



HACKNEY CARRIAGE

LICENCE CONDITIONS

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HACKNEY CARRIAGE LICENCE CONDITIONS

BOROUGH OF PENDLE

CONDITIONS FOR HACKNEY CARRIAGE VEHICLE LICENCES

The licence holder(s) or directors of a company must at all times comply with these conditions and Part II of the Local Government (Miscellaneous Provisions) Act 1976.

The Council has a limit of 71 hackney carriages.

HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS OF APPLICATION

- Provides a basic DBS disclosure that is no more than one month old for new applicants or the enhanced DBS certificate if already a licensed driver.
- Any applicant, who has lived outside the UK within the last 10 years, provides a Certificate of Conduct, translated into English, from each of the countries that they have lived in within that period.

Satisfy the Council that the vehicle is in a suitable condition, is both safe and comfortable for passengers, and suitable in type, size and design for use as a hackney carriage and that there is in force a policy of insurance covering it for public hire.

The vehicle will be suitable in type, size and design for use as a hackney carriage if it is either a London style hackney carriage, or a saloon or estate car with at least four doors and reasonable accommodation for luggage and capable of seating not less than four nor more than eight passengers. The vehicle must meet the following specifications

Not be more than twelve years old when first licensed or on renewal **or** if manufactured or adapted to allow for wheelchair accessibility, electric or Euro 6 no more than fifteen years old when first licensed or on renewal.

A London style hackney carriage vehicle not more than ten years old when first licensed and no more than fifteen years old on renewal.

Not be a stretch limousine unless it can be shown to the satisfaction of the Committee by evidence from the manufacturer that the method of construction has not affected the safety of the vehicle.

Be a right hand drive vehicle;

A saloon or estate car of red colour approved by the Council;

Have adequate lighting for the interior of the vehicle and an adequate heating system for the driver and passengers, with means of control by the driver;

Carry a spare wheel and tool kit to change a wheel;

Carry a suitable fire extinguisher and first aid kit;

Have a clear emergency exit; and

There shall be fixed to the roof of the vehicle a sign to the satisfaction of the Council being the words "FOR HIRE". The sign shall be connected to the taximeter in such a way as to ensure that when the vehicle is standing or plying for hire the sign is illuminated and when the vehicle is hired and the taximeter is in operation the sign is not illuminated and not legible.

The vehicle must be type approved. You will be required to provide the necessary confirmation that the vehicle is approved – a V5 registration document (log book) indicating that the vehicle is M1 type approved (shown in the vehicle category at line J), or in the case of minibuses, that the vehicle was manufactured as an M2 vehicle, which is a minibus with more than 8 passenger seats, and the only modification is the removal of the rearmost seats to reduce the seating capacity. The V5 will show M2 in the Vehicle Category at line J.

Vehicles converted from vans or imported from outside the EU will be required to have passed a VOSA Voluntary Individual Vehicle Approval inspection. The relevant certificate will be required before such a vehicle can be licensed.

WHEELCHAIR ACCESSIBLE VEHICLES

Any vehicle that has been adapted or modified to accommodate disabled passengers shall be re-certified, after adaptation or modification, to meet the European Whole Vehicle (M1 or M2) Type Approval standard, the British National Low Volume Type (M1 or M2) Approval standard or the Voluntary Individual Single Vehicle Approval in respect of all such adaptations or modifications. The relevant certificate will be required before such a vehicle can be licensed.

Access to and egress from the wheelchair must not be obstructed in any manner, at any time, except by wheelchair loading apparatus.

Wheelchair internal anchorage points and equipment must be of the manufacturers design and construction and comply with the M1 or M2 standards as specified in European Directive 76/115 EEC (as amended by 90/629 EEC) and should be secured in such a position as to not obstruct any emergency exit when the equipment is not in use.

A suitable, separate restraint (seat belt) must be available for the occupant of the wheelchair.

Access ramps or lifts must be securely fixed to the vehicle prior to use and be able to support the weight of any wheelchair, occupant and helper.

Ramps and lifts must be securely stored in the vehicle before driving off; such devices shall have a minimum load rating of 300kg.

The vehicle shall be fitted with a locking mechanism, or other device, that holds the wheelchair access door in the open position whilst a wheelchair is being loaded or unloaded.

Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must have been tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (S/I 1998/2307). Any such equipment must be maintained in efficient working order so as to be available for use at all times.

A sign may be affixed to the outside of the vehicle indicating that it is able to convey passengers in wheelchairs, provided that the vehicle has been manufactured or properly adapted for that purpose.

CONDITIONS OF LICENCE

1. Drivers

You shall not employ as a driver any person who does not have a current driver's licence and a current hackney carriage driver's licence. You shall retain the hackney carriage drivers' licences of all drivers driving your vehicles and produce them to an authorised officer on request.

2. Notification of arrest and release, charge or convictions

You must inform the Council within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence. An arrest for any of the offences within this scope will result in a review as to whether the licence holder(s) or directors are fit to continue to hold a licence.

3. Identification plates and display of licence number

The plates identifying the vehicle as a hackney carriage and required to be exhibited on the vehicle shall be securely fixed to the front and rear exterior of the vehicle.

A plate indicating the number of passengers allowed to be carried, as specified in the Licence, the licence number of the vehicle and the expiry date shall be displayed inside the vehicle so that the information is facing the rear of the vehicle and is clearly visible to any passengers sitting in any of the seats.

There shall be displayed within the vehicle a table of fares and charges for the information of the passengers.

You shall ensure that the identification plates are maintained and kept in such a condition that the information is clearly visible to public view at all times.

4. Licence and return of identification plates

You shall upon expiry, revocation or suspension of this licence immediately return to the Council the identification plates issued when granting the licence.

If an accident to the vehicle makes it unsuitable or unsafe for use as a hackney carriage vehicle you shall immediately return to the Council the identification plates issued when granting the licence.

5. Provision of furnishings, fire extinguisher and first aid kit

You must ensure that

Sufficient means exist for any person in the vehicle to communicate with the driver during the course of the hiring.

The seats in the passenger compartment are properly cushioned and covered.

The floor in the passenger compartment is provided with a proper carpet, mat or other floor covering.

Facilities for the safe conveyance of luggage is provided and it is protected from inclement weather.

Carry a suitable fire extinguisher and first aid kit

6. Use of radio equipment

You shall ensure that any radio equipment fitted in the hackney carriage vehicle is a fixture which is in a safe place and sound condition and maintained in proper working order and that any radio microphone installed in the vehicle shall be fitted in such a position that its use by the driver does not impair his control of the vehicle when it is in motion.

7. Maintenance of the vehicle

The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in a safe, tidy and clean condition and all relevant statutory requirements (including in particular those contained in the Motor Vehicles (Construction and Use) (Regulations) shall be fully complied with. The vehicle shall comply to the manufacturers specification at all times.

The vehicle will at all times be subject to test and inspection and should it be found that a vehicle is not being properly maintained or that any part or fitting is not in good working order, a notice may be served on you prohibiting the use of the vehicle until the defect has been remedied. A review of the licence holder may be carried out if the vehicle is not being maintained to a satisfactory standard.

8. Alteration of vehicle

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

9. Damage to vehicle

Any damage to a hackney carriage, however slight, shall be reported by you to the Council within seventy-two hours of the damage taking place and the Council's accident report form shall be completed in all cases. Until the damage is repaired to the satisfaction of the Council the vehicle shall not be used to ply for hire.

10. Insurance

You shall at the request of any authorised officer produce for inspection the excise licence and certificate of the policy of insurance or security required by Part VI of the Road Traffic Act 1972 and in respect of public hire in respect of the licensed vehicle.

11. Carriage of persons and animals

You shall not permit the hackney carriage to be used to carry more people than the licence allows.

You shall not permit any person under the age of ten years to be conveyed in the front of the vehicle or any persons whatsoever in the front of a London type cab. You shall only allow one person to be conveyed in the front of the vehicle other than a London type cab.

You shall not convey in a hackney carriage any animal belonging to or in the custody of you or the proprietor or operator of the vehicle.

Any animal belonging to or in the custody of any passenger, which at your discretion may be conveyed in the vehicle, shall only be conveyed in the rear of the vehicle.

You must, if requested, carry guide, hearing and other assistance dogs free of charge unless you are in possession of a valid exemption certificate.

12. Taximeter and fare table

You shall ensure that the vehicle has a dual tariff taximeter so constructed, attached and maintained as to comply with the following

- (a) The taximeter shall be set to correspond with the fare table displayed in the vehicle.
- (b) No taximeter shall be used that the Council has not sealed.
- (c) When the taximeter is brought into operation the permitted extras will be shown legibly on the face and shall be not more than permitted by the approved fare table.

- (d) You shall ensure that a copy of the fare table supplied by the Council is exhibited inside the vehicle at all times and that it is not concealed from view or rendered illegible.

13. Roof sign

You shall ensure that the hackney carriage is provided with a roof sign of approved pattern so constructed as to comply with the following requirements

- (a) The sign shall bear the words "FOR HIRE" or "TAXI" in plain letters not less than two inches and not more than four inches in height.
- (b) The sign shall be fixed to the roof in a proper manner and safety wired to the taximeter.
- (c) The sign shall be capable of being operated so that it indicates clearly and conveniently to persons outside the vehicle whether or not it is for hire and it shall also be capable of being illuminated.

14. Signs, notices etc.

The licence number of the vehicle shall be displayed on the front nearside and offside doors of the vehicle in white four inch numbering either painted or otherwise affixed in a manner approved by the Council.

The trading name and telephone number of the private hire operator shall be displayed on the front nearside and offside doors of the vehicle when the vehicle is carrying out private hire bookings.

A sign, issued by the Council, on how a customer can make a complaint to the Council must be displayed in all licensed vehicles.

No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices shall be displayed on, in or from the vehicle except as may be required or allowed in writing by the Council.

15. Change of address

You must inform the Council in writing of any change of address within seven days.

16. Transfer of licence

If you wish to transfer the hackney carriage licence to another person you must, before such transfer, give notice in writing to the Council within fourteen days specifying the name and address of the person to whom the hackney carriage will be transferred. Both parties shall complete the Council's online transfer form. The licence shall be deemed to be revoked if the Council disapproved the transfer of the licence to that person and the vehicle is or has been transferred to him. The Council will only disapprove the transfer of a licence to a person on the grounds that he is not a fit and proper person to hold the licence.

A basic disclosure, no more than one month old will be required for the proposed licence holder or a current enhanced DBS certificate if already a licensed driver.

17. Variation of conditions

The Council may at any time during the period of this licence or upon renewal vary any condition.