

Our ref: LN/199800270

17th December 2009

Mr John Patrick Yexley
Lympstone
Broad Lane
Bracknell
RG12 9BX



Dear Mr John Patrick Yexley

Age Limitation on Vehicles

As you may be aware, the Council has an age limitation on vehicles to be used for Private Hire or Hackney Carriage purposes. This policy has been introduced to ensure that the vehicle provides safety, comfort, reliability and is of an appearance that is satisfactory to passengers. Additionally the environmental impact of car emissions is of growing concern to society and licensed vehicles travelling a high mileage have an increased impact. Regular replacement of vehicles incorporating reduced emission technology improves air quality for all.

At present the Council will consider licensing a vehicle beyond the age limit where the vehicle has done an abnormally low mileage and is in exceptional condition. Additional conditions may be applied to a licence where an extension is granted.

The terms "exceptional condition" and "abnormally low mileage" are not defined within our guidance notes and therefore have been the subject of much discussion between officers of the Council and the trade.

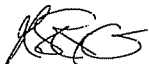
To ensure transparency, the Council would like to develop a set of standards for the terms "exceptional condition" and "abnormally low mileage". To start the process I have drawn up a document which is attached to this letter. I would invite your comments on the following:

1. Is the document comprehensive?
2. Are there any areas within the document which need further clarification?
3. Are the criteria for rejection reasonable and sufficiently robust?

Following the consultation your comments will be considered and, if appropriate, the document amended. A report will then be taken to the Licensing and Safety Committee with a recommendation that the document be included within the Guidance Notes and Conditions booklet and used as the basis for any future requests for an extension of the age limit. The next Licensing and Safety Committee meeting is set for 4 February 2010. I would therefore request that your response be received at this office by 15 January 2010.

I look forward to hearing from you.

Yours sincerely



R J Sexton
Head of Trading Standards and Licensing
enc

ENVIRONMENT, CULTURE AND COMMUNITIES

Bracknell Forest Borough Council, Time Square, Market Street, Bracknell, Berkshire RG12 1JD
T: 01344 352000 F: 01344 352555 Minicom: 01344 352045 www.bracknell-forest.gov.uk

Our ref: LN/199800253

17th December 2009

Mr Andrew Watson
38 Sylvanus
Great Hollands
Bracknell
RG12 8XX



Dear Mr Andrew Watson

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Yours sincerely

A handwritten signature in black ink, appearing to read "R J Sexton".

R J Sexton
Head of Trading Standards and Licensing

enc

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“Exceptional Condition”

A vehicle will not be regarded as in “exceptional condition” where:

1. Evidence is not presented to the Council that the vehicle has been regularly serviced and maintained in line with the manufacturer's servicing schedule.
2. The exterior paintwork on the vehicle:
 - (a) shows signs of rusting
 - (b) is faded or shows signs of mismatched paint repairs
 - (c) has 5 or more stone chips greater than 2mm in length in any direction
 - (d) has 8 or more stone chips of any size
 - (e) has any scratches, cracks or abrasions where the top layer of paint has been removed.
3. The exterior bodywork of the vehicle:
 - (a) has 2 or more dents greater than 10mm in length in any direction
 - (b) has 4 or more dents less than 10mm in length in any direction
 - (c) has fittings that are missing, broken or damaged.
4. The seating and carpet areas of the vehicle show signs of:
 - (a) staining
 - (b) damp
 - (c) fraying or ripping of the material
 - (d) seat covers that are loose or badly fitted.
5. The seats are found to offer insufficient support for comfortable travel due to over compression or wear within the support mechanism.
6. Interior panels and fittings within the vehicle are damaged, show excessive wear, or are stained.
7. Wheels and wheel trims have significant damage which detracts from the overall excellent condition of the vehicle.
8. The engine compartment is in a dirty condition or there is evidence of leaks including water, oil or hydraulic fluids.
9. The vehicle is submitted for inspection in an unclean state such that an effective inspection is not possible.
10. The interior of the vehicle has damp or other obnoxious smells.

“Abnormally Low Mileage”

The Council will not be regarded as a vehicle as having travelled an abnormally low mileage in the following circumstances:

1. A vehicle intended for normal private use – a mileage in excess of 200,000 miles
or
2. a vehicle purposely built for use as a licensed vehicle with a mileage in excess of 300,000 miles.
or
3. A “prestige car” with a mileage in excess of 300,000 miles.

A “prestige car” is to be defined as an executive style vehicle with the following minimum requirements:

- a) Be a four door saloon motor car and not a hatchback
- b) Be not less than 14.9 ft (4470mm) in length
- c) The vehicle interior and exterior shall be of the very highest quality in design and use of materials available.
- d) Must have sufficient space for passengers and equipment in so much as:
 - (i) rear height (seat to roof, measured from point of contact between seat cushion and back of seat) - 36” (91cm)
 - (ii) depth of seat – 20” (51cm)
 - (iii) knee space – (back of seat squab) with front seats fully back – 29” (73.5cm)
- e) The vehicle should carry no more than:
 - (i) one passenger in the front;
 - (ii) three passengers in the rear, unless it is specifically designed or adapted to do so;
 - (iii) each rear seat passenger should have a minimum clear seat width for each passenger of at least 19” (48.2cm).
- f) The engine capacity must exceed 2 litres.
- g) The vehicle must not be designed or adapted for off road purposes.
- h) The vehicle must not be designed or adapted as a personnel carrier, mini bus, people mover or other like vehicle.

Examples of vehicles that might be regarded as “prestige” would include:

Mercedes E and S Class
BMW 7 Series
Lexus 400
Audi A8

Those vehicles likely to be excluded:

Mercedes C Class
Audi A4
BMW 5 Series
Volvo S40