

Appendix D

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 will be licensed up to a maximum age of 10 years from the original date of vehicle registration.

Vehicles currently licensed that are not wheelchair accessible will be permitted to be re-licensed up to a maximum of 6 years from the original date of vehicle registration.

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.

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 in the M1 (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. **Fire Extinguisher**

A fire extinguisher must be fitted in the driving compartment.

15. 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.

16. **Mechanical Test**

(a) All vehicles, including new, are required to undertake an initial mechanical compliance inspection at the Council's nominated test centre.

The annual test must be the Compliance inspection carried out at the Council's nominated test centre. The second (six monthly) test may be at any VOSA appointed garage registered to test that class of vehicle.

17. The vehicle must carry an electrically illuminated roof sign bearing the word "Taxi".

18. The licensing period runs for 12 months.

19. 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.

20. 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) which 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.
21. 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.
22. 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.
23. 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.
24. 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.

25. 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.

26. 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.

27. 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.

28. 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. 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.

29. 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.

30. 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.

31. 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.

32. 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.

33. 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.

34. 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.

35. Compliance

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

36. 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.

37. Suspension or Revocation

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

38. 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.

39. **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.

