

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 date 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 giarrette 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 made 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.