

PRIVATE HIRE VEHICLE LICENCE CONDITIONS

Issue 6 – 1 April 2014

PRIVATE HIRE VEHICLE LICENCE CONDITIONS OF LICENCE

Section 48(2) of the Local Government (Miscellaneous Provisions) Act 1976 (LGMPA 1976) states that "A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of the foregoing provisions of this sub-section, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates."

1. VEHICLE AGE, DESIGN, TYPE, COLOUR, SEATING AND APPEARANCE

- (a) All private hire vehicles must meet the standards as laid down by the Council with regard to standard of appearance. Vehicles shall have a minimum of 4 doors and shall not have an engine capacity of less than 1250cc. Vehicles with any unrepaired accident damage, panels of a different colour to the rest of the vehicle, missing trims, dirty or damaged upholstery or generally shabby appearance will not be licensed.
- (b) Private hire vehicles must not be over 6 years old (from 1 April 2014) on the date of the first application, with the exception of vehicles in an exceptionally well-maintained condition, subject to inspection at continuing 6 monthly intervals.
 - (i) An exceptionally well maintained vehicle is one that:-
 - 1) Is expected to pass its Council depot examination on the first occasion. However, if the vehicle fails it will be allowed one retest. Failure of the retest will preclude the vehicle from being licensed.
 - 2) The bodywork should have no signs of panel deterioration due to age. It should not have unrepaired damage, dents, scratches or chipped paintwork. Any paint resprays should be of good quality and match the remainder of the paintwork.
 - 3) The exterior trim should be as per the manufacturer's original specification. No trim will be missing and all 4 hub caps (if part of original specification) will be present, matching and scuff free.
 - 4) The interior trim, panels, seating and carpets should be clean, free from damage and discolouration. Fabric must not be frayed, torn or threadbare. Seat covers will be permitted but the underlying seat will not have any of the previously mentioned faults.
 - 5) The boot or luggage compartment must have no loose padding or plastic trim. It must be clean and undamaged and fit for the purpose of carrying luggage.
 - 6) Passenger areas should be free from damp and odours that may cause passenger discomfort.

Maxim: A vehicle of 'Exceptional Condition' must give the impression that it is being cared for by its owner. If an 7 year old vehicle looks like an 7 year old vehicle it will not be of an 'Exceptional Condition'.

- (c) The age of the vehicle is to be taken from the vehicle registration document. Where the age of a "Q" registered vehicle is not identifiable the age will be

calculated as 3 years old at the date of "Q" registration in line with the policy of the DVLA and taken from the registration document.

- (d) With respect to seating, this should be padded. Slatted wooden seats are considered inadequate. Where seats are continuous, 1 foot 4 inches (approximately 41 centimetres) measured horizontally along the front of each seat, should be allowed for each passenger. Any vehicle which is constructed or adapted to seat more than 8 passengers cannot be licensed as a private hire vehicle.
- (e) The vehicle must not be left hand drive.
- (f) The vehicle must not be a convertible.
- (g) The vehicle must have EU Type Approval.
- (h) If (g) cannot be satisfied then a Department for Transport Certificate of Single Vehicle Approval must be produced.

2. MAINTENANCE OF VEHICLE

The private hire vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements shall be fully complied with.

3. ALTERATION OF VEHICLES

- (a) No material alteration or change in the specification, design, condition or appearance of the private hire vehicle shall be made without the written approval of the Council at any time while the licence is in force.
- (b) Any liquid petroleum gas (LPG) vehicle conversion must be carried out by an approved LPG installer. An LPG conversion certificate shall be supplied to the Council. Details of approved UK vehicle conversion companies can be obtained from the LP Gas Association.

4. IDENTIFICATION PLATE

The identification plate identifying the vehicle as a private hire vehicle and required to be exhibited on the vehicle pursuant to Section 48(6) LGMPA 1976 shall be securely fixed to the rear of the vehicle in a conspicuous position and in such a manner as to be easily removable by an authorised officer of the Council or a constable.

The proprietor or driver of the private hire vehicle shall report the loss of the identification plate to the Council Offices as soon as the loss becomes known. A replacement plate shall be issued upon payment of the appropriate fee.

PLEASE NOTE: THE IDENTIFICATION PLATE REMAINS THE PROPERTY OF THE COUNCIL.

5. SECURITY

Where CCTV is installed in private hire vehicles, the Council's CCTV Code of Practice in relation to licensed vehicles shall be followed. A copy can be obtained on request from the Council's Licensing Department.

6. SAFETY EQUIPMENT

Fire extinguisher

- (a) The vehicle shall contain a fire extinguisher which shall meet the requirements of the European standard EN3, and be in the vehicle at all times when it is in use or available for hire.
- (b) The fire extinguishers shall be secured to the vehicle and be within reach of the driver. If the extinguisher is not so secured it must be located inside of the vehicle's boot compartment. A label shall be affixed inside the vehicle indicating that a fire extinguisher is contained within.
- (c) The fire extinguisher shall be indelibly marked with the private hire vehicle's plate number.
- (d) The fire extinguisher must be maintained in good working order, the operating instructions must be legible and the driver of the vehicle must be familiar with its use.

First aid kit

- (a) The proprietor of the vehicle shall provide a suitable first aid kit (see suggested list of contents below) in the vehicle at all times when it is in use or available for hire.
- (b) The first aid kit should be readily visible and available for immediate use in an emergency. If the design of the vehicle is such that a first aid kit cannot be carried in a position where it is easily visible, a sign shall be displayed on the vehicle dashboard indicating the position of the kit.
- (c) The first aid kit shall be indelibly marked with the private hire vehicle's plate number.

THE COUNCIL'S HEALTH AND SAFETY OFFICER RECOMMENDS THAT A PRIVATE HIRE VEHICLE'S FIRST AID KIT CONTAINS THE FOLLOWING ITEMS WHICH ARE REQUIRED BY THE HEALTH AND SAFETY (FIRST AID) REGULATIONS 1981 FOR TRAVEL FIRST AID KITS.

- First aid guidance leaflet
- 1 large wound dressing 18 x 18 centimetres
- 6 adhesive plasters
- 2 triangular bandages
- 6 safety pins
- 2 individually wrapped wipes
- 1 pair of disposable gloves

PLEASE NOTE: IN ADDITION TO THE ABOVE 2 ITEMS OF SAFETY EQUIPMENT, IT IS RECOMMENDED THAT EACH VEHICLE SHOULD

CONSIDER CARRYING THE FOLLOWING ITEMS IN CASE OF EMERGENCIES.

- A torch and spare batteries
- Warning triangle
- Shriek alarm to disorientate any aggressor
- Detailed maps of areas in which the vehicle is travelling

7. CHANGE OF ADDRESS

The proprietor of the vehicle shall notify the Council in writing of any change of his address during the period of the licence within 7 days of such change. Upon receiving notification and relevant fees, an amended paper licence shall be issued by the Council's Licensing Section.

8. CONVICTIONS, CAUTIONS, AND FIXED PENALTY NOTICES

The proprietor of the vehicle shall within 7 days disclose to the Council in writing details of any interview, arrest conviction, or caution by the Police in respect of any matter AND any fixed penalty notice (motoring or otherwise) imposed on him (or if the proprietor is a company or partnership, on any of the directors or partners) during the period of the private hire vehicle licence.

9. MOTOR INSURANCE CERTIFICATE

The proprietor must at all times ensure that the vehicle is adequately insured for use as a private hire vehicle and a copy of the insurance certificate must be available for inspection inside the vehicle whilst it is licensed as a private hire vehicle.

10. PRESENTATION OF VEHICLE FOR INSPECTION

The proprietor, on reasonable notice, must present the vehicle for inspection at any time and at any place required by the Council, provided that such requirements for inspection shall not exceed more than 3 occasions per year (Section 50 LGMPA 1976). Failure to present a vehicle for inspection is an offence under the 1976 Act and will normally lead to the immediate suspension/revocation of a vehicle licence.

The requirement to present for inspection is in addition to the powers of an authorised Licensing officer or Police Constable to test and inspect a private hire vehicle as to its fitness at any reasonable time. (Section 68 LGMPA 1976)

11. DEPOSIT OF DRIVERS' LICENCES

If the proprietor of the vehicle permits or employs a private hire driver to drive the vehicle, he shall, before that person commences to drive the vehicle, cause the driver to deposit his private hire driver's licence with the proprietor for retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of the proprietor.

12. SIGNS AND NOTICES

- (a) Private hire vehicles must display signage on the exterior of driver's door **AND** front nearside door which contains company identification, contact telephone numbers (including area code), vehicle licence number and the words **advanced booking only**.
- (b) Applications for exemption from displaying external signage as listed above will be considered for corporate business. Section 75(3) LGMPA 1976
- (c) No signs shall be displayed on or above the roof of the private hire vehicle.
- (d) Private hire vehicles are not permitted to display signage which includes the words 'taxi' or 'cab' whether in the singular or plural or the words 'for hire' or any other word of similar meaning or appearance likely to cause a person to believe the vehicle is a hackney carriage.
- (e) Private hire vehicles which can accommodate between 5 and 8 passengers should have suitable signage displayed inside the vehicle directing passengers to and giving instruction in the operation and use of exit points, i.e. slide door to open/push door to open.
- (f) A notice must be prominently displayed inside all private hire vehicles and be visible to passengers in the rear of vehicles, stating the vehicle licence number and contact details of the Council's Licensing section.

13. ADVERTISEMENTS

No third party advertising is permitted on private hire vehicles.

14. WINDSCREEN NOTICE

The proprietor of the vehicle shall cause the notice issued by the Council, and which gives details of the private hire vehicle licence, to be affixed to the nearside of the windscreen in such a position that it shall be clearly readable at all times.

PLEASE NOTE: THE NOTICE REMAINS THE PROPERTY OF THE COUNCIL

15. USE OF TRAILERS

The proprietor of the vehicle shall comply with the following requirements in order for the vehicle to tow a trailer for the carriage of passengers' luggage.

- (a) The luggage trailer must be inspected and approved by the Council's authorised examiners.
- (b) The luggage trailer must meet the Construction and Use Regulations and where required the driver must hold the appropriate towing licence as issued by the DVLA.
- (c) No licensed vehicle may tow any trailer unless evidence of valid insurance to cover such use has been produced.

- (d) The identification plate, giving the private hire vehicle licence number, must be clearly displayed on the rear of the trailer used in addition to the plate on the rear of the private hire vehicle.
- (e) A spare wheel and tyre of the correct size shall be carried at all times when the trailer is in use.
- (f) The contents of the trailer must be secured and covered in a proper manner.

16. TINTED WINDOWS

The vehicle shall comply with the Construction and Use Regulations 1986 (as amended) with respect to the fitting of tinted, opaque, darkened or privacy glass windows.

17. DAMAGE TO VEHICLE

Any damage to the vehicle affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers carried therein shall be reported in writing to the Council as soon as is reasonably practical and in any event within 72 hours of the occurrence (Section 50(3) of the 1976 Act).

18. CHILD SAFETY

When any child is travelling in the vehicle the child lock on the doors (if fitted) should be used.

19. MINI-BUSES

All mini-buses licensed by the Council as private hire vehicles must comply with the MOT seat belt standards which apply to seat belts on mini-buses, buses and coaches (including those used for the transport of children).

20. RADIO EQUIPMENT

- (a) Any radio equipment fitted to the vehicle shall be kept in a safe condition and comply with statutory requirements.
- (b) Radio scanners are not permitted.

21. PASSENGER SAFETY

- (a) A proprietor or driver of a private hire vehicle shall not convey or permit to be conveyed in the private hire vehicle a greater number of persons (regardless of the age or size of the passengers) than the number of persons prescribed in the licence for the vehicle and specified on the vehicle identification plate affixed to the rear of the vehicle.

- (b) The number of passengers must not exceed the number of restraints available in the vehicle.

PLEASE NOTE: IT IS THE DRIVER'S RESPONSIBILITY TO ENSURE THAT A PASSENGER IS USING THE CORRECT RESTRAINT.

It is acceptable to fit a customer's own child restraint provided that the restraint is of an approved design (i.e. BS Kite Mark) and is in a serviceable condition.

22. ANIMALS

- (a) No animal belonging to the private hire vehicle proprietor or private hire operator or the driver of the vehicle shall be conveyed in the vehicle.
- (b) Any animal belonging to or in the custody of a passenger, which in the driver's or proprietor's discretion may be conveyed in the private hire vehicle must be conveyed in the rear of the vehicle and shall be contained so as not to present a nuisance or hazard to any occupants of the vehicle.
- (c) A proprietor or driver of a vehicle **must** carry a guide dog or assistance dog belonging to a passenger free of charge unless the driver has a proven medical condition that would preclude such action.

23. LUGGAGE

- (a) The proprietor of a vehicle shall provide the proper means for securing luggage if the vehicle is so constructed as to carry luggage. If the luggage is to be carried externally then the means for the carriage and securing of the luggage must provide adequate protection from inclement weather.
- (b) Any roof racks fitted to a vehicle must be the correct design and fitting for the type of vehicle and should be loaded in accordance with the manufacturer's instructions.
- (c) All vehicles shall be loaded with luggage in accordance with the vehicle manufacturer's weight and load specification.
- (d) Luggage shall not be carried or stored above the height of the rear seat or on the parcel shelf.

24. LOSS OF LICENCE

A replacement private hire vehicle licence may be issued upon payment of the relevant fee. A request should be made to the Council's Licensing Section.

25. RETURN OF IDENTIFICATION PLATE

The proprietor of a private hire vehicle shall on receipt of a notice, return the vehicle identification plate to the Council Offices in the event of the expiry (without immediate renewal), suspension or revocation of the licence (Section 58(2) LGMPA 1976).

26. TRANSFER OF VEHICLE

The proprietor of a licensed private hire vehicle must notify the Council's Licensing Section in writing of any transfer in the ownership of a vehicle within 14 days of the transfer taking place (Section 49 LGMPA 1976). Upon receiving the written notification of transfer and relevant fee, an amended paper licence shall be issued by the Council.

27. PERMITTING OR EMPLOYING ANY OTHER PERSON TO DRIVE

Before a proprietor of a private hire vehicle permits or employs a private hire driver to drive the vehicle he shall ensure that the vehicle is adequately insured for that driver.

If you are aggrieved by any of the conditions specified in this licence you may appeal to a Magistrates Court within 21 days of the service of the licence on you (Section 48(7) LGMPA 1976).

NOTES:

- (a) FAILURE TO COMPLY WITH ANY OF THE CONDITIONS SPECIFIED IN THIS LICENCE MAY RESULT IN THE SUSPENSION OR REVOCATION OF THE PRIVATE HIRE VEHICLE LICENCE.**
- (b) ANY BREACH OF A SPECIFIC PROVISION OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 MAY RESULT IN PROSECUTION**
- (c) IN ADDITION TO THE PRIVATE HIRE VEHICLE LICENCE CONDITIONS, THE PROPRIETOR OF A PRIVATE HIRE VEHICLE MUST HAVE REGARD TO ALL STATUTORY PROVISIONS WHICH RELATE TO PRIVATE HIRE VEHICLES.**
- (d) This private hire vehicle licence is not transferable to another vehicle.**
- (e) No person can drive a private hire car unless he holds a private hire driver's licence issued by the District Council.**
- (f) A vehicle which stands or plies for hire in a street or at a railway station or railway premises requires a hackney carriage licence.**
- (g) Application for renewal of this licence should be made to the Head of Environmental Health on the prescribed form which is available from the Council Offices, Coalville. All licence holders will be sent a reminder and the necessary forms for renewal in advance of the expiry of the licence.**
Please note, however, that the responsibility for renewal rests with the licence holder. Reminder letters are sent purely as a courtesy.

DOCUMENT HISTORY

Issue Number	Issue Date	Approved By	Nature of Amendment
1	1 August 2001	Executive Committee	Introduction of Policy
2	1 December 2009	Licensing Committee – 25 November 2009	Changes to safety equipment signage. Changes to vehicle internal and external signage. Withdrawal of third party advertisements. Tinted window compliance.
3	18 January 2010	Commercial Services Manager	Minor amendment to wording of conditions 12 (a), 12 (f) and 14.
4	10 August 2011	Environmental Health Team Leader	Clarification of the term 'exceptionally well maintained vehicle' at condition 1(b)
5	1 April 2013	Licensing Committee – 21 March 2012	Reduction of vehicle age from 8 years to 7.
6	1 April 2014	1) Licensing Committee – 21 March 2012 2) Environmental Health Team Manager	1) Reduction of vehicle age from 7 years to 6. 2) Amendment to para 1(b)(ii) (addition of word 'continuing').

COUNCIL'S VISION

North West Leicestershire will be a place where people and businesses feel they belong and are proud to call home

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