slough Borough Council's own fleet of wheelchair accessible vehicles be rear loading??????

Could you please forward a copy of this request for rear loading wheelchair accessible vehicles to all members of the licensing committee along with your information pack, Thank You. Could you please inform _____ and myself of the date and time of meeting with licensing committee so that we may attend and answer any further questions that you or the committee may have.

If you have any questions please do not hesitate to contact me.
I look forward to hearing from you.

Kind regards

(Hackney Badge 90)

Secretary Slough Taxi Drivers Union

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Premier™
From Peugeot and Cab Direct



Premier™ from Peugeot and Cab Direct



04. Comfort & Driveability

05. Space & Accessibility

06. Technical Specification &
Colour Choice

07. Features & Options



The Peugeot Premier™



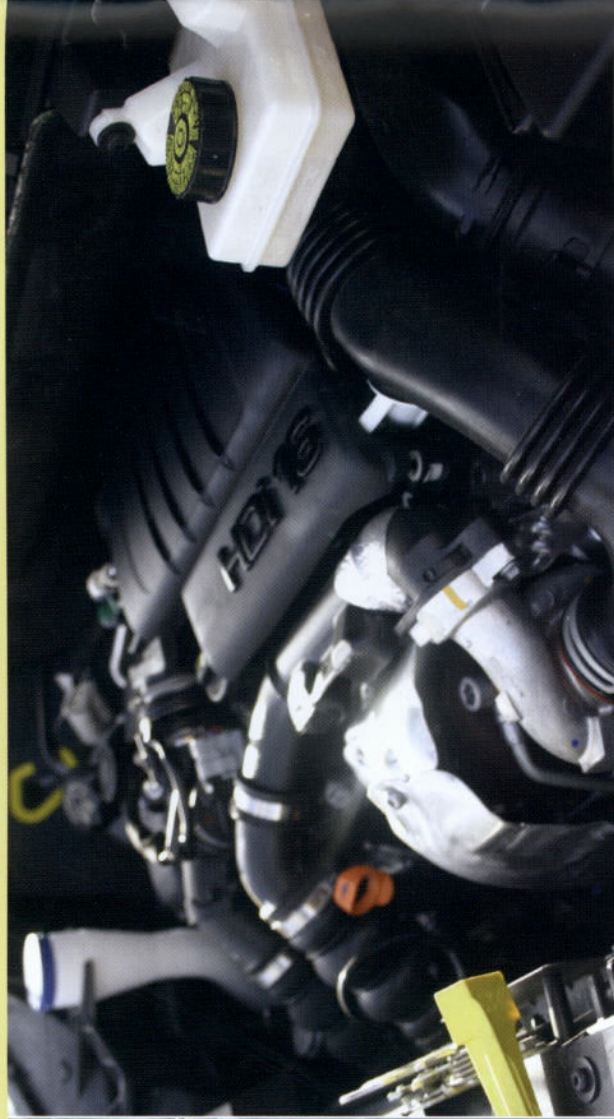
Economy

Specially adapted from the Peugeot Partner, the all new Premier, available exclusively from Cab Direct, combines all you need in a modern day cab with truly great economy. Powered by Peugeot's economical HDi 90 diesel engine, the Premier boasts excellent fuel efficiency making it one of the most cost effective taxis on the market today. Combine this with Premier's low price tag and you're set to be impressed.

Versatility

Where the Peugeot Premier excels is in its versatility. It makes superb use of space with numerous handy storage areas and the cargo load carrying is second to none thanks to Premier's new FlexiFold™ ramp which folds flat to the floor, allowing you to make full use of the large luggage area. Premier accommodates wheelchair passenger, driver and up to two passengers or driver plus four passengers and baggage, allowing you to cater for every fare.

Comfort & Driveability



Comfort

Comfort and convenience are high on the list of priorities for the modern day driver – thankfully the Peugeot Premier has both in abundance. Features such as the height adjustable driver's seat with armrest, radio/ MP3 compatible CD player with remote controls, electric front windows and innovative storage solutions make the Premier a pleasure to drive.

Driveability

Quick and highly economical, Peugeot's innovative HDi 90 diesel engine uses an aluminium block to reduce weight and to help towards better weight distribution, ensuring you a fast response and superb poise on the road. Add ABS brakes and Electronic Brake Distribution for safer stopping and you're in safe hands with the Premier. Plus, with effortless handling and maximum comfort for drivers and passengers alike you're sure to enjoy a relaxing trip every fare.

Space & Accessibility

PREMIER™



Bags of Space

Today's passengers often come with plenty of luggage. That's why Premier's new FlexiFold™ wheelchair access ramp has been designed to be stowed flat to the vehicle's floor when not in use*. This allows you to take full advantage of the huge luggage area, ensuring space will never be a problem again. Add to this Premier's roomy interior and both driver and passengers can travel in perfect comfort, with bags of space for all.

Wheelchair Access

Premier's lightweight FlexiFold™ rear access ramp has been specially adapted to offer quick and easy wheelchair access without compromising on passenger or luggage carrying capacity. The vehicle also features a lowered floor providing an easy ramp gradient to assist wheelchair entry and exit. Securing the wheelchair passenger couldn't be simpler either thanks to Premier's four-point wheelchair restraint system and full lap and diagonal inertia seat belts.

*Subject to local licensing requirements.

Technical Specification & Colour Choice

| | |
|------------------------------|---|
| Engine | 1560 90 (66) @ 4000 158 (215) @ 1750 Diesel |
| Cubic capacity | 1560 |
| Max. power bhp (kW) @ rpm | 90 (66) @ 4000 |
| Max. torque lb ft (kW) @ rpm | 158 (215) @ 1750 |
| Fuel | Diesel |
| Tyres | 205/65 R15 |
| Size | 55 |
| Fuel Tank | |
| Capacity (litres) | 55 |
| Fuel Consumption | |
| Urban drive cycle | 40.3 (7.0) |
| MPG (litres/100km) | |
| Extra urban drive cycle | 56.4 (5.0) |
| MPG (litres/100km) | |
| Combined drive cycle | 49.5 (5.7) |
| MPG (litres/100km) | |
| Brakes | ✓ ✓ |
| Ventilated front disc | |
| Rear drum | |
| Suspension | |
| Front | Pseudo-Macpherson with lower wishbone struts, coil springs & anti-roll bar |
| Rear | Rear deformable axle with coil springs and anti-roll bar |

| | |
|----------------------------------|---------------------|
| Transmission | 5 speed manual ✓ |
| Performance (driver only) | |
| Max speed (mph) | 100 |
| Acceleration 0-62 mph (sec) | 14.3 |
| Dimensions (mm) | |
| Length | 4380 |
| Width - excluding door mirrors | 1810 |
| Height | 1803 |
| Wheelbase | 2728 |
| Front overhang | 925 |
| Rear overhang | 727 |
| Maximum wheelchair user height | 1430 |
| Maximum wheelchair user width | 750 |
| Maximum wheelchair user length | 1300 |
| Ramp width | 720 |
| Ramp length | 1000 |
| Weight (kg) | |
| Gross vehicle weight | 3040 |
| Kerb weight | 1407 |
| Max. plated front axle | 1160 |
| Max. plated rear axle | 950 |
| Gross train weight | 3040 |
| Max. unbraked trailer weight | 740 |
| Max. braked trailer weight | 1300 |
| Max. tow ball weight | 55 |

Colours

Solid Colour palette for illustrative purposes only



Black



Blanco White

Metallic optional



Moon dust



Aluminium



Iron Grey

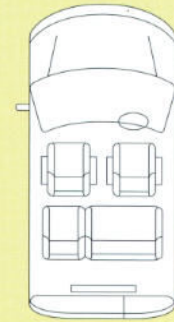
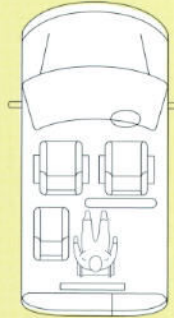
Features & Options



| Model | S 1.6 HDI 90 | SE 1.6 HDI 90 |
|---|-----------------|------------------|
| Taxi Features | | |
| Taxi sign | • | ✓ |
| Taxi meter | • | ✓ |
| Style Features | | |
| Twin sliding side doors | ✓ | ✓ |
| One piece tailgate | ✓ | ✓ |
| Body coloured bumpers | ✓ | ✓ |
| Metallic paint | • | • |
| 15" alloy wheels | • | • |
| Safety and Security | | |
| ABS including EBA & EBF | ✓ | ✓ |
| Front fog lights | ✓ | ✓ |
| Rear fog and reversing lights | ✓ | ✓ |
| Driver airbag | ✓ | ✓ |
| Front passenger airbag | ✓ | ✓ |
| 3-point seat belts | ✓ | ✓ |
| Remote central locking and deadlocks | ✓ | ✓ |
| Comfort and Convenience | | |
| Electrically adjustable, heated door mirrors | ✓ | ✓ |
| Variable power assisted steering | ✓ | ✓ |
| 60/40 split folding rear seats | ✓ | ✓ |
| Height adjustable front head restraints | ✓ | ✓ |
| Electric front windows | • | • |
| Air conditioning | • | • |
| Height adjustable drivers seat | ✓ | ✓ |
| Reach adjustable steering wheel | ✓ | ✓ |
| Floor mats | • | • |
| Tom Tom sat nav | • | • |
| Audio | | |
| Radio/MP3 compatible CD player with remote controls | ✓ | ✓ |

SEATING OPTIONS

New Premier can accommodate driver, wheelchair passenger and two seated passengers or driver and four seated passengers.



Access features:

- New FlexiFold™ ramp
- Lowered floor for optimum accessibility
- High quality wheelchair restraints
- Lap and diagonal seat belts for seated wheelchair passengers

For your reassurance each vehicle comes with:

- 2 year Peugeot unlimited mileage warranty
- 1 year Peugeot roadside assistance
- 3 year paint warranty

KEY ✓ = included • = optional

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SLOUGH BOROUGH COUNCIL

REPORT TO: Licensing Committee **DATE:** 5th October 2011

CONTACT OFFICER: Michael Sims – Licensing Manager
(For all Enquiries) (01753) 477387
Patrick Kelleher – Assistant Director Public Protection

WARD(S): ALL

PART I
FOR DECISION

REGULATION OF DISTRIBUTION OF FREE PRINTED MATTER

1. **Purpose of Report**

For the Licensing Committee to consider approval in principle for the introduction of controls and regulations regarding the distribution of free printed matter in designated areas of the borough under section 94B and Schedule 3A of the Environmental Protection Act 1990, the advertisement of the details of the controls proposed as required by the Act and for formal consultation to be conducted. The designated areas would cover Slough Town Centre, Farnham Road, Chalvey and Langley.

2. **Recommendation**

The Committee to approve the proposals to regulate the distribution of free printed matter, for the advertisement to be published and to authorise a formal consultation to be conducted.

3. **Community Strategy Priorities–**

- **Being Safe, Feeling Safe**
- **A Cleaner, Greener place to live, Work and Play**
- **Prosperity for All**

4. **Other Implications**

(a) **Financial**

It is proposed that a nominal charge of £25 shall be applied to each application for a consent. This charge is to cover the costs of accepting and processing each application.

Each consent will cover a period of 8 hours, after which, the applicant will need to reapply. Each application can be made for one designated area only.

Additional permissions for other designated areas shall also be charged at £25.00.

(b) **Risk Management**

| Recommendation | Risk/Threat/Opportunity | Mitigation(s) |
|----------------------|--|---|
| From section 2 above | The approval of the proposals to regulate distribution of free printed matter would reduce the amount of waste printed material currently left in the areas around Slough. | All persons or organisation wanting to distribute free printed matter will need to apply for a consent and will be responsible for removing any left over litter once the activity has ceased. Any persons distributing free printed matter without a consent will be doing so illegally. |

(c) Human Rights Act and Other Legal Implications

Section 1 and Schedule 1 Part 1 and 11 of The Human Rights Act 1998 apply:

Article 1 – Every person is entitled to a peaceful enjoyment of his or her possessions including the possession of a licence and shall not be deprived of the possession except in the public interest.

Article 6 – That in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal by law.

(c) Equalities Impact Assessment

An Equality Impact Assessment screening has been completed and the conclusions are that there are no adverse or negative impacts of opportunity for any equality group or for any reason.

5. Supporting Information

5.1 The Environmental Protection Act 1990 Section 94B and Schedule 3A authorises the ‘Principle Litter Authority’ i.e. Slough Borough Council to introduce controls and regulations regarding the distribution of free printed matter in designated areas.

5.2 The distribution of free printed literature can create blight on our public spaces. Often, the leaflets and other printed materials that are handed out are dropped by recipients as litter. This mostly occurs within a short distance of the point of distribution. These flyers are not always collected by the distributor, thus creating an increased level of litter.

5.3 Current littering legislation enables the Authorised Officers to serve a Fixed Penalty Notice on those who drop litter; however the Council currently does not have powers to control distribution activities.

5.4 Powers under section 94B read in conjunction with Schedule 3A of the Environmental Protection Act 1990 enables the Council as a ‘Principal Litter Authority’ to designate certain streets and/or areas of land within Slough Borough Council where the distribution of free printed literature is prohibited without prior

consent and under set conditions. These areas, in essence, must only be land which the Council is responsible for.

5.5 It is proposed that the areas of land as detailed and as outlined **Appendices A to D** of the report are to be designated.

- Slough Town Centre
- Farnham Road
- Chalvey
- Langley

5.6 The draft proposed 'Consent Terms and Conditions' are attached at **Appendix E**.

5.7 In order to implement this legislation, a 3 stage process needs to be followed which involves:

1. Advertising and Consultation of the Council's intention to amend the manner in which free literature may be distributed in areas specified in the notice;
2. Consideration of any responses received during the consultation or as a result of the advertisement;
3. Notifying and advertising the final decision with regard to the proposals.

5.8 Items 2 and 3 above will be the subject of a further report to the Licensing Committee which will outline the outcome of the consultation with an opportunity for the Committee to make a final decision with regard to the proposals and to make a recommendation for formal resolution by Full Council.

6. Consultation on the proposal

6.1 Initial comments in support of the proposals have been received from officers of the Neighbourhood Enforcement Team for measures to control the distribution of free printed matter to be adopted.

6.2 All views from the consultation will be carefully considered as part of the wider consultation process which will be reported back to the Licensing Committee for a final decision. In addition to the required wider public consultation, officers will consult with the following:

- Thames Valley Police
- Ward Members (in all areas where controls are proposed)
- Relevant Council Service areas, including Transport, Highways, Waste Management and the Neighbourhood Enforcement Team.

Consultation documents will also be available via the Councils web pages.

6.3 The Committee are also advised that if adopted, the Council is entitled to charge a reasonable fee for the distribution of free literature. This fee may take into account consultation and administration costs for the scheme.

6.4 Free printed matter distributed on or behalf of a Charity or where the distribution is for political purposes or for the purpose of a religion or belief, are exempt under the Act.

7. **Comments of Other Committees**

None

8. **Conclusion**

The Committee to approve the proposals to regulate the distribution of free printed matter, for the advertisement to be published and to authorise a formal consultation to be conducted.

8. **Appendices Attached**

- 'A' - Map of designated area for Slough town centre
- 'B' - Map of designated area for Farnham Road
- 'C' - Map of designated area for Chalvey
- 'D' - Map of designated area for Langley.
- 'E' - Draft 'Consent Terms and Conditions'

9. **Background Papers**

- '1' - Section 94B and Schedule 3A of the Environmental Protection Act 1990.

APPENDIX A.

Central Ward



Contains Ordnance Survey data © Crown copyright and database right 2010

APPENDIX B.

Farnham Ward



APPENDIX C.

Chalvey Ward



APPENDIX D.

Langley St. Marys Ward



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DISTRIBUTION OF PRINTED MATTER CONSENT TERMS AND CONDITIONS

Distribution of Printed Matter Regulations

Proposed to be effective from xxxxxxxxxxxxxx

Made by Slough Borough Council

Pursuant to Environmental Protection Act 1990 section 94B
Schedule 3A

The Consents and Conditions came into force on xxxxxxxxxxxxxx.

1. DEFINITIONS

In the Consents and Conditions, unless the context otherwise requires, the following expressions shall have the following meanings:

- 1.1 **“Act”** means Environmental Protection Act 1990 section 94B Schedule 3A
- 1.2 **“Authorised Officer”** means an officer of the Neighbourhood Enforcement Team or Licensing Team duly authorised as required by the Act.
- 1.3 **“Charity”** has the meaning of the Charities Act 1993, where the printed matter relates to or is intended for the benefit of the charity.
- 1.4 **“Consent”** means permission granted by the Council to distribute free literature in a designated area.
- 1.5 **“Distribution”** means to give it out, or offer or make it available to, members of the public and includes placing it on or affixing it to vehicles, but does not include putting it inside a building or letterbox.
- 1.6 **“Designated Land”** means (a) relevant land of the authority; (b) all or part of any relevant highway for which the authority is responsible; or (c) both (see attached plans showing designated land).
- 1.7 **“Fee”** means the cost of obtaining consent from the Council.
- 1.8 **“Free”** means if distributed without charge to the persons to whom it is distributed.
- 1.9 **“Highway”** means a route or area which all persons can use to pass and repass along as often and whenever they wish without let or hindrance and without charge; this includes carriageway, footway and any part of that area where the public have access and which may be in public or private ownership.
- 1.10 **“Literature”** includes advertising, promotional or other such printed matter or materials.
- 1.11 **“Litter”** has the meaning of material discarded as a result of the distribution of free literature.
- 1.12 **“Principal Litter Authority”** means ‘Slough Borough Council’.
- 1.13 **“Regulations”** refers to the contents of this document.
- 1.14 **“The Council”** means ‘Slough Borough Council’.

CONDITIONS APPLICABLE TO ALL CONSENTS DISTRIBUTION OF PRINTED MATTER

- 2.1 Distributors wishing to hand out free literature within restricted areas shall be restricted to two distributors per event to minimise the impact on the local environment and the defacement of the designated areas.
- 2.2 Distributing companies shall only delegate two distributors to distribute their literature in a designated area, on the approved date and between the approved times.
- 2.3 Consent cannot be granted if:
 - i) The applicant is unsuitable by reason of misconduct
 - ii) The applicant has within the last five years been convicted of any offence under Paragraph 1 of the Schedule 3A – distributing any free printed matter where no consent has been granted
 - iii) Consent has already been given to distribute literature in the area and at the time applied for;

- iv) There is a risk of danger or unreasonable inconvenience to users of highways
- 2.4 Distributions shall only take place between the hours of 07:00 hours and 15:00 hours and shall take place for no more than three hours during this period, either continuously or intermittently.
- 2.5 No consent will be given for the distribution of the following types of literature:
- * Racist, sexist or offensive material or literature encouraging criminal behaviour.
 - * Literature that promotes the irresponsible use of alcohol (e.g. 'happy hour advertisements', 'money-off' offers').
 - * The Council need not give consent where it is considered that the proposed distribution of free literature is likely to lead to the defacement of the designated area.
- 2.6 All staff engaged in the distribution of free literature shall be in possession of a current consent that has been issued by the Council whilst undertaking or supporting distribution activities.
- 2.7 All staff engaged in the distribution of free literature shall produce, on demand of an Authorised Officer, their consent to distribute within the area they are operating.
- 2.8 No free literature shall be left at any place on the Highway to facilitate the general public to take the literature at their discretion unless by prior agreement by the Council.
- 2.9 All literature shall bear the name and address of the consent holder who is responsible for the distributing the literature unless an agreement has been reached prior to distribution with the Council as part of the application process.
- 2.10 All staff distributing free literature should clear the area (within 25 meters of the allotted point) at the end of the distribution period of all dropped literature and remove the literature for correct disposal. Every effort should be made to recycle all dropped literature.
- 2.11 All staff distributing free literature should remove, at any time, any literature from the Public Highway on demand of an Authorised Officer where it is safe to do so.
- 2.12 Consent may be revoked if any of the above conditions are contravened.
- 2.13 Distributors/consent holders should ensure that staff employed in the distribution of free literature have not received a fixed penalty notice under the Environmental Protection Act 1990 section 88 (littering) or Environmental Protection Act 1990 Schedule 3A (unauthorised distribution of free literature). The consent holder may face cancellation of their consent if they do not comply with this requirement.
- 2.14 Consent shall not be given to an applicant that has been subject to prosecution under Environmental Protection Act 1990 section 88 (littering) or Environmental Protection Act 1990 Schedule 3A.
- 2.15 Applications for consent **must not be made** less than fourteen days prior to the proposed date that distribution is to take place.
- 2.16 Any distributions carried out whilst an application is being processed shall be treated as having no consent to distribute within the area.
- 2.17 Consent will only be granted to one distributor in each designated area on each day.

Informatives

- * Applications may be delayed beyond fourteen days should information not be supplied as required on the application form or where the fee is not submitted.
- * It is expected that all literature promoting alcohol shall display a responsible drinking strap line
- * It is expected that all literature promoting gambling does not contravene the Councils Gambling Policy

MEMBERS' ATTENDANCE RECORD
2011/2012

| COUNCILLOR | 02/06 | 21/07 (Meeting Cancelled) | 05/10 | 02/11 | 19/01 | 23/02 | 26/03 |
|------------|-------|---------------------------------|-------|-------|-------|-------|-------|
| Abe | Ap | - | | | | | |
| S Chaudhry | Ap | - | | | | | |
| P Choudhry | Ab | - | | | | | |
| Davis | P | - | | | | | |
| Dodds | P | - | | | | | |
| Long | P | - | | | | | |
| Plenty | P | - | | | | | |
| Rasib | P | - | | | | | |
| Sharif | P | - | | | | | |
| Sohal | P | - | | | | | |

P = Present for whole meeting
Ap = Apologies given

P* = Present for part of meeting
Ab = Absent, no apologies given

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