

## ANNEX 2

### Vehicle Licence Conditions – Private Hire & Hackney Carriages

Pursuant to provisions of the Town Police Clauses Act 1847 and Section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976 (hereinafter referred to as the 1847 Act and 1976 Act), Huntingdonshire District Council has made standard conditions which will apply to all Hackney Carriages which are required to be licensed under Section 37 of the 1847 Act.

The legislation relating to hackney carriages is contained within the 1847 Act and 1976 Act. Further, and in accordance with section 47(1) of the 1976 Act, the Council may attach to the grant of a hackney carriage vehicle licence such conditions as it may consider reasonable necessary.

It is a criminal offence to use a hackney carriage within the Huntingdonshire District without having a hackney carriage Vehicle Licence.

As a Huntingdonshire District Council Private Hire driver you are NOT permitted to ply for hire within or beyond the district boundary, as a Hackney Carriage Driver you are NOT permitted to ply for hire outside of the district boundary

Any person caught doing so will be subject to investigation for breach of licence conditions with the possibility of suspension or revocation of their license and prosecution.

All new hackney carriages above plate 44 must be wheelchair accessible vehicles (WAV's) and are designated as such. The Licensing Authority will apply any specification for such vehicles as may be provided by regulations under the Equality Act 2010. There is not the same requirement for private hire vehicles to be wheelchair accessible. Existing hackney carriage plates 1-44 also retain protected grandfather rights to use saloon style vehicles provided the licence remains in continuous use. If a renewal application is made late and the licence lapses, the grandfather rights will be lost and a new application for a new WAV vehicle will need to be made.

#### **1. Type of Vehicle**

The vehicle must be safe, comfortable and suitable in type, size and design for use as a private hire or Hackney Carriage vehicle.

- a) Private Hire vehicles must not be of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage; a London" type taxi cab finished in the manufacturers standard colour; or
- b) All vehicles must be finished in the manufacturers standard colour with a minimum of four doors not including the tailgate (unless specifically adapted to be used as an access or egress point); or a vehicle specially adapted to carry disabled persons and approved by the council
- c) Environmentally friendly vehicles such as hybrid vehicles, electric or LPG vehicles, and Four x Four (4x4) and Sports Utility Vehicles (SUV's) will be considered on their individual merits
- d) All LPG vehicle conversions must have been carried out by a (Liquefied Petroleum Gas Association) LPGA Approved installer and the vehicle proprietor issued with an LPG

Conversion Certificate which must be produced when applying for either a Hackney Carriage or Private Hire Vehicle licence

- e) The vehicle must display on the front and rear screens, a sticker stating that the vehicle has been fitted with an LPG tank for the purpose of alerting the emergency services in the event of an accident
- f) No more than Five years old from the date of first registration when first presented for licensing.
- g) Hybrid/Electric or ultra low emission vehicles will be no more than 7yrs old from date of first registration when presented for licensing In a condition so as to comply at all times with all statutory requirements. (Testing by the council or its appointed agents does not avoid the need for a Certificate Of Compliance (CoC) for all vehicles more than one year old
- h) Where by the removal of seats, a vehicle original seating capacity is reduced to the maximum capacity of eight passenger seats, the redundant seat mountings must be rendered unusable. This must be done in such a way as to prevent the easy re-fitment of seats.
- i) Hackney Carriage – The vehicle must be capable of safely loading, transporting and unloading a wheelchair bound passenger from the side or rear of the vehicle.
- j) Hackney Carriage Facilities for the Disabled
1. Approved anchorages must be provided for wheelchair tie downs and the wheelchair passenger restraints. These anchorages must be either chassis or floor linked and capable of withstanding approved dynamic or static tests. Restraints for wheelchair and occupant must be independent of each other.
  2. Anchorages must also be provided for the safe stowage of a wheelchair when not in use, whether folded or otherwise, if carried in the passenger compartment. All anchorages and restraints must be so designed that they do not cause any danger to other passengers.
  3. The door and doorway must be so constructed as to permit an unrestricted opening across the doorway of at least 75cm. the minimum angle of a hinged door when opened must be 90 degrees
  4. The clear height of the doorway must be a minimum of 1.27 metres, the width of the doorway must be a minimum of 680mm and internal headroom must be a minimum of 1.32m
  5. Grab handles must be placed at door entrances to assist the elderly and disabled, and must be contrasting in colour.
  6. The top of the tread for any entrance should normally be at floor level of the passenger compartment and comply with the following requirements: -

- Be not more than 380mm from the ground, (measured at the centre of the tread width);
- The surface shall be covered in a slip-resistant material;
- Have a band of colour across the entire width of the edge which shall contrast with the remainder of the tread and floor covering.

Should any entrance be more than 380mm from the ground, an external interim step must be made available when the associated passenger door is opened and comply with the following requirements: -

- Not be more than 380mm in height from the ground, (measured at the centre of the step width);
- Not be less than 250mm deep;
- The surface shall be covered in a slip-resistant material;
- Have a band of colour across its leading edge which shall contrast with the remainder of the step and floor covering;
- Not be capable of operation whilst the vehicle is in motion;
- If automatic or powered, be fitted with a safety device which stops the motion of the step if the step is subject to a reactive force not exceeding 150N in any direction and if that motion could cause injury to the passenger;
- Can fold or retract so that it does not project beyond the side face of the vehicle

and the vehicle is not capable of being driven away unless the step is folded or retracted.

7. The vertical distance between the highest part of the floor and the roof in the passenger compartment must not be less than 1.32 metres.
8. Where seats are placed facing each other, there must be a minimum space of 350mm between any part of the front seat and any part of any other seat that faces it, provided adequate foot room is maintained at floor level.
9. Where all seats are placed facing to the front of the vehicle, there must be clear space of at least 66cm in front of every part of each seat squab, measured along a horizontal plane at the centre of the cushion.
10. A ramp for the loading of a wheelchair and occupant must be available at all times for use, as a minimum, at the nearside passenger door on all new vehicles presented for licensing. The ramp must be 70cm wide, as a minimum, and comprise a single non-slip surface. An adequate locking device must be fitted to ensure that the ramp does not slip or tilt when in use. Provision must be made for the ramp to be stowed safely when not in use.
11. When a vehicle has been modified post manufacture to provide access or special facilities for disabled passengers, the vehicle must have all modifications and adaptations (including all seats seat belts and anchorages), retested or approved to meet either European Whole Type Approval or the UK Low Volume Type Approval (ESVA or IVA) that meets the required standard. Prior to the first licensing of the vehicle, the proprietor and/or driver must produce certification that the vehicle meets the required standards.
12. Wheelchair passengers must always travel in the correct position as recommended by the vehicle manufacturer.
13. Wheelchair accessible vehicles must display on the rear of the vehicle the standard sign with the symbol of the figure in a wheelchair indicating that the vehicle is wheelchair accessible

## 2, Maintenance of Vehicle

- a) **Lighting Equipment** – All front and rear lamps including headlamps, stop lamps, directional indicators, hazard lamps and fog lamps, shall be fully operational. Also lamp lenses shall be clean and free from any chips or cracks which affect the beam pattern, or allow moisture to enter the light casing. Reflectors should be free of corrosion or similar defects
- b) **Steering and Suspension** – The steering shall be fully operational and comply with DVSA inspection regulations. The suspension shall be fully operational, free from any leaks and with no excessive bounce. All components to be in good working order. The fitting of part worn or second hand parts are not permitted.
- c) **Brakes** – All brakes including the foot and handbrakes shall be in good working order and pull evenly in accordance with DVSA inspection regulations. All vehicles must be fitted with a high level brake light,
- d) **Tyres and Wheels** – All vehicles shall carry in accordance with manufacturers' recommendations all necessary equipment for puncture repair. All tyres, including any spare tyre, should be in a roadworthy condition and comply with all relevant statutory requirements. Spare wheels must be fitted in a secure manner at all times
- e) **Seatbelts** – All vehicles shall have fully operational seatbelts in the front and rear to accommodate all passengers. Seatbelts should be in good condition and should not be frayed or torn. All seatbelts shall be mounted to the vehicle body (not to vehicle seats unless specifically designed to do so) and adequately secured.
- f) **Horn** – The vehicles horn shall be fully operational and adequately audible.
- g) **Heater and ventilation** – The vehicle shall be fitted with a fully operational heater, which can be adjusted according to the needs of the passengers. Passengers must be able to operate the windows independently.

h) **Wipers and Washers** – The correct size wiper blades shall be fitted and shall not be torn or frayed. The windscreen washers should operate correctly and fully.

**3, Coachwork** – vehicles must comply with the following:

- a) The width of the rear part of the body, measured from internal armrest to internal armrest should be a minimum of 1.28m. This measurement to be made with both rear doors closed
- b) The minimum legroom for passengers using the rear seats shall be 22cms, the measurement to be taken from the rear door pillar to the nearest point of the rear seat squab
- c) All doors shall be capable of being opened from both the inside and the outside and to an angle of at least 60 degrees. Two windows capable of being adjusted and secured in any open or partly open position shall be fitted
- d) All glass fitted shall be safety glass, i.e. glass that if fractured does not fly into fragments capable of causing severe cuts
- e) Glass, either in the window, windscreen or other part of the vehicle shall not be broken or discoloured and shall be free from cracks in accordance with DVSA regulations. Aftermarket window tints shall not be fitted to any windows.
- f) All coachwork shall be maintained in a clean condition and in a proper state of repair; and
- g) If the vehicle is an estate or hatchback type car it must be fitted with a guardrail or other device of a type approved by the Council to separate the rear loading area from the passengers

**4. General**

- a) The vehicle must be fitted with an internal rear view mirror and on both sides with external rear view mirrors
- b) The two way radio equipment must be installed to ensure safe operation
- c) All parts of the vehicle, its fittings and equipment both internal and external must be kept in an efficient, safe and clean condition and comply at all times with all relevant statutory requirements.
- d) The licence plate issued by the council shall be affixed to the council issue bracket behind or adjacent to the vehicle number plate
- e) The proprietor/driver shall ensure that at all times whilst the vehicle is used on public roads, there is a current vehicle excise licence in force for the vehicle
- f) Hackney Carriage vehicles shall at all times have a fare table issued by Huntingdonshire District Council displayed within the vehicle in a clear and prominent manner
- g) At least two No Smoking signs are to be displayed within the vehicle and clearly visible to passengers
- h) Plain window blinds may be fitted to a vehicle to shield passengers from the sun, blinds with pictures, cartoons or advertising material will not be permitted
- i) Sufficient means by which any person in the vehicle may communicate with the driver must be provided
- j) The vehicle must be adequately insured for the licence held at all times during the duration of the licence. Any change of insurance provider during the period of a licence must be notified to the Council within seven days
- k) Vehicle proprietors are required to keep proof of insurance for a minimum period of six months after the expiry date for production on request by an authorised officer of the council

**5. Safety Equipment**

The proprietor shall provide and maintain in good working order in the vehicle:

- a) A suitable fire extinguisher and first aid kit containing appropriate dressing and appliances in date, both items to have the plate identification number issued by the council written on them in permanent marker.

## 6. Exterior Signs

The proprietor shall ensure that:

- a) Except where authorised in writing by the Licensing Officer under Section 75(3) Local Government (Miscellaneous Provisions) Act 1976, at all times the vehicle current licence plate provided by the Council is displayed: and
- b) Signage must be affixed in a prominent position on each of the rear passenger doors displaying the Huntingdonshire District Council logo with the words Licensed Hackney Carriage or in the case of private hire vehicles “ PRIVATE Hire vehicle – insurance invalid unless pre-booked with operator” ALTERNATIVE SUGGESTION “ No booking – No ride” The signage must be in a prescribed format and is only obtainable via the licensing authority, removable signs e.g magnetic will not be permitted – THIS DOES NOT REFLECT RESPONSES
- c) Private Hire Vehicle: - No roof sign shall be displayed at any time;
- d) The vehicle shall display on the driver and front passenger door in a prominent position the name and contact details of the Operator fulfilling the booking, except where plate exemptions are permitted
- e) Vehicles shall display on both rear external passenger doors in a prominent location affixed door signage as issued by the Licensing Authority
- f) Hackney Carriage Vehicle: - the vehicle shall be fitted with a roof sign not exceeding 500mm in length and 120mm in height, and bearing the word “TAXI” in black lettering illuminated in yellow and no other lettering to the front. The word “TAXI” and the wording “HUNTINGDON DISTRICT COUNCIL” in black lettering, illuminated in red or yellow and no other lettering to the rear
- g) Any alternative sign may not be displayed except with the written authority of the Licensing Officer and in any event must bear the words mentioned above and no others
- h) The roof sign to be maintained in good order and displayed at all times on the roof of the vehicle except:
  - When the vehicle is on hire for a wedding
  - When it is necessary to accommodate passenger’s luggage by the use of a roof rack
  - When the vehicle is being used for the proprietor or a person authorised by the proprietor for social, domestic or pleasure purposes;
  - Otherwise with the prior approval in writing of the Licensing Officer
- i) The roof sign is illuminated except when the vehicle is under hire.
- j) In certain circumstances the Council may authorise or require alternative or additional exterior signs subject to such further or substituted conditions as the Council may determine.
- k) No advertisements, stickers or other medium, which indicate the presence of car telephone or mobile phone equipment are to be displayed in the vehicle.
- l) The car telephone or mobile phone number is not to be displayed on any signs attached to the vehicle nor in any advertising material used by the proprietor, including those business cards he uses to present to the passengers on the completion of journeys or on request.

## 7. Windscreen notice

The Proprietor must have a notice showing the licence plate number supplied by the Council clearly displayed on the interior of the front windscreen of the vehicle clearly visible to persons inside the vehicle.

## 8. Tinted windows

- (1) Vehicles first used before 1 April 1985, the windscreen and front side windows must allow at least 70% of light to be transmitted through them.
- (2) Vehicles first used on or after 1 April 1985, the windscreen must allow at least 75% of the light to be transmitted through them whilst the front side windows must allow at least 70% of the light to be transmitted through them.
- (3) If the glass is tinted to a point whereby it lets through less light, then the vehicle does not meet legal requirements

## 9. Advertisements

All adverts must be approved at the discretion of the Council. For vehicles with less than 6 passenger seats, the lettering on the signs and notices shall not exceed 5cm (2 inches) in height). Larger signs for vehicles with 6 to 8 passenger seats may be used, however all proposed signs and notices must be submitted for approval by an appointed officer of the Council.

All adverts must comply with the British Code of Advertising practice; in addition the Council will not normally approve any advertisements which depict the following:

- (a) Political, ethnic or religious messages or content which is contrary to the Council's Single Equality Scheme.
- (b) Sexual content.
- (c) Indecent material or content likely to offend public taste.
- (d) The promotion of the sale or consumption of tobacco products.
- (e) The promotion of the sale or consumption of alcohol.
- (f) Any words or image that may indicate that a Private Hire Vehicle is a Hackney Carriage.
- (g) Gambling.
- (h) Encouragement of unlawful or anti-social behaviour.

Any advertisement must not obscure or detract from the Council's vehicle identification materials required to be fitted to the vehicle by the conditions relating to hackney carriage and private hire vehicles. Advertisements may not be placed on the front offside and nearside doors.

## 10. Alteration of vehicle

No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time whilst the licence is in force

## 11. Inspection

The proprietor shall submit the vehicle to the Council or its appointed agents for inspection:

- a) Annually when the licence is due for renewal
- b) After any repair made necessary by an accident affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers and the proprietor shall notify the Licensing Officer of any such accident within 72 hours; and
- c) At any other time if so requested by the Licensing Officer in accordance with legislation

## **12. Convictions**

The proprietor shall, within seven days disclose to the Licensing Officer, in writing, details of any conviction, caution, reprimand or warning issued to him or her or, if the proprietor is a company, on any of its directors during the period of the licence.

## **13. Change of Address**

The licensee driver shall notify the Licensing Officer in writing of any change of his or her address during the period of the licence within seven days of such change taking place.

## **14. Transfer of Licence**

If an owner/proprietor/co-owner of a vehicle in respect of which the Council has granted a licence, transfers his/her interest in the vehicle, he/she shall within 14 days after the transfer give written notice of the transfer to the Council. That notice must contain the name and address of the person to whom the licensed vehicle has been transferred and the written consent to the transfer from the previous proprietor(s)/owner(s)

## **15. Surrender of Licence**

Except in situations to which Section 49 Local Government (Miscellaneous Provisions) Act 1976 applies (transfer of vehicles with licence), if the proprietor ceases to use the vehicle for the purpose for which it is licensed he or she shall surrender the licence and return the plate, which remains the property of Huntingdonshire District Council, to the Licensing Officer.

## **16. Deposit of Drivers' Licences**

If the proprietor permits or employs any other person to drive the vehicle as a hackney carriage or private hire vehicle he or she shall, before that person commences to drive the vehicle, cause that person to deliver his or her hackney carriage or private hire driver licence for retention until such time as the driver ceases to be permitted or employed to drive the vehicle, or any other vehicle of his.

## **17. Hackney Carriage Taximeter**

- a) The vehicle shall be fitted with a taximeter visibly recording the passenger fare payable in conformity with such table of fares as may from time to time be approved by the Council
- b) The position of the taximeter shall be agreed by the Council's Licensing Officer and shall be maintained at all times so that the fare displayed can readily be seen by the passenger; and
- c) The operation of the taximeter shall accord with any Byelaws made by the Council.
- d) The taximeter shall be fitted with a key, flag or other device the operation of which will bring the machinery of the taximeter into action;
- e) Such key, flag, or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
- f) When the machinery of the taximeter is in action, there shall be recorded on the face thereof in figures clearly legible and free from ambiguity the fare not exceeding the rate or fare which the Proprietor or driver is entitled to demand and take for the hire of the carriage by distance;
- g) The taximeter shall be so placed that all the letters and figures on the face thereof shall be at all times visible to any person being conveyed in the vehicle and for that purpose the letters and figures shall be suitably illuminated during any period of hiring;

## **18 Hackney Carriage Byelaws**

The vehicle must comply with the relevant provisions of the hackney carriage Byelaws or be taken out of service as a hackney carriage until such time as the vehicle complies with the

Byelaws.

### **19. Exemption Licence Conditions (Private Hire Only)**

The following condition applies ONLY if the Council has allowed in writing an Exemption licence to be issued instead of an external rear plate. The Council has determined that under the Private Hire Vehicle license an exemption license will be issued, to be kept in the vehicle at all times, for all uses of the vehicle as a private hire vehicle where the driver is acting as a uniformed chauffeur under a written contract for one or more journeys (Appendix D). If any use of the vehicle as a private hire vehicle is made where there is no written contract or where the driver is not in uniform a plate shall be used at the rear of the vehicle.

If the plate is not correctly displayed or the exemption licence not within the vehicle, or if there is any contravention of this provision, the vehicle shall not be deemed to be licensed.

[NB: In Cambridge City, certain Road Traffic Regulation advantages given to licensed vehicles in use as such may not be available unless a plate is used. You will need to observe the relevant requirements if you wish to claim those advantages.]

**Failure to comply with any of these conditions may result in the Council suspending, revoking or refusing to renew the licence and in certain circumstances, in prosecution. There is a right of appeal to the Magistrates Court.**