



# **PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER'S**

## **KNOWLEDGE TEST REVISION GUIDE**

## **CONTENTS:**

**The knowledge test consists of the following 4 sections:-**

<b>Section 1</b>	<b>Local area</b>
<b>Section 2</b>	<b>Highway Code</b>
<b>Section 3</b>	<b>Highway Code – road signs</b>
<b>Section 4</b>	<b>Policy and law</b>

**The pass rate is 70% (7 out of 10) in each section**

**This revision guide sets out areas of Pendle and you should have a good knowledge of the locations before sitting the test.**

<b>Revision areas:-</b>	<b>Page(s)</b>
<b>Pendle area</b>	<b>3</b>
<b>Private Hire Driver's Conditions</b>	<b>5 - 9</b>
<b>Private Hire Vehicle Conditions</b>	<b>10 - 17</b>
<b>Hackney Carriage Byelaws</b>	<b>18 - 22</b>
<b>Hackney Carriage Conditions</b>	<b>23 - 30</b>
<b>Notes on the Equalities Act 2010</b>	<b>31</b>
<b>Seat belts and Child Restraints</b>	<b>32</b>

**You should also have a sound knowledge of the Highway Code and various road signs.**

**You should learn these locations/routes and know what street/road they are on as a selection of these will be part of the knowledge test.**

### **Nelson and surrounding areas**

Banker's Draft	Nelson Cricket Club
Bombay Lounge	Nelson Golf Club (Club House)
Booths Supermarket	Nelson Health Centre
Morrisons, Brierfield	Oaks Hotel
Fence Gate	Pendle Community Hospital
Four Alls	Pendle Inn
George & Dragon	Pendle Vale Community High School
Lamb Working Men's Club	Pendle Wavelengths
Lidl Supermarket	Rising Sun
Lord Nelson	Shooters Arms
Marsden Heights Community High School	Spinning Mill
Marsden Park Golf Course (Club House)	Thatch & Thistle
Morrisons Supermarket	White Bear
	White Swan
	Will's Bar
	Ye Old Sparrow Hawk

### **Colne and surrounding areas**

Aldi Supermarket	Duke of Lancaster (formerly known as
Alma Inn	Shepherds Arms)
Asda Supermarket	Fishermore High School
Banny's Fish & Chip Restaurant	Four Elephants
Boundary Mill	Morris Dancers
The Wharf Foulridge (formerly known as	Park High School
Café Cargo)	Pendle Hippodrome Theatre
Carlos' Restaurant	Red Lion
Colne British Legion Club	Riley's Bar
Colne Cricket & Bowling Club	Sainsburys Supermarket
Colne Health Centre	Tubbs
Colne Municipal Hall	Union Exchange
Colne Primet High School	Venue
Crown Hotel	Wallace Hartley

### **Barnoldswick and Earby**

Cross Keys	Punch Bowl
Jade Palace	Rolls Royce Leisure Club
Barnoldswick Civic Hall	West Craven High School
Old Stone Trough	

### **Burnley and surrounding areas**

Blackburn Royal Hospital	Burnley General Hospital
Burnley College	Burnley Mechanics Theatre
Bertrams	The Plazzo
Wilfred's Restaurant	



**PRIVATE HIRE**

# **DRIVER'S LICENCE CONDITIONS**

TOWN HALL,  
MARKET STREET,  
NELSON,  
LANCASHIRE.  
BB9 7LG



## **PRIVATE HIRE DRIVER'S LICENCE CONDITIONS**

### **CONDITIONS FOR PRIVATE HIRE DRIVERS**

You must at all times comply with the provisions of Part 11 of the Local Government (Miscellaneous Provisions) Act 1976.

### **PRIVATE HIRE DRIVER'S LICENCE CONDITIONS OF APPLICATION**

Before a driver's licence is granted the applicant must:-

1. Complete and submit to the Council an application in the form prescribed by the Council along with all stated documents and licence fee.
2. Satisfy the Council that you are a fit and proper person to hold a licence.

### **CONDITIONS OF LICENCE**

#### **3. Licence and change of address**

You must not assign or in any way part with the licence which is issued to you only.

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

#### **4. 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 is fit to continue to hold a licence.

#### **5. Disclosure and Barring Service (DBS)**

The Council expects those drivers it issues 3 year badges to, to sign up to the DBS updating service and consent to the Licensing Authority checking with the DBS on an six month basis, as to whether there has been any change to their status since the last disclosure certificate was issued. Failure to subscribe to the update service will result in a driver's licence being suspended or not renewed until such time as a new DBS disclosure certificate has been submitted.

#### **6. Prohibition of plying for hire**

The driver shall not while driving or in charge of a private hire vehicle:-

- (a) tout or solicit on a road or other public place any person to hire or to be carried for hire in any private hire vehicle; or
- (b) accept an offer for the immediate hire of that vehicle while the driver of that vehicle is on a road or other public place except where such offer is first communicated to the licensed operator by telephone or by radio apparatus fitted to that vehicle.

#### 7. Driving of vehicle

The driver shall not permit any other person to drive a vehicle for hire except with the consent of the vehicle operator.

#### 8. Carriage of passengers

- (a) The driver shall not convey or permit to be conveyed in a private hire vehicle a greater number of persons than that prescribed in the licence for the vehicle.
- (b) The driver shall not allow there to be conveyed in the front of a private hire vehicle:
  - (i) any child below the age of ten years; or
  - (ii) more than one person above that age
- (c) The driver shall not without the consent of the hirer of a vehicle convey or permit to be conveyed any other person in that vehicle.

#### 9. Carriage of animals

You shall not convey in a private hire vehicle 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.

#### 10. Behaviour of driver

You shall be clean and respectable in your dress and behave in a civil and orderly manner.

You shall take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by you.

You shall help your passengers with their luggage.

You shall not, without the express consent of the hirer, drink or eat in the vehicle.

You shall not smoke or allow any passenger to smoke in the vehicle.

You shall not, without the express consent of the hirer, play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.

You shall at no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which you are driving to be a source of nuisance or annoyance to any person either inside or outside the vehicle.

#### 11. Punctual attendance

You shall punctually attend at the appointed time and place, unless delayed or prevented by sufficient cause.

#### 12. Route

You shall when hired drive to any particular destination, subject to any direction given by the hirer, by the shortest practicable route.

#### 13. Lost property

You shall immediately after the hiring carefully search the vehicle for any property which may have been accidentally left there.

#### 14. Badge

You shall at all times when driving a private hire vehicle wear or place in a prominent position within the vehicle the driver's badge issued to you by the Council.

#### 15. Return of badge

You shall upon expiry, revocation or suspension of the licence immediately return to the Council the driver's badge issued to you.

#### 16. Maintenance of Vehicle

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 the vehicle owner prohibiting the use of the vehicle until the defect has been remedied. A review of the driver's licence holder maybe carried out if the vehicle is not being maintained to a satisfactory standard.

#### 17. Vehicle identification plate

You shall not conceal from public view either the exterior or interior identification plates displaying the private hire vehicle licence number.



18. Taximeter

You shall not wilfully or negligently cause any fare recorded on the taximeter to be concealed from public view while the vehicle is being used for the purpose of public hire.

19. Tampering with taximeter

You shall not tamper or permit any other person to tamper with the taximeter or its fittings, connections or seals after it has been fitted to the vehicle and sealed by an authorised officer.

20. Amount of fare

You shall not demand a fare in excess of any previously agreed.

21. Receipt for fare

You shall, if requested by the hirer, provide him/her with a written receipt for the fare paid.

22. Availability of licence conditions

You shall at all times when driving a private hire vehicle carry with you a copy of these conditions and the byelaws and shall make them available for inspection by the hirer or any passenger on request.

23. Health

You shall inform the Council without delay about the onset or worsening of any health condition likely to cause you to be a source of danger to the public either now or in the future. Temporary conditions, other than recurrent ones, not expected to last more than three months need not be reported. If you are in any doubt about whether or not your health condition is one which should be reported you should consult your doctor.

24. Suspension or revocation of licence

The Council may at any time suspend, for such period as it thinks fit, or revoke this licence if you are in breach of any of the conditions, byelaws or if you are convicted of any offence which, in the opinion of the Council, renders you no longer a fit and proper person to hold the licence.

25. Production of driving licence

You shall, within forty-eight hours of receiving written notice requiring you to do so, produce to the Council your current Department of Transport driving licence for inspection.

26. Variation of conditions

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

# PRIVATE HIRE VEHICLE

# LICENCE CONDITIONS

TOWN HALL,  
MARKET STREET,  
NELSON,  
LANCASHIRE.  
BB9 7LG



April 2022

## **PRIVATE HIRE VEHICLE LICENCE CONDITIONS**

### **BOROUGH OF PENDLE**

#### **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 REQUIREMENT FOR THE ISSUE OF A PRIVATE HIRE VEHICLE LICENCE**

Pendle Borough Council will only accept an application to licence a private hire vehicle if the vehicle, applicant(s) or directors of a company complies with the following:

- 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.

#### **Vehicle**

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 private hire vehicle and that there is in force a policy of insurance covering it for private hire use.

Shall not be a London style hackney carriage or similar vehicle.

The vehicle will be suitable in type, size and design for use as a private hire vehicle if it meets the following specification:

Be a saloon, estate or minibus capable of seating not less than four nor more than eight passengers in reasonable comfort and have not less than three doors through which passengers may enter and leave the vehicle conveniently, safely and comfortably, and have reasonable accommodation for luggage;

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;

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.

Be a right hand drive vehicle;

Not be of a red or multi coloured;

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;

Not convey luggage by means of the roof; and

Have a clear emergency exit.

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 FOR PRIVATE HIRE VEHICLE LICENCES**

You must at all times comply with these conditions and Part II of the Local Government (Miscellaneous Provisions) Act 1976.

### **1. Operators**

The Proprietor shall not use or permit the vehicle to be used as a private hire vehicle unless the vehicle's operator holds a current operator's licence issued by the Council.

### **2. Drivers**

The proprietor of a private hire vehicle shall not employ as a driver any person who does not have a current driver's licence. If the proprietor permits or employs any other person to drive the vehicle as a private hire vehicle he shall, before the person commences to drive the vehicle ensure that the driver holds a current private hire driver's licence issued by the Council and shall ensure that he continues to hold such a licence during the whole period of employment.

### **3. 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.

### **4. Identification plates and display of licence number**

The plates identifying the vehicle as a private hire vehicle and required to be exhibited on the vehicle shall be securely fixed to the 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.

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.

5. 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 private hire vehicle you shall immediately return to the Council the identification plates issued when granting the licence.

6. 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

7. Use of radio equipment

You shall ensure that any radio equipment fitted in the private hire 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.

8. 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 maybe carried out if the vehicle is not being maintained to a satisfactory standard.

9. 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.

10. Damage to vehicle

Any damage to a private hire vehicle, 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 for hire.

11. 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 commercial private hire in respect of the licensed vehicle.

12. Carriage of persons and animals

You shall not permit the private hire vehicle 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.

You shall only allow one person to be conveyed in the front of the vehicle besides the driver unless the vehicle has dual passenger seats in the front.

You shall not permit any animal to ride in the vehicle except an animal in the custody or control of the hirer and which shall be conveyed in the rear 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.

13. Vehicles fitted with Taximeter

If the vehicle is fitted with a taximeter, that taximeter should be so constructed, attached and maintained as to comply with the following:

- (a) The taximeter shall be fitted with a key, flag or other device, the turning of which shall bring machinery into action and cause the word "hired" to appear on the face of the taximeter. At no time shall the words "for hire" be visible on the face of the taximeter.
- (b) Such key, flag, or other device shall be capable of being locked in such a position that the machinery is not in action and that no fare is recorded on the face of the taximeter.
- (c) When the machinery is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the operator or driver has agreed with the hirer before commencing the hiring.
- (d) The word "fare" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon.
- (e) The taximeter shall be so placed that all letters and figures on the face are at all times plainly visible to any passenger in the vehicle and the letters and figures shall be capable of being suitably illuminated.
- (f) The taximeter and all fittings shall be so affixed to the vehicle with seals or other appliances that it shall not be possible for any person to tamper with them except by breaking, damaging or permanently displacing them.

14. Signs, notices, etc.

There shall be displayed on the front nearside and offside doors of the vehicle a distinctive sign, to the satisfaction of the Council, incorporating the telephone number and/or app logo and company trading name. The operator's trading name not to include the words "taxi" or "cab" unless otherwise agreed by the Council.

In the rear passenger windows a sign, issued by the Council, indicating pre-booked journeys only must be displayed.

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

On a minibus/mpv or a wheelchair accessible vehicle information relating to a 24 hour service and airport travel, e-mail address/fax no, the disabled "wheelchair" logo and suitable informative wording about wheelchair accessible vehicles is allowed on the rear of the vehicle only, unless otherwise agreed by the Council.

No other signs, lights, advertisements or fittings which might indicate that the vehicle is a hire vehicle shall be displayed on or from the vehicle.

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 private hire vehicle 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 private hire will be transferred. Both parties shall submit the Council's 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.

**Borough of Pendle**

**Hackney Carriage  
Byelaws**

**Borough of Pendle  
Town Hall  
Market Street  
Nelson  
BB9 7LG**

# HACKNEY CARRIAGE BYELAWS

Made under section 68 of the Town Police Clauses Act 1847, and section 171 of the Public Health Act 1875, by Pendle Borough Council with respect to hackney carriages in Pendle

## 1. Interpretation

Throughout these byelaws the Council means Pendle Borough Council and the district means in the district of Pendle.

## Provisions regulating the manner in which the number of each hackney carriage corresponding with the number of its licence shall be displayed

2. (a) The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto
- (b) A proprietor or driver of a hackney carriage shall -
  - i. not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire
  - ii. not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

## Provisions regulating how hackney carriages are to be furnished or provided

3. The proprietor of a hackney carriage shall-
  - (a) provide sufficient means by which any person in the carriage may communicate with the driver
  - (b) cause the roof or covering to be kept water-tight
  - (c) provide any necessary windows and a means of opening and closing not less than one window on each side
  - (d) cause the seats to be properly cushioned or covered
  - (e) cause the floor to be provided with a proper carpet, mat, or other suitable covering
  - (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service
  - (g) provide means for securing luggage if the carriage is so constructed as to carry luggage
  - (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available or use
  - (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver

4. The proprietor of a hackney carriage shall cause any taximeter with which the carriage is provided to be so constructed, attached, and maintained as to comply with the following requirements, that is to say –
- (a) the taximeter shall be fitted with a key, flag, or other device the turning of which will bring the machinery of the taximeter into action and cause the word 'HIRED' to appear on the face of the taximeter
  - (b) 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
  - (c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures, a 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 time as well as for distance in pursuance of the tariff fixed by the Council
  - (d) the word 'FARE' shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon
  - (e) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring
  - (f) the taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances

**Provisions regulating the conduct of the proprietors and drivers of hackney carriages plying within the district in their several employments, and determining whether such drivers shall wear any and what badges**

5. The driver of a hackney carriage provided with a taximeter shall –
- (a) when standing or plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter
  - (b) before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key, flag or other device, so that the word 'HIRED' is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring
  - (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 1972, and also at any other time at the request of the hirer.
6. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.
7. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired –

- (a) proceed with reasonable speed to one of the stands appointed by the Council
  - (b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand
  - (c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction
  - (d) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.
8. A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not, by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.
9. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
10. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
11. The driver of a hackney carriage when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.
12. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
13. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear that badge in such a position and manner as to be plainly visible.
14. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage –
- (a) convey a reasonable quantity of luggage
  - (b) afford reasonable assistance in loading and unloading
  - (d) afford reasonable assistance in removing it to or from the entrance of any building, station, or place at which he may take up or set down such person.

**Provisions fixing the rates or fares to be paid for hackney carriages within the district and securing the due publication of such fares**

15. (a) The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the Council the rate or fare being calculated by distance

unless the hirer express at the commencement of the hiring his desire to engage by time.

- (b) Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.
16. (a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by the Council to be exhibited inside the carriage, in clearly distinguishable letters and figures.
- (b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

**Provisions securing the safe custody and re-delivery of any property accidentally left in hackney carriages and fixing the charges to be made in respect thereof**

17. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter, carefully search the carriage for any property which may have been accidentally left therein.
18. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him –
- (a) carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to a police station in the district of the Council, and leave it in the custody of the officer in charge of the office on his giving a receipt for it
  - (b) be entitled to receive from any person to whom the property shall be redelivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the Police Station, whichever be the greater) but not more than five pounds.

**Penalties**

19. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding one hundred pounds and in the case of a continuing offence to a further fine not exceeding five pounds for each day during which the offence continues after conviction therefore.

**20. Repeal of Byelaws**

The byelaws relating to hackney carriages which were made by Pendle Borough Council on the 1<sup>st</sup> day of December 1976 and which were confirmed by the Secretary of State on the 1<sup>st</sup> day of December 1976 are hereby repealed.



**HACKNEY  
CARRIAGE**

# **LICENCE CONDITIONS**

TOWN HALL,  
MARKET STREET,  
NELSON,  
LANCASHIRE.  
BB9 7LG

April 2022

## **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 maybe 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.

# Equality Act 2010 – Taxis and Private Hire Vehicles

## Duties to assist passengers in wheelchairs

Sections 165, 166 and 167 of the Act deal with the imposition of duties on the drivers of wheelchair accessible taxis and private hire vehicles to assist passengers who use wheelchairs.

Section 165 places duties on drivers of designated wheelchair accessible taxis and private hire vehicles. Designated vehicles are those listed by the licensing authority under section 167.

The duties are:

- to carry the passenger while in the wheelchair;
- not to make any additional charge for doing so;
- if the passenger chooses to sit in a passenger seat to carry the wheelchair;
- to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort and
- to give the passenger such mobility assistance as is reasonably required.

**Exemptions from the duties** – Section 166 allows licensing authorities to exempt drivers from the duties to assist passengers in wheelchairs if they are satisfied that it is appropriate to do so on medical grounds or because the driver's physical condition makes it impossible or unreasonably difficult for him or her to comply with the duties.

## Guide Dogs and Assistance Dogs

The duties are:

- to carry the passenger's dog and allow it to remain with the passenger; and
- not to make any additional charge for doing so.

**Exemptions from the duties** - if the licensing authority is satisfied that it is appropriate on medical grounds to exempt a person from the duties imposed by this section, it shall issue him with a certificate of exemption.

## Seat Belt Exemptions - Drivers

You are exempt from the wearing of a seatbelt if you are a driver of:

- a licensed taxi (hackney carriage) while it is being used for seeking hire, or answering a call for hire, or carrying a passenger for hire, or
- a private hire vehicle while it is being used to carry a passenger for hire

### Wearing of Seatbelts and Use of Child Seats from September 2006

	Front Seat	Rear Seat	Who is responsible
Child up to 3 years old	Correct child restraint <b>must</b> be used	Correct child restraint must be used. If a restraint is not available in a licensed taxi/private hire vehicle, the child may travel unrestrained.	Driver
Child from 3 <sup>rd</sup> birthday up to 135cms in height (approx 4' 5") or 12 <sup>th</sup> birthday whichever they reach first	Correct child restraint <b>must</b> be used	Where seat belts are fitted, the correct child restraint <b>must</b> be used. The child must use adult belt if the correct child restraint is not available as follows:  In a licensed taxi or private hire vehicle; or  For a short distance in an unexpected necessity; or  Two occupied child restraints prevent fitting of a third.  A child 3 years and over may travel unrestrained in the rear seat of a vehicle if seat belts are not fitted in the rear.	Driver
Child over 135cm (approx 4' 5") in height, or 12 or 13 years old	Seat belt <b>must</b> be worn if available.	Seat belt <b>must</b> be worn if available	Driver
Passengers aged 14 years old and over	Seat belt <b>must</b> be worn if available	Seat belt <b>must</b> be worn if available	Passenger