

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **REGULATION COMMITTEE** held in Council Chamber, Priory House, Chicksands, Shefford on Wednesday, 13 January 2010

### PRESENT

Cllr L Birt (Chairman)  
Cllr T Green (Vice-Chairman)

Cllrs D Bowater  
I Dalgarno  
M Gibson

Cllrs Ms J Nunn  
A A J Rogers  
G Summerfield

Apologies for Absence: Cllrs K Janes  
H J Lockey  
P F Vickers

Substitutes: Cllrs Mrs C Turner (In place of H J Lockey)

Officers in Attendance: Mrs C Bell Team Leader Public Protection  
Miss H Bell Democratic Services Officer  
Mrs P Davies Licensing & Policy Officer  
Miss J Heinsen Licensing Assistant  
Mr M Janes Interim Assistant Director, Commissioning  
Mrs P Letting Licensing Assistant  
Mrs N Preston Licensing Assistant  
Mr M Woolsey Principal Solicitor

REG/09/33 **Minutes**

### **RESOLVED**

***that the Minutes of the meeting held on 14 October 2009 be confirmed and signed by the Chairman as a correct record.***

REG/09/34 **Members' Interests**

(a) **Personal Interests:-**

None

(b) **Personal and Prejudicial Interests:-**

None

REG/09/35 **Chairman's Announcements**

None.

REG/09/36 **Petitions**

The Chairman announced that no petitions had been referred to this meeting.

REG/09/37 **Public Participation**

No applications had been received in accordance with the Scheme of Public Participation set out in Paragraph 1 of the Scheme of Public Participation set out in Annex 1 to Part 4 of the Constitution.

REG/09/38 **Exclusion of Press and Public**

No applications had been received in accordance with the Scheme of Public Participation, set out in Paragraph 1 of the Scheme of Public Participation, Appendix 1 to Part 4 of the Constitution.

REG/09/39 **Hackney Carriage Byelaws**

The Committee received and considered a report of the Director of Sustainable Communities, which sought a decision on whether or not Members wished to retain separate licensing zones or establish a single taxi licensing area in order to adopt new Hackney Carriage byelaws for Central Bedfordshire.

The Committee in particular noted that policies and conditions attached to former South Bedfordshire District Council licences differed to the former Mid Bedfordshire District Council, therefore it was now necessary to agree new policies and conditions for Central Bedfordshire. During the transitional period it was necessary to zone central Bedfordshire into two areas to reflect the policies and regulations adopted by the two legacy authorities. It was advised that the byelaws must be implemented by 1 April 2010.

Responses to the consultation period were attached at Appendix C to the report.

**RECOMMENDED**

***that a single taxi licensing area for the Central Bedfordshire area be approved.***

**RESOLVED**

***that, subject to the Council approving a single taxi area for Central Bedfordshire, a new set of Hackney Carriage byelaws be established.***

REG/09/40 **Private Hire Operator Conditions**

The Committee received and considered a report of the Director of Sustainable Communities which sought a decision in relation to Private Hire Operator Conditions.

The report advised that policies attached to the former South and Mid Bedfordshire District Council licences differed and that it was now necessary to agree on new policies and conditions for Central Bedfordshire, which would have to be in place by 1 April 2010.

A copy of responses to the consultation period were attached to the report at Appendix C. A copy of the proposed Private Hire Operator Conditions were attached at Appendix D.

Members attention was in particular drawn to Condition 1 as set out at Appendix D to the report, which related to the location of operators office base. During the ensuing discussion for this item, the Committee strongly expressed the view that Applicants not already licensed who wished their office premises to be located outside of the Central Bedfordshire Council area must make representations to the Regulation Committee.

**RECOMMENDED**

***that the Private Hire Operators Licence conditions, as now attached, be adopted to incorporate changes made by Regulation Committee as indicated in bold text.***

**RESOLVED**

***that, subject to approval of the Private Hire conditions by Full Council, the Assistant Director of Community Safety and Public Protection in consultation with the Portfolio Holder for Safer and Stronger Communities be given delegated authority to undertake any necessary minor amendments to the conditions prior to publication.***

REG/09/41 **Private Hire Vehicle Conditions**

The Committee received and considered a report of the Director of Sustainable Communities which sought adoption of proposed Private Hire Vehicle conditions and to subsequently apply it to the Licence.

The Committee noted that it was now necessary to agree new policies and conditions for central Bedfordshire due to former South and Mid Bedfordshire District licences differing. The new policies and conditions would have to be in place by 1 April 2010.

A copy of the proposed Private Hire Vehicle conditions were attached at Appendix D to the report.

The report detailed concerns received from the trade in response to the consultation process.

**RECOMMENDED**

***that the Private Hire Vehicle conditions, as now attached, be adopted to incorporate changes made by the Regulation Committee as indicated in bold text.***

**RESOLVED**

***that the Assistant Director of Community Safety and Public Protection in consultation with the Portfolio Holder for Safer and Stronger Communities, be given delegated authority to undertake any necessary minor amendments to the conditions prior to publication.***

REG/09/42 **Hackney Carriage Conditions**

The Committee received and considered a report of the Director of Sustainable Communities which sought adoption of Hackney Carriage Drivers licence conditions.

The Committee noted that it was now necessary to agree new policies and conditions for Central Bedfordshire due to former South and Mid Bedfordshire District licences differing. The new policies and conditions would have to be in place by 1 April 2010.

A copy of the proposed Hackney Carriage Vehicle conditions were attached at Appendix D to the report.

A copy of the views of the trade in response to consultation were attached at Appendix C to the report.

**RECOMMENDED**

***that the Hackney Carriage vehicle conditions, as now attached, be adopted to incorporate changes made by Regulation Committee as indicated in bold text.***

**RESOLVED**

***that the Assistant Director of Community Safety and Public Protection in consultation with the Portfolio Holder for Safer and Stronger Communities, be given delegated authority to undertake any necessary minor amendments to the conditions prior to publication.***

REG/09/43 **Hackney Carriage / Private Hire Driver Conditions**

The Committee received and considered a report of the Director of Sustainable Communities which sought adoption of Hackney Carriage/Private Hire Drivers conditions.

The Committee noted that it was necessary to agree new policies and conditions for Central Bedfordshire Council.

A copy of the draft combined Hackney Carriage/Private Hire Drivers conditions were attached at Appendix D to the report.

**RECOMMENDED**

***that the Hackney Carriage/Private Hire Drivers conditions, as now attached, be adopted to incorporate changes as made by Regulation committee as indicated in bold text.***

**RESOLVED**

***that the Assistant Director of Community Safety and Public Protection in consultation with the Portfolio Holder for Safer and Stronger Communities, be given delegated authority to undertake any necessary minor amendments to the conditions prior to publication.***

(Note: The meeting commenced at 10.00 a.m. and concluded at 12.10 p.m.)

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**DRAFT****CENTRAL BEDFORDSHIRE COUNCIL  
BYELAWS FOR HACKNEY CARRIAGES**

Made under Section 68 of the Town Police Clauses Act 1847, and Section 171 of the Public Health Act 1875, by Central Bedfordshire Council with respect to hackney carriages.

**Interpretation**

1. Throughout these byelaws "the Council" means Central Bedfordshire Council.

**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; and
- (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 covered 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 for use; and
  - (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 the carriage to be provided with a taximeter 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 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 or 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; and
  - (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 Central Bedfordshire in their several employments, and determining whether such drivers shall wear any and what badges**

5. The driver of a hackney carriage shall:-
  - (a) when standing or plying for hire, keep the taximeter 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, 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; and
  - (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is between half-an-hour after sunset and half-an-hour before sunrise, 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; and
  - (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 make use of the services of any other person for the purpose of importuning any person to hire such carriage.
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. 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.
12. The driver of a hackney carriage shall, when standing or plying for hire, and when hired, wear the badge provided by the Council and delivered to him in such a position and manner as to be plainly visible.
13. 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;
  - (c) 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; and
  - (d) permit small articles to be carried in the passenger compartment unless it is unreasonable to do so.

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

14. 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 table of fares from time to time fixed by the Council in accordance with section 65 of the Local Government (Miscellaneous Provisions) Act 1976 the rate or fare being calculated by distance and time unless the hirer expresses at the commencement of the hiring his desire to engage by time.

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 taximeter, save for any extra charges authorised in the table of fares from time to time fixed by the Council in accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 which it may not be possible to record on the face of the taximeter.

15. (a) The proprietor of a hackney carriage shall cause the statement of the fares fixed by the Council in accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 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**

- 16. 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.
- 17. 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, and leave it in the custody of the officer in charge of the office on his giving a receipt for it; and
  - (b) be entitled to receive from any person to whom the property shall be re-delivered 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 office whichever be the greater) but no more than five pounds.

**Penalties**

- 18. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding Level 2 on the standard scale and in the case of a continuing offence to a further fine not exceeding two pounds for each day during which the offence continues after conviction therefor.

**Repeals**

- 19. The Byelaws with respect to hackney carriages made by South Bedfordshire District Council on
  - (a) the 4th day of March 1976 and confirmed by one of the Assistant Under Secretaries of State of The Home Office on the 2nd day of July 1976 and on:

- (b) the 19th day of April 1977 and confirmed by one of the Assistant Under Secretaries of State of The Home Office on the 17th day of June 1997.
- (c) the 8th October 1991 and confirmed by one of the Assistant Under Secretaries of State of the Home Office on 20th day of December 1991.

are hereby repealed.

The Byelaws with respect to hackney carriages made by Mid Bedfordshire District Council dated 8<sup>th</sup> January 1988.

are hereby repealed.

**CENTRAL BEDFORDSHIRE COUNCIL**

**DRAFT**

**CONDITIONS RELATING TO**

**PRIVATE HIRE OPERATOR'S LICENCE**

**CONDITIONS RELATING TO PRIVATE HIRE OPERATOR'S LICENCE****MADE UNDER LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

## Interpretation

In these conditions:-

- (a) "the Council" means Central Bedfordshire Council.
- (b) "Authorised Officer" means the Licensing Officer, Licensing Assistant or other Authorised Officers for the time being of the Council.
- (c) "the Operator" means the person to whom the Council has granted the Private Hire Operators Licence to which these conditions apply. In the case of a partnership to each of the partners. In the case of a company to each of the company directors.
- (d) Any obligation in these conditions not to do any act or thing shall be deemed to include an obligation not to cause or permit that act or thing to be done.
- (e) Any reference to any statute or sub-ordinate legislation shall be deemed to include a reference to any amendment or re-enactment.

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976****PRIVATE HIRE OPERATOR CONDITIONS**

1. The Private Hire Operator's office/base must be located within the Central Bedfordshire Council area to enable authorised access to the premises and records as required. **Applicants not already licensed who wish their premises to be situated outside the Central Bedfordshire Council area must make representations to the Regulation Committee.**
2. The grant of an Operator's licence does not allow the use of the premises as a Private Hire Operator's base in the absence of planning permission.
3. The Operator is required to produce a current and original insurance document for Employees/Public Liability cover. This cover must be in place when Operators are employing any full or part-time staff (e.g. radio operator, drivers etc).
4. The Operator shall keep a record in a format approved by the Council and shall enter therein before the commencement of each journey the following particulars of every booking of a private hire vehicle invited or accepted, from any source whatsoever:-
  - (a) date and time that the booking was made;
  - (b) method of booking (e.g. by telephone/e-mail/in person);
  - (c) location of pick up;
  - (d) date and time of pick up;
  - (e) destination;
  - (f) plate number of vehicle;
  - (g) name of driver;
  - (h) The number of passengers carried.
5. The Operator shall keep a record in a format approved by the Council of the following particulars of any private hire vehicle operated:-
  - (a) Licence plate number;
  - (b) registration number;
  - (c) make and model of vehicle;
  - (d) name and address of owner of vehicle;

6. The Licensee shall keep a record in a format approved by the Council of the following particulars of all licensed private hire vehicle drivers engaged to drive any private hire vehicle operated by him or her:-
  - (a) full names of the driver;
  - (b) full permanent address of the driver;
  - (c) Private Hire Driver's badge number;
  - (d) date employment commenced;
  - (e) date employment terminated.
7. The records in Conditions 4, 5 and 6 above must be kept for a minimum period of twelve months following the date of the last entry.
8. The Operator shall produce all or any of the records specified in Conditions 4, 5 and 6 above on request of any authorised officer of the Council, or of any Police Officer.
9. The Operator shall not operate any vehicle for private hire work which is not subjected to a current Private Hire Vehicle Licence granted by the Council.
10. The Operator shall not employ, whether directly or indirectly, any driver to drive any private hire vehicle unless the driver has a current Private Hire Driver's Licence granted by the Council.
11. This Licence only permits the Operator to operate private hire vehicles from the authorised premises mentioned in the Licence.
12. The Operator shall notify the Council's Licensing Section of any material change in the particulars originally supplied to the Council when this Licence was applied for within seven days.
13. The Licence is not transferable.
14. The Licence is usually granted for a period of 12 months.
15. The Operator shall exhibit this Licence in a conspicuous position at the authorised premises.
16. The Operator shall produce this Licence on request to any authorised officer of the Council, or to any Police Officer for inspection.
17. The Operator shall not permit or cause or suffer to be conveyed in a private hire vehicle a greater number of persons than that specified in the current Private Hire Vehicle Licence.
18. The Operator will ensure that any vehicle hired shall, unless delayed or prevented by sufficient cause, punctually attend the appointed place.



19. The Operator must notify the Council in writing within seven days of any caution or conviction being imposed.
20. Any change in the home address of the Operator must be notified within seven days to the Council's Licensing Section.
21. The Operator shall not, in the name or description of his or her firm, or in the description of the service supplied in the course of business use the words "For Hire" "Taxi" "Cab" or "Taxi-Cab" or any other words or combination of letters so as to lead any person to believe the operator is providing a hackney carriage service.
22. The Operator shall not cause or permit any vehicles operated for private hire work to be painted in any colour(s) other than the manufacturer's original colour(s) without the prior approval in writing.
23. The Operator shall ensure that the vehicle, when available for hire is safe, clean and complies with the relevant statutory requirements.
24. No advertisement or sign may be placed either inside or outside the licensed vehicle except:-
  - (a) A Central Bedfordshire designed self-adhesive vinyl door sign permanently displayed on the front door panels of each private hire vehicle stating 'Advance Bookings Only to Validate Insurance (unless an exemption certificate has been granted following written application);
  - (b) An advertisement identifying the proprietor of the licensed vehicle or the association of proprietors to which he or she belongs, together with a telephone number on the exterior of the licensed vehicle;

There shall not be included in the inscription of any of the advertisements referred to in these Conditions the words "Cab" "Taxi" "Taxi-Cab" or "For Hire" or any other word or combination of letters which when pronounced would sound similar to such words or a form of wording which is in any way such as to suggest that the licensed vehicle is presently available to take passengers wishing to hire it or will be so available if not already hired.

25. The Operator shall ensure:-
  - (a) that any private hire vehicle operated by him or her is in a suitable mechanical condition, safe, comfortable, clean and presentable and that the private hire vehicle plate provided by the Council is affixed in a conspicuous position on the rear exterior of the vehicle and that the identifying disc issued by the Council is affixed inside the vehicle to the near side front windscreen so that the information thereon is plainly and distinctly visible from the exterior of the vehicle;
  - (b) that the vehicle is insured for the carriage of passengers for hire or reward at all times.

26. All new Private Hire Operator applicants, including part owners or other persons with an interest in the Operators' Licence, are required to submit a signed Statutory Declaration, listing all convictions, with their application form (unless they are already in possession of a hackney carriage / private hire driver licence in which case an Enhanced Criminal Record Bureau check will already have been carried out).
27. All new Private Hire Operator Applicants, including part owners or other persons with an interest in the Operators' licence, are required to submit a Certificate of Good Conduct, or equivalent, if they have not been resident in the UK for the previous 5 years.
27. All new Private Hire Operator applicants, including part owners or other persons with an interest in the Operator's Licence, must submit two passport type photographs.
28. The Council reserve the right to vary delete or waive any of the foregoing Conditions.
29. Any requirement of legislation which effect the operations being carried out under the terms of this Licence shall be regarded as if they are conditions of their Licence.

# CENTRAL BEDFORDSHIRE COUNCIL

DRAFT

**CONDITIONS RELATING TO  
PRIVATE HIRE (SPECIAL EVENT) VEHICLES**

**CONDITIONS RELATING TO PRIVATE HIRE (SPECIAL EVENT) VEHICLES****MADE UNDER LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976****Interpretation**

In these conditions:-

- (a) "the Council" means Central Bedfordshire Council
- (b) "Authorised Officer" means the Licensing Officer, Licensing Assistant or other Authorised Officers for the time being of the Council
- (c) "the Nominated Officer" means the Licensing Officer for the time being of the Council
- (d) "the vehicle" means the vehicle subject of the private hire special event vehicle licence to which the conditions are attached
- (e) "the proprietor" means the person for the time being shown on the private hire special event vehicle licence as the proprietor of the vehicle
- (f) "the driver" means the driver for the time being of the vehicle
- (g) "mechanical inspection" means the certificate issued by the Council's nominated garage certifying that the vehicle is mechanically sound
- (h) "nominated garage" means for the time being the garage approved by the Council for the purpose of undertaking mechanical inspections
- (i) Any obligation in these conditions not to do any act or thing shall be deemed to include an obligation not to cause or permit that act or thing to be done
- (j) Any reference to any statute or subordinate legislation shall be deemed to include a reference to any amendment or re-enactment.

**PRIVATE HIRE (SPECIAL EVENTS) VEHICLE LICENCE****1. General Conditions**

- (a) Vehicles shall not be used for every day Private Hire use.
- (b) The proprietor of the vehicle shall:-
  - (i) ensure that the vehicle is at all times only driven by a person who holds a current Hackney Carriage / Private Hire Vehicle Driver's Licence issued by Central Bedfordshire Council;
  - (ii) not permit to be conveyed in the vehicle more than the number of persons for which the vehicle is licensed, regardless of the age or size of the passengers;
  - (iii) not supply any intoxicating liquor in the vehicle unless there is in force an appropriate licence permitting the sale or supply of same.
- (c) Such vehicles must comply with the existing Conditions of Licence applicable to all licensed private hire vehicles, except where overridden by the conditions contained in this document, and the private hire licence fee shall be the same.
- (d) Operators will be required to sign a declaration stating that the vehicle will not carry more than 8 passengers and at the time of booking the vehicle, the restriction of carrying no more than 8 passengers shall be explained to the hirer.
- (e) The license holder/driver shall not allow any passengers to be conveyed in the front seat.
- (f) All tyres, (including the spare) must be suitable for the vehicle.

**2. Vehicle and Safety Equipment**

The Proprietor of a vehicle shall:-

- (a) provide 2 efficient fire extinguishers which conform to British Standards 5423 of the following type:
  - (i) a BCF (green Halon type) extinguisher minimum capacity 1kg; or
  - (ii) a dry powder 34B rated extinguisher minimum capacity 1kg; or
  - (iii) a AFFF foam 21B rated extinguisher minimum capacity 0.9 litres

These items shall have a label provided by the Council affixed to them bearing the registration mark of the vehicle and the date when last inspected and adhere to the following requirements. One fire extinguisher should be mounted on brackets, in a convenient position in the driver's compartment, if practical. The other should be similarly mounted within the boot of the vehicle, so as to be readily available at all times.

- (b) ensure that the vehicle and all its fittings and equipment are at all times

kept in a fit, serviceable, efficient, safe and clean condition and all relevant statutory requirements (including those contained in the Motor Vehicles (Construction & Use) Regulations 1978 are fully complied with. Should the vehicle fail to comply with any legal requirement then the vehicle should be removed from service until the reasons for non-compliance is rectified;

- (c) ensure that loose luggage is not carried within the passenger compartment of the vehicle;
- (d) any CCTV cameras installed in the vehicle must have received:-
  - (i) prior written approval of the Council; and
  - (ii) display a Council approved sign, in a position clearly visible to passengers, warning customers that camera surveillance equipment is in operation.
- (e) **Vehicles may be left or right hand drive providing that they can prove compliance through the Individual Vehicle Approval Scheme (IVA), formerly known as the Single Vehicle Approval Scheme (SVA).**
- (f) Vehicles must be fitted with a life safety hammer which is securely located in the driver's compartment.
- (g) a Council approved first aid kit marked with the vehicle's registration number is to be carried within the driver's compartment at all times.
- (h) The licence holder shall not at any time use or permit to be used in the vehicle a radio scanner or citizen band radio.

### 3. **Vehicle Identification Badges**

The proprietor of the vehicle will be issued by the Council with two Private Hire (Special Events) Vehicle Badges on which will be displayed the number of the licence issued for that vehicle and the number of passengers permitted to be carried. The proprietor shall ensure that:-

- (a) one vehicle identification badge will be displayed on the inside and nearside of the front windscreen in a conspicuous position where it can be clearly seen from the outside of the vehicle and all wording and lettering contained thereon read. The other identification badge shall be fixed inside the vehicle in such a position such as the bulkhead or security screen, as to be visible to persons conveyed therein;
- (b) No Private Hire (Special Events) Vehicle badge shall be parted with, lent or used on any other vehicle and the loss or damage of the vehicle badges shall be reported to the Council as soon as the proprietor is aware of the loss. In the event of ceasing to use the vehicle for private hire (special event) purposes the proprietor shall surrender the vehicle badges and licence to the Council within seven days.

**4. Signs, Notices, Etc**

No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle, other than those approved by the Council.

**5. Insurance/Certificate of Compliance**

- (a) The vehicle must not be used to carry passengers for private hire special events unless there is in force for the vehicle:
  - (i) a current Certificate of Compliance test certificate.
  - (ii) a policy of insurance covering the use of the vehicle for private hire special events and the proprietor of the vehicle is shown as the policy holder and any other licensed Hackney Carriage / Private Hire Vehicle Drivers who drive the vehicle are covered.

These documents shall be produced to an authorised officer of the Council or a Police Officer at such time and place as may be required.

- (b) The proprietor shall deposit a valid and original Certificate of Compliance Test Certificate and Certificate of Insurance or cover note with the Operator before the vehicle is used to accept bookings provided by the Operator.
- (c) If the insurance cover on the vehicle is cancelled, expires or fails to cover the use to which the vehicle is being put, the Licence Officer shall be informed immediately and the vehicle shall not be used until appropriate cover is produced to the Licensing Officer.

**6. Deposit Of Licences**

- (a) If the proprietor permits or employs any other person to drive his Private Hire (Special Events) Vehicle, he shall before that person commences to drive the vehicle, cause the driver to deliver to him a copy of his Hackney Carriage / Private Hire Vehicle Driver's licence, as issued by the Council, for retention until such time as the driver ceases to be permitted or employed to drive that vehicle.
- (b) The proprietor of a vehicle must deposit with the Operator before any bookings are accepted a copy of the Private Hire (Special Events) Vehicle licence.
- (c) The loss of any vehicle or driver licence shall be reported to the Council as soon as possible within 5 working days of discovery of the loss.

**7. Convictions and Cautions**

The proprietor shall, within 7 days, disclose to the Council in writing, details of any conviction or caution imposed on him (or, if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence.

**8. Vehicle Damage**

- (a) The proprietor of the vehicle must notify the Council in writing as soon as possible, or in any event within 72 hours, if the vehicle is involved in any accident or incident causing damage affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons carried therein. The notification must give details of the extent of the damage and details of how and what occurred. If requested, the vehicle must be presented for inspection by an authorised officer of the Council.
- (b) Where the damage materially affects the safety, performance or appearance of the vehicle, it shall not be used for hire until the damage is repaired and inspected to the satisfaction of an authorised officer of the Council.
- (c) The proprietor must arrange for all accident damage to be repaired with the minimum of delay.
- (d) The proprietor must inform the Council in writing immediately upon satisfactory completion of repairs to allow for a vehicle inspection at the Council's Depot to take place.
- (e) Should a Private Hire (Special Events) Vehicle fail to complete a booking for any cause whatsoever, the circumstances and cause of the failure shall be reported promptly to the Licensing Office.

**9. Types Of Vehicles**

The vehicle must be approved by the Council. On application for licensing for the first time, the vehicle must have the following:-

- (a) A UK Single Vehicle Approval (SVA) Certificate, or a European Whole Vehicle Approval Certificate
- (b) Limousine Declaration of Condition of Use.

**10. Vehicle Testing**

- (a) A Private Hire (Special Events) Vehicle will be subject to twice-yearly mechanical examination at intervals to be specified by the Council, at its authorised testing station. When presenting the vehicle for mechanical examination the proprietor will ensure the vehicle is in a good and clean condition.
- (b) A vehicle that has been damaged will not be mechanically examined unless all relevant sections of Condition 8 have been complied with.
- (c) The proprietor shall permit an authorised officer of the Council or Police Officer to inspect the vehicle for the purpose of ascertaining its fitness. Should there be doubt as to the fitness of the vehicle the proprietor shall make the vehicle available for further inspection at such reasonable time and place as specified by the authorised officer or



Police Officer.

**11. Purchase/Sale Of Vehicle**

- (a) **The sale or change of ownership of a licensed vehicle must be notified to the Council on the form provided for that purpose within 14 days of such change. If the vehicle is sold out of trade or local authority area, the licence and discs must be returned at the time of notifying this sale or change.**
- (b) The purchase of an existing Council licensed vehicle must be notified to the Council on the form(s) provided for that purpose within 14 days of such change of ownership occurring. If a replacement licence with the new owner's name and address is not received from the Council within 21 days then the proprietor purchasing the vehicle must inform the Licensing Office by personal visit immediately.

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# **CENTRAL BEDFORDSHIRE COUNCIL**

**DRAFT**

**PRIVATE HIRE VEHICLE**

**LICENSING**

**CONDITIONS**

**CONDITIONS RELATING TO PRIVATE HIRE VEHICLES****MADE UNDER LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976****Interpretation**

In these conditions:-

- (a) "the Council" means Central Bedfordshire Council
- (b) "Authorised Officer" means the Licensing Manager , Licensing Assistant or other Authorised Officers for the time being of the Council
- (c) "the Nominated Officer" means the Licensing Manager for the time being of the Council
- (d) "the vehicle" means the vehicle subject of the private hire vehicle licence to which the conditions are attached
- (e) "the proprietor" means the person for the time being shown on the private hire vehicle licence as the proprietor of the vehicle
- (f) "the driver" means the driver for the time being of the vehicle
- (g) "mechanical inspection" means the certificate issued by the Council's nominated garage certifying that the vehicle is mechanically sound
- (h) "nominated garage" means for the time being the garage approved by the Council for the purpose of undertaking mechanical inspections
- (i) Any obligation in these conditions not to do any act or thing shall be deemed to include an obligation not to cause or permit that act or thing to be done
- (j) Any reference to any statute or subordinate legislation shall be deemed to include a reference to any amendment or re-enactment.

**PRIVATE HIRE VEHICLE LICENCE CONDITIONS**

1. **Central Bedfordshire Council has an age policy for Private Hire Vehicles as follows:**

**All new private hire vehicles must be under 5 years of age from date of first registration when new.**

**Vehicles designed or adapted to accommodate a disabled passenger seated in their wheelchair will need to confirm to the disabled vehicle access conditions.**

**Vehicles currently licensed as private hire vehicles will be permitted to be re-licensed annually provided they pass the mechanical inspection, but any replacement vehicle will be required to meet all requirements.**

**Please see separate conditions for Special Event (private hire) vehicles.**

A private hire vehicle must:-

- (a) **Not** be a "London" type taxi;
  - (b) be a saloon or hatchback type of vehicle and must have at least four doors capable of being opened outwards: or
  - (c) be any other suitable vehicle capable of carrying no more than eight passengers with a minimum of two doors to the passenger compartment. Passengers must be able to enter or exit the vehicle via the doors available on each side of the vehicle, and without the need to step over or across any passenger, seating or other obstruction.
  - (d) If modified to accommodate disabled passengers, shall have been retested, after modification, to meet European Whole Vehicle Type Approval standards (or the low volume standard for UK vehicles) in respect of all such modifications. The relevant certificate will be required before such a vehicle can be licensed.
  - (e) Only be driven by a Central Bedfordshire licensed Hackney Carriage / Private Hire Driver. Arrangements shall be made by the Council for drivers of wheelchair accessible vehicles to receive training in the loading and unloading of wheelchairs and their passengers and also the care of the passenger in relation to their wheelchair use. The licences of drivers who refuse such training may be suspended or revoked.
2. All passenger seats must face forward or rearward to the direction of travel.
  3. All seats must have a suitable seatbelt fitted and meet the prescribed Vehicle Inspectorate seatbelt installation minimum standard.
  4. Tinted windows may be permitted providing they are fitted during the manufacture of the vehicle and meet all legal requirements.

5. No alterations in the specification, design or appearance of the vehicle shall be made without the approval in writing of the appropriate Head of Service or the Authorised Officer.
6. No recording CCTV equipment shall be fitted without the written consent of the council. Consent shall only be considered for a system that encrypts the data to avoid tampering. Where CCTV equipment is fitted a council approved sign must be displayed in the vehicle warning customers that camera surveillance equipment may be in operation. Any image captured by the camera shall only be viewed by, or with the written permission of, the council or police.

7. **Mechanical Test**

**All vehicles, including new, are required to undertake an annual mechanical compliance inspection at the Council's nominated test centre at Luton Borough Council's Transport Depot or Bedford Borough Council's Transport Depot.**

**A second (six monthly) test will be required on any vehicle over the age of 5 years. It can be carried out at any VOSA appointed garage registered to test that class of vehicle.**

8. The vehicle used must be covered by an Operator's Licence issued by "the Council".
9. The licensing period runs for 12 months.
10. Vehicles should be free from any significant areas of visible rusting, scratches or dents although minor blemishes should not constitute a failure of the mechanical test.
11. The proprietor of the Licensed Vehicle shall:-
  - (a) keep the Licensed Vehicle in a mechanical condition suitable for its use as a Private Hire Vehicle.
  - (b) keep the exterior of the Licensed Vehicle including the windows clean and in good condition.
  - (c) All vehicles shall be painted in manufacturers colour, panels with unmatched colours or in primer shall be failed.
  - (d) cause the seats to be properly cushioned and covered. All seats, including the driver's must be free from repaired cuts, tears or cigarette burns, except of a very minor nature. Any repairs must have been carried out in a professional and neat manner.
  - (e) cause the floor to be provided with a proper carpet, mat or other suitable covering.
  - (f) cause the interior fittings, headlining, trim etc to be kept in a clean condition and well maintained.
  - (g) provide means for securing luggage.

- (h) provide an efficient fire extinguisher (minimum 1kg dry powder ) **or a one litre foam, both types should have gauges to show the state of charge, and should be manufactured to satisfy relevant BSEN accreditation** which shall be carried in such a position as to be readily available for use at all times.
  - (i) provide a suitable first aid kit to comprise of at least the following items:-  
sterile wound dressings (small, medium, large), eye pad, assorted plasters, triangular bandage, antiseptic wipes, 1 pair blunt end scissors.
  - (j) when the vehicle is in use or available for hire ensure that it is maintained in an efficient, safe, tidy and clean condition and all relevant statutory requirements, including those contained in the Motor Vehicles (Construction and Use) Regulations, are fully complied with.
12. The Licensed Vehicle shall carry an identifying disc issued by the Council which shall be affixed inside the vehicle to the near-side of the front windscreen so that the information thereon is plainly and distinctly visible from the exterior of the vehicle.-
13. The only permitted signage allowed to be displayed is:-
- (a) A Central Bedfordshire designed self-adhesive vinyl door sign permanently displayed on the front door panels of each private hire vehicle stating 'Advance Bookings Only to Validate Insurance' (unless written application has been made for, and an exemption certificate has been granted)
  - (b) An advertisement identifying the proprietor of the licensed vehicle or the association of proprietors to which he or she belongs, together with a telephone number on the exterior of the licensed vehicle;
  - (c) The plate (provided by the Council and which shall remain the property of the Council) identifying the vehicle as the Private Hire Vehicle and stating the maximum number of passengers which the Council have licensed the vehicle to carry must be affixed to the vehicle in a conspicuous position on the rear exterior of the vehicle in such a manner as the Council shall prescribe.
  - (d) The Council must be informed immediately should the licence plate showing the number of the private hire vehicle be broken, lost or defaced. On no account must a private hire vehicle be used for hire without a plate unless written application has been mad for, and an exemption certificate has been granted.
  - (e) Any permitted signage must be positioned so as not to impede visibility.
14. There shall not be included in the inscription of any of the advertisements referred to in these conditions the words "Cab", "Taxi", "Taxi Cab" or "For Hire" or any other word or combination of letters which when pronounced would sound similar to such words or a form of wording which is in any way such as to suggest that the Licensed Vehicle is presently available to take passengers wishing to hire it or will be so available if not already hired.

15. The proprietor of the Licensed Vehicle shall ensure that the vehicle is insured for use for the carriage of fare paying members of the public at all times and must forward a copy of a full certificate of insurance and all subsequent renewals of insurance to the Council's Offices. Failure to do so will result in the Licence being revoked.
16. This Licence may not be transferred, except with the prior approval of the Council, to another vehicle. Such vehicle must comply with statutory requirements, the Council's requirements with regard to licensing of Private Hire Vehicles, and these conditions.
  - (a) Replacement Vehicle. A completed transfer form must be submitted with other required documents and any necessary transfer fee prior to any such vehicle being used as a private hire vehicle.
  - (b) Change of Vehicle Ownership. If a proprietor transfers his interest in a vehicle to somebody else he must immediately give notice of the transfer in writing to the Authorised Officer, giving the name and address of the new owner. In no circumstances may the vehicle be used as a licensed vehicle by the new owner until the licence has been transferred to that person and all documentation completed and any necessary fees paid.

17. **Convictions**

The Licence Holder should immediately, and in any case within 7 days, disclose to the Council in writing the details of any conviction imposed upon him or her (or in the case of a company or partnership, on any of the directors or partners) during the period of the private hire vehicle licence.

18. **Change of Address**

The Licence Holder must inform the Council of any change of address, in writing, within seven days of the change of address.

19. **Assistance Dogs**

No driver may refuse to carry a seeing or hearing (guide) dog and other prescribed assistance dogs provided it is accompanied by a fare paying passenger, unless the driver can produce a medical certificate signed by a registered medical practitioner to the effect that the driver has an allergy to dogs and a certificate of exemption has been issued by the Council. No charge shall be made for the carriage of guide, hearing or other prescribed assistance dogs.

20. Drivers must comply with the Disability Discrimination Act at all times

21. **Towing of Trailers**

No licensed vehicle may tow any trailer unless evidence of valid insurance to cover such use for hire and reward has been produced to the Authorised Officer. The vehicle licence plate giving the licence number must be clearly displayed on the rear of any trailer used, this sign being in addition to that on the rear of the vehicle. The contents of such trailer must be secured and covered in a proper manner. **The trailer should be built by an approved or recognised trailer**



**manufacturer.** Any trailer used must comply with regulations in all respects and where required the driver must hold the appropriate towing licence as issued by the DVLA.

**22. Dual Plating**

No vehicle will be granted a licence if it is licensed in another District due to the problems of meeting the variance in conditions applied in different Districts and the enforcement of those conditions. No vehicle can be licensed as both a Hackney Carriage and Private Hire vehicle at the same time

**23. Vehicle Damage**

- (a) The proprietor of any Private Hire vehicle should report to the Authorised Officer as soon as reasonably practicable, and in any case within 72 hours, the occurrence of any accident involving the vehicle.

**24. Mechanical Breakdown**

If any vehicle becomes unfit to complete a hiring during a hiring:-

- (a) The driver shall be entitled to demand the fare for the distance already travelled.
- (b) The driver shall secure alternative transport without delay to complete the journey if the hirer so wishes. If the original vehicle is repaired and completes the hiring the driver shall be entitled to the full fare with the exception of any time that the hirer waited for the repair to be executed.
- (c) Any such incident must be reported to the Authorised Officer within one working day.

**25. Complaints**

Any vehicle against which a complaint is laid must be presented to the Authorised Officer within one working day of being so requested for inspection, possible testing and for the driver to answer such complaint.

**26. Inspection**

The vehicle including documents may be called in for inspection at anytime by the Authorised Officer to ensure compliance. Failure to attend and/or show any documentation as requested may lead to suspension or revocation of licence.

**27. Vehicle Checks**

In the interest of public safety any vehicle which is suspected of any infringement of legislation, conditions etc may be inspected by an Authorised Officer at anytime to ensure its fitness to be used as a private hire vehicle.

**28. Compliance**

The responsibility for complying with these conditions, unless otherwise stated, shall be the proprietors and drivers jointly and severally.

29. **Suspension or Revocation**

The Council has the power to suspend or revoke a licence  
In the case of revocation of the licence the plate must be returned to the Council.

30. **Appeals**

- (a) You may appeal against any or all of the conditions attached to a licence granted to you.
- (b) You may appeal against the refusal by the Council to grant a licence, or to renew a licence to you.
- (c) Any appeal must be made within 21 days of the refusal of such licence.
- (d) Appeals must be made to the Magistrates Court.

31. **Legislation**

Any requirement of legislation that effect the operation being carried out under the terms of a licence shall be regarded as if they are conditions of that licence.

32. The Council reserve the right to vary, delete or waive any of the foregoing conditions.

33. **Disabled Vehicle Access Conditions.**

The vehicle shall have a designated wheelchair space sufficient to accommodate one passenger confined to a wheelchair.

The vehicle must be fitted with either of the following forms of wheelchair access equipment:

- (a) A purposely designed wheelchair lift constructed and installed to the requirements of British Standard 6109 with a minimum safe working load of 250kgs.
- (b) A purposely designed wheelchair single plate access ramp which must be permanently installed in the vehicle.

The wheelchair access equipment must be fitted to the nearside access door of the vehicle.

Where the internal floor height of the vehicle exceeds 12 inches (152mms) and have an effective slip resistant surface. Steps must be capable of supporting an adult passenger. Handrails should be fitted at all passenger access doors to facilitate the use of the steps provided.

All wheelchairs and users must be properly secured in the vehicle.

The vehicle must be have a minimum of two means of exit from the passenger compartment for use in an emergency situation. These exits must be kept free of any obstructions and have an aperture through which an adult can pass without undue difficulty. Both exists shall be clearly marked 'Emergency Exit' together with clear instructions on the opening procedure. Markings must be on both the inside and outside of the vehicle.

The vehicle shall have windows fitted on both side and the rear of the passenger compartment. A minimum of one window on each side shall be operable for the purpose of ventilation but restricted whereby a small child would be unable to fall through accidentally.

All seats must have a suitable seatbelt fitted and meet the prescribed Vehicle Inspectorate seatbelt installation minimum standard.

The vehicle shall have interior lighting fitted in the passenger compartment sufficient to light the whole compartment.

A fire extinguisher must be fitted in the driving compartment.

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# **CENTRAL BEDFORDSHIRE COUNCIL**

**DRAFT**

## **HACKNEY CARRIAGE CONDITIONS**

## HACKNEY CARRIAGE CONDITIONS

### Interpretation

In these conditions:-

- (a) "the Council" means Central Bedfordshire Council
- (b) "Authorised Officer" means the Licensing Manager, Licensing Assistant or other Authorised Officers for the time being of the Council
- (c) "the Nominated Officer" means the Licensing Manager for the time being of the Council
- (d) "the vehicle" means the vehicle subject of the Hackney Carriage licence to which the conditions are attached
- (e) "the proprietor" means the person for the time being shown on the Hackney Carriage vehicle licence as the proprietor of the vehicle
- (f) "the driver" means the driver for the time being of the vehicle
- (g) "mechanical inspection" means the certificate issued by the Council's nominated garage certifying that the vehicle is mechanically sound
- (h) "nominated garage" means for the time being the garage approved by the Council for the purpose of undertaking mechanical inspections
- (i) Any obligation in these conditions not to do any act or thing shall be deemed to include an obligation not to cause or permit that act or thing to be done
- (j) Any reference to any statute or subordinate legislation shall be deemed to include a reference to any amendment or re-enactment.

**HACKNEY CARRIAGE LICENCE CONDITIONS**

1.

**All Hackney Carriages must be wheelchair accessible and conform to the hackney carriage licence conditions.**

**All new hackney carriages must be under 5 years of age from date of first registration when new.**

**Vehicles currently licensed as wheelchair accessible hackney carriages will be permitted to be re-licensed annually provided they pass the mechanical requirements, but any replacement vehicle will be required to meet all requirements.**

**Vehicles currently licensed that are not wheelchair accessible, will be permitted to be re-licensed up to a maximum of 10 years from the original date of vehicle registration provided they pass the mechanical inspection. Any replacement vehicle will be required to meet all requirements.**

The vehicle must:-

- (a) be a purpose built taxi; or
- (b) if modified to accommodate disabled passengers, shall have been retested, after modification, to meet European Whole Vehicle Type Approval standards (or the low volume standard for UK vehicles) in respect of all such modifications. The relevant certificate will be required before such a vehicle can be licensed.
- (c) Only be driven by a Central Bedfordshire licensed Hackney Carriage / Private Hire Driver. Arrangements shall be made by the Council for drivers to receive training in the loading and unloading of wheelchairs and their passengers and also the care of the passenger in relation to their wheelchair use. The licences of drivers who refuse such training may be suspended or revoked.

2. The vehicle must have a minimum passenger seating capacity for three adults and a maximum capacity for eight adults.

3. All passenger seats must face forward or rearward to the direction of travel.

Passengers must be able to enter and exit the vehicle via the passenger doors on each side of the vehicle and without the need to step over or across any passenger, seating or other obstruction.

4. **Wheelchair Space**

The vehicle shall have a designated wheelchair space sufficient to accommodate one passenger confined to a wheelchair.

**5. Wheelchair Access Equipment**

The vehicle must be fitted with either of the following forms of wheelchair access equipment:

- (a) A purposely designed wheelchair lift constructed and installed to the requirements of British Standard 6109 with a minimum safe working load of 250kgs.
- (b) A purposely designed wheelchair single plate access ramp which must be permanently installed in the vehicle.

6. The wheelchair access equipment must be fitted to the nearside access door of the vehicle. Rear door access vehicles are not permitted except in the case of vehicle mounted passenger lifts.

**7. Floor Heights and Steps**

Where the internal floor height of the vehicle exceeds 12 inches (305mms) steps should be provided.

8. The tread area of all steps must have a minimum depth of 6 inches (152mms) and have an effective slip resistant surface. Steps must be capable of supporting an adult passenger. Handrails should be fitted at all passenger access doors to facilitate the use of the steps provided.

9. All wheelchairs and users must be properly secured in the vehicle.

**10. Emergency Exits**

The vehicle must have a minimum of two means of exit from the passenger compartment for use in an emergency situation. These exits must be kept free of any obstructions and have an aperture through which an adult can pass without undue difficulty. Both exits shall be clearly marked 'Emergency Exit' together with clear instructions on the opening procedure. Markings must be on both the inside and outside of the vehicle.

**11. Windows/Ventilation**

The vehicle shall have windows fitted on both side and the rear of the passenger compartment. A minimum of one window on each side shall be operable for the purpose of ventilation but restricted whereby a small child would be unable to fall through accidentally. No dark tinted windows will be accepted, only lightly tinted manufactures safety glass. After market kits will not be acceptable.

**12. Seat Belts**

All seats must have a suitable seatbelt fitted and meet the prescribed Vehicle Inspectorate seatbelt installation minimum standard.

**13. Interior Lighting**

The vehicle shall have interior lighting fitted in the passenger compartment sufficient to light the whole compartment.

All entrance steps on access doors into the passenger compartment shall be illuminated and switched so they automatically operate when the door is open.



14. No alterations in the specification, design or appearance of the vehicle shall be made without the approval in writing of the appropriate Head of Service or the Authorised Officer.
15. **Mechanical Test**
  - (a) **All vehicles, including new, are required to undertake an annual mechanical compliance inspection at the Council's nominated test centre at Luton Borough Council's Transport Depot or Bedford Borough Council's Transport Depot.**
  - (b) **A second (six monthly) test will be required on any vehicle over the age of 5 years. It can be carried out at any VOSA appointed garage registered to test that class of vehicle.**
16. The vehicle must carry an electrically illuminated roof sign bearing the word "Taxi".
17. The licensing period runs for 12 months.
18. Vehicles should be free from any significant areas of visible rusting, scratches or dents although minor blemishes should not constitute a failure of the mechanical test.
19. The proprietor of the Licensed Vehicle shall:-
  - (a) keep the Licensed Vehicle in a mechanical condition suitable for its use as a Hackney Carriage.
  - (b) keep the exterior of the Licensed Vehicle including the windows clean and in good condition.
  - (d) all vehicles shall be painted in manufacturers colour, panels with unmatched colours or in primer shall be failed.
  - (e) cause the seats to be properly cushioned and covered. All seats, including the driver's, must be free from repaired cuts, tears or cigarette burns, except of a very minor nature. Any repairs must have been carried out in a professional and neat manner.
  - (f) cause the floor to be provided with a proper carpet, mat or other suitable covering.
  - (g) cause the interior fittings, headlining, trim etc to be kept in a clean condition and well maintained.
  - (h) provide means for securing luggage.
  - (i) provide an efficient fire extinguisher, **min 1kg dry powder or a one litre foam, both types should have gauges to show the state of charge, and should be manufactured to satisfy relevant BSEN accreditation.** It shall be carried in such a position as to be readily available for use at

all times.

- (j) provide a suitable first aid kit to comprise of at least the following items:-  
sterile wound dressings (small, medium, large), eye pad, assorted plasters, triangular bandage, antiseptic wipes, 1 pair blunt end scissors
  - (k) when the vehicle is in use or available for hire it is maintained in an efficient, safe, tidy and clean condition and all relevant statutory requirements, including those contained in the Motor Vehicles (Construction & Use) Regulations are fully complied with.
20. The Licensed Vehicle shall carry an identifying disc issued by the Council which shall be affixed inside the vehicle to the near-side of the front windscreen so that the information thereon is plainly and distinctly visible from the exterior of the vehicle.
21. The only permitted signage allowed to be displayed is:-
- (a) an illuminated "For Hire" sign must be fitted inside the Licensed Vehicle and must be of a type and fitted in a position within the vehicle approved by the Council and must be extinguished during any period for which the vehicle has been hired.
  - (b) A properly fitted illuminated roof sign of a size and design approved by the Council. The sign shall not be illuminated at any time whilst the vehicle is outside the district of Central Bedfordshire.
  - (d) the plate (provided by the Council and which shall remain the property of the Council) identifying the vehicle as the Hackney Carriage Vehicle and stating the maximum number of passengers which the Council have licensed the vehicle to carry must be affixed to the vehicle in a conspicuous position on the rear exterior of the vehicle in such a manner as the Council shall prescribe.
  - (e) the Council must be informed immediately should the licence plate showing the number of the Hackney Carriage vehicle be broken, lost or defaced. On no account must a Hackney Carriage vehicle ply used for hire without a plate
  - (f) any permitted sign must be positioned so as not to impede visibility.
22. The proprietor of the Licensed Vehicle shall ensure that the vehicle is insured for use for the carriage of fare paying members of the public at all times and must forward a copy of a full certificate of insurance and all subsequent renewals of insurance to the Council's Offices. Failure to do so will result in the Licence being revoked.
23. This Licence may not be transferred, except with the prior approval of the Council, to another vehicle. Such vehicle must comply with statutory requirements, the Council's requirements with regard to licensing of Hackney Carriage Vehicles, and these conditions.
- (a) Replacement Vehicle. A completed transfer form must be submitted with other required documents and any necessary transfer fee prior to any

such vehicle being used as a Hackney Carriage.

- (b) Change of Vehicle Ownership. If a proprietor transfers his interest in a vehicle to somebody else he must immediately give notice of the transfer in writing to the Authorised Officer, giving the name and address of the new owner. In no circumstances may the vehicle be used as a licensed vehicle by the new owner until the licence has been transferred to that person and all documentation completed and any necessary fees paid.

24. **Convictions**

The Licence holder should immediately, and in any case within 7 days, disclose to the Council in writing the details of any conviction imposed upon him or her (or in the case of a company or partnership, on any of the directors or partners) during the period of the Hackney Carriage vehicle licence.

25. **Change of Address**

The Licence holder must inform the Council of any change of address in writing within seven days of the change of address.

26. **Assistance Dogs**

No driver may refuse to carry a seeing or hearing (guide) dog and other prescribed assistance dogs provided it is accompanied by a fare paying passenger, unless the driver can produce a medical certificate signed by a registered medical practitioner to the effect that the driver has an allergy to dogs and a certificate of exemption has been issued by the Council. No charge shall be made for the carriage of guide, hearing or other prescribed assistance dogs.

All drivers and vehicle owner/operators must comply with the Disability Discrimination Act at all times.

27. **Towing of Trailers**

No licensed vehicle may tow any trailer unless evidence of valid insurance to cover such use for hire and reward has been produced to the Authorised Officer. The vehicle licence plate giving the licence number must be clearly displayed on the rear of any trailer used, this sign being in addition to that on the rear of the vehicle. The contents of such trailer must be secured and covered in a proper manner. **The trailer should be built by an approved or recognised trailer manufacturer.** Any trailer used must comply with regulations in all respects and where required the driver must hold the appropriate towing licence as issued by the DVLA.

28. **Dual Plating**

No vehicle will be granted a licence if it is licensed in another District due to the problems of meeting the variance in conditions applied in different Districts and the enforcement of those conditions. No vehicle can be licensed as both a Hackney Carriage and Private Hire at the same time.

29. **Vehicle Damage**

- (a) The proprietor of any Hackney Carriage should report to the Authorised Officer as soon as reasonably practicable, and in any case within 72

hours, the occurrence of any accident involving the vehicle.

**30. Mechanical Breakdown**

If any vehicle becomes unfit to complete a hiring during a hiring:-

- (a) The driver shall be entitled to demand the fare for the distance already travelled.
- (b) The driver shall secure alternative transport without delay to complete the journey if the hirer so wishes. If the original vehicle is repaired and completes the hiring the driver shall be entitled to the full fare with the exception of any time that the hirer waited for the repair to be executed.
- (c) Any such incident must be reported to the Authorised Officer within one working day.

**31. Complaints**

Any vehicle against which a complaint is laid must be presented to the Authorised Officer within one working day of being so requested for inspection, possible testing and for the driver to answer such complaint.

**32. Inspection**

The vehicle, including documents, may be called in for inspection at anytime by the Authorised Officer to ensure compliance. Failure to attend and or show any documentation as requested may lead to suspension or revocation of licence.

**33. Vehicle Checks**

In the interest of public safety, any vehicle which is suspected of any infringement of legislation or conditions may be stopped by an Authorised Officer at anytime to ensure its fitness to be used as a Hackney Carriage.

**34. Compliance**

The responsibility for complying with these conditions, unless otherwise stated, shall be the proprietors and drivers jointly and severally.

**35. Recording Equipment**

No recording CCTV equipment shall be fitted without the written consent of the council. Consent shall only be considered for a system that encrypts the data to avoid tampering. Where CCTV equipment is fitted a Council approved sign must be displayed in the vehicle warning customers that camera surveillance equipment may be in operation. Any image captured by the camera shall only be viewed by, or with the written permission of, the council or police.

**67. Suspension or Revocation**

The Council has the power to suspend or revoke a licence. In the case of revocation the plate must be returned.

**37. Appeals**

- (a) You may appeal against all or any of the conditions attached to a licence granted to you.
- (b) You may appeal against the refusal of a licence to you.
- (c) Any appeal must be made within 21 days of grant of licence or the refusal of such licence .
- (d) Appeals must be made to the Magistrates Court.

38. **Legislation**

Any requirements of Regulation that effect the operations being carried out under the terms of a licence shall be regarded as if they are conditions of that licence.

The Council reserve the right to vary, delete or waive any of the foregoing conditions.



# **CENTRAL BEDFORDSHIRE**

**DRAFT**

## **HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS CONDITIONS**

**CONDITIONS RELATING TO PRIVATE HIRE VEHICLES****MADE UNDER LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976****Interpretation**

In these conditions:-

- (a) "the Council" means Central Bedfordshire Council
- (b) "Authorised Officer" means the Licensing Officer, Licensing Assistant or other Authorised Officers for the time being of the Council
- (c) "the driver" means the person to whom the Council has granted the hackney carriage or private hire licence to which these conditions refer
- (d) "the vehicle" means the vehicle subject of the hackney carriage or private hire vehicle licence granted by Central Bedfordshire Council.



**CONDITIONS RELATING TO  
HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE**

1. The normal duration of a Licence will be 12 months.
2. The Licence is not transferable.
3. The driver shall, at the request of any authorised Officer of the Council or of any constable, produce for inspection this licence either forthwith or:-
  - (a) in the case of a request by an Authorised Officer of the Council, at the Council's Offices, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ or The Council Offices, High Street North, Dunstable, LU6 1LF before the expiration of the period of five days beginning with the day following that on which the request is made;
  - (b) in the case of a request by a constable before the expiration of the period aforesaid at any Police Station which is within the area of the Council and is nominated by the driver when the request is made.
4. The driver must inform the Council within seven days of any motoring or other criminal conviction or caution which has occurred since the granting of this licence.
5. Your attention is drawn to the Council's Criminal Conviction Policy.
6. The driver shall conduct himself towards any person who has hired the vehicle and any other passengers in an orderly, seemly and courteous manner and shall take all reasonable precautions for the safety of persons and luggage conveyed in the vehicle.
7. The driver shall, at all times, unless specifically exempted in writing by the Council, wear in such a position and manner as to be plainly and distinctly visible, a Driver's Badge as issued by the Council whilst licensed to act as a driver of the vehicle.
8. The driver shall pay a fee for a replacement badge in the event of any loss or damage to the badge which renders it unfit for use.
9. The Driver's Badge shall at all times remain the property of the Council and upon the Council suspending, revoking or refusing to renew this Licence the driver shall on demand return the badge to the Council.
10. The driver shall notify the Council in writing of any change of address during the period of licence prior to such change taking place and in any case within 7 days of such change.
11. The driver shall not permit to be conveyed in the vehicle a greater number of persons than that specified in the licence issued.
12. Every driver who has agreed or has been hired to be in attendance with the vehicle at an appointed time and place shall unless delayed or prevented by some sufficient cause, punctually attend with the vehicle.

13. The driver shall not, without reasonable cause, unnecessarily prolong, in distance or in time, a journey for which the vehicle has been hired.
14. If the driver is involved in an accident and is not the proprietor of the vehicle, he shall report, or cause to be reported, to the proprietor details of the accident within 5 days.
15. The driver shall at his or her discretion carry household pets within the vehicle provided that the pet is suitably contained so as not to cause a nuisance.
16. No driver may refuse to carry a guide or hearing dog and other prescribed assistance dogs provided it is accompanied by a fare paying passenger, unless the driver can produce a medical certificate signed by a registered medical practitioner to the effect that the driver has an allergy to dogs and a certificate of exemption has been issued by the Council. No charge shall be made for the carriage of guide, hearing or other prescribed assistance dogs.
17. Arrangements shall be made by the Council for drivers of Wheelchair Accessible vehicles to receive training in the loading and unloading of wheelchairs and their passengers and also in relation to their wheelchair use. The licences of drivers who refuse such training may be suspended or revoked.
18. The driver when driving a vehicle so constructed as to carry luggage shall when requested by any person who has hired the vehicle:-
  - (a) convey a reasonable quantity of luggage;
  - (b) afford reasonable assistance in loading and unloading;
  - (c) afford reasonable assistance in removing it to or from the entrance of any house, station or place to which he or she may pick up or set down such person.
19. The Licensee shall at the termination of each hiring carefully search the vehicle for any property which may have been accidentally left therein.

If the driver should find, or be handed, any property accidentally left by any person who may have been conveyed in the vehicle it should, if not claimed by or on behalf of its owner, be taken within 24 hours to a Police Station and left in the custody of the Officer in Charge. The driver should obtain a receipt from the Officer in Charge.
20. Any passenger requesting a receipt for any payment made will be provided with a written receipt showing the date, fare paid and be signed by the driver, this shall be in such a form as to identify the company or individual providing the receipt.
21. If the driver has knowingly conveyed in the vehicle the dead body of any person he shall immediately thereafter notify the fact to the Council's Chief Environmental Health Officer.
22. A medical certificate shall be produced within seven days of the request by the Council for such certificate. Medical Certificates are required:
  - Upon first application for a licence;
  - Every five years between the ages of 45 and 64;

- Annually upon attaining the age of 65

**Driver applicants and licence holders with insulin treated diabetes should also submit a letter from their consultant stating that they are fit to drive.**

23. All drivers shall operate strictly within the terms of any licence issued incorporating all of the terms and conditions of the Local Government (Miscellaneous Provisions) Act 1976, the Hackney Carriage bylaws and other conditions within these conditions but these may not necessarily be exhaustive.
24. **Appeals**
- (i) you may appeal against all or any of these conditions
  - (ii) any appeal must be made within 21 days of grant of Licence
  - (iii) appeals must be made direct to the Magistrates Court.
25. Any requirements of legislation which effects the operations being carried out under the terms of this Licence shall be regarded as if they are conditions of this Licence.
26. The Council reserve the right to vary, delete or waive any of the foregoing conditions.

#### **Private Hire Drivers Only**

27. The Licensee 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 be carried for hire in any private hire vehicle or;
  - (b) cause or procure any other person or tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle or;
  - (c) offer that vehicle for immediate hire while the driver or the vehicle is on a road or other public place provided that merely parking that vehicle on a road or other public place shall not in itself be deemed to be a breach of this condition or;
  - (d) accept an offer for the immediate hire of that vehicle while the driver or the vehicle is on a road or other public place except where such offer is first communicated to the driver by telephone or by apparatus for wireless telegraphy fitted to that vehicle.

#### **Hackney Carriage Drivers Only**

28. When driving a Hackney Carriage licensed to ply for hire in Central Bedfordshire, the driver shall not charge any fare for the hiring of the carriage in excess of or in addition to the table of fares fixed by the Council pursuant to Section 65 of the Local Government (Miscellaneous Provisions) Act 1976.

The driver must comply with requirements of the Central Bedfordshire

Byelaws.