

North West Leicestershire

District Council

Private Hire Vehicle

Policy & Conditions

DRAFT

PRIVATE HIRE VEHICLE LICENCE

LICENSING POLICY

INTRODUCTION

North West Leicestershire District Council is committed to achieving the highest standards with regards to the vehicles it licenses as private hire vehicles. The District's travelling public should be confident that licensed vehicles are safe and comfortable and will not breakdown. The Council expects licence holders to regularly check and maintain their vehicles to the highest standards. It should be presumed that all vehicles presented to the Council's depot for inspection will pass first time without the need for any retests. Any repeated failure by licence holders to maintain their vehicles to that required standard may result in a vehicle licence being revoked or not being renewed.

VEHICLE DESIGN, TYPE AND SEATING

All private hire vehicles must meet the standards as laid down by the Council. Vehicles shall have:

- (i) a minimum of 4 doors
- (ii) an engine capacity exceeding 1250cc or equivalent powered electric vehicle

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.

The vehicle must not be left hand drive.

The vehicle must not be a convertible.

The vehicle must have EU Type Approval but if not then a Department for Transport Certificate of Single Vehicle Approval must be produced.

VEHICLE AGE AND CONDITION

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.

From 1 January 2021 all vehicles will be fitted with a Euro6 compliant engine or newer.

Or

From 1 January 2017 all vehicles will be fitted with a Euro4 compliant engine or newer;
From 1 January 2021 all vehicles will be fitted with a Euro5 compliant engine or newer;
From 1 January 2025 all vehicles will be fitted with a Euro6 compliant engine or newer;

Applicants will be required to prove that the engine is suitable. From this date, any vehicle found with an engine older than euro6 will not be licensed at the time of renewal.

Private hire vehicles must be less than 6 years old on the date of submission of the first application. However, the following exceptions apply:

- (i) Other vehicles which are in an exceptionally well maintained condition, subject to their being inspected with regard to mechanical fitness and appearance at continuing 6 monthly intervals.
- (ii) Ultra low emission vehicles (emissions of less than 75 grams of CO2 per km)

Mechanical Inspection

In order to be licensed or remain licensed a vehicle has to undergo a Council depot inspection. Vehicles under 6 years of age at the time of an initial application or, if currently licensed, at the date of the expiry of their current licence will undergo **one** depot inspection per year. Normally this will be just prior to the renewal of the vehicle licence or if a new application shortly after the submission of the application documentation.

Vehicles 6 years or older will be required to undergo **two** depot inspections per year. Normally this will be just prior to the renewal of the vehicle licence and 6 months after the renewal or if a new application shortly after the submission of the application documentation and if the licence is granted 6 months thereafter. Vehicles in this age group will have to be of exceptional condition (see below).

The licensing authority expects the licence holder to undertake a regular regime of daily, weekly and monthly checks with an in depth inspection by a trained mechanic at regular intervals especially immediately before the Council's depot inspection.

Visual Inspection

An officer of the Council will visually inspect all vehicles subject of a new application and vehicles aged 6 years or older at the time of renewal.

The visual inspection will have one of three outcomes:-

- (i) the vehicle will be accepted as being suitable and as such will be given an appointment for the Council's depot inspection. A successful visual examination is no guarantee that the vehicle will be licensed.
- (ii) there will be a requirement to have repairs completed to the bodywork or interior. Any work carried out will have to be completed to the satisfaction of the licensing authority otherwise the application may be refused
- (iii) the vehicle licence application will be refused.

Required Standard

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 re-sprays should be of good quality and match the remainder of the paintwork.

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.

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.

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.

Passenger areas should be free from damp and odours that may cause passenger discomfort.

Exceptional Condition & Enforcement Approach

A vehicle of exceptional condition is one that:-

- 1) Passes the Council visual inspection.
- 2) Passes the Council depot inspection (assessing the mechanical fitness of a vehicle).

Should a vehicle of 6 years or older fail a mechanical (depot) inspection with defects in more than one of the areas listed below it will be deemed not to be of exceptional condition, and consequently will not be licensed. Vehicles under 6 years will be permitted ONE retest.

If the vehicle is already licensed, the licence will be revoked at the end of the inspection.

- (i) Engine
- (ii) Brakes
- (iii) Suspension
- (iv) Steering
- (v) Tyres

Should a vehicle of 6 years or older fail a visual inspection a second inspection will be permitted. Should the vehicle fail to meet the required standards at the second visual inspection it will be deemed not to be of exceptional condition, and consequently will not be licensed.

IDENTIFICATION PLATES

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.

SECURITY

Where CCTV is installed in private hire vehicles, the Council's CCTV Code of Practice in relation to licensed vehicles shall be followed:-.

Introduction

This code of practice has been written for the purpose of regulating the use of CCTV systems in Private Hire vehicles in North West Leicestershire.

This code of practice sets out to ensure that in-car camera systems in private hire vehicles licensed by North West Leicestershire District Council are used to prevent crime, identify the perpetrators of crime enhance the health and safety of drivers and reduce the fear of crime.

The purpose of in-car camera systems

The purpose of in-car camera systems shall be to provide a safer environment for the benefit of hire vehicle drivers and passengers by:

- Deterring and preventing the occurrence of crime;
- Reducing the fear of crime;
- Assisting the police in investigating incidents of crime;
- Assisting the police in identifying missing persons.

Installation and operation of in-car camera systems in Private Hire vehicles

An approved installer shall carry out the installation in accordance with the manufacturer's instructions. A certificate of installation shall be provided to the Licensing Authority within 7 days of installation.

All private hire vehicles with in-car camera systems installed shall display prominent notices visible from outside the vehicle and also within the vehicle at a point readily visible to passengers, declaring that there is an in-car camera system in operation within the vehicle. Signage is to be in accordance with private Hire conditions.

All cameras shall be installed above the level of the dashboard within the hire vehicle.

Any proprietor-owner wishing to install additional cameras or make changes to the installation shall obtain consent from the Licensing Enforcement Officer of North West Leicestershire District Council prior to doing so.

Use of information recorded on in-car camera systems

It is important that any person, who suspects that a crime has been committed and that an in-car camera system may contain relevant information to the crime, should report that suspected crime to the police as soon as possible.

Maintenance shall be carried out on the CCTV system and a certificate of maintenance shall be provided to the Licensing Authority at the time of the renewal of a vehicle licence.

Data protection Act (1998) and Codes of Practice

The owner/proprietor shall ensure that the storage and use of images complies with the requirements of the Data Protection Act (1998) and the information Commissioners Codes of Practice at all times.

Monitoring the use of in-car camera equipment

Any duly authorised Officer of North West Leicestershire District Councils Environmental Health and Licensing team can at any reasonable time and on the production of a warrant card, if requested, examine any in-car camera installation for the purpose of monitoring compliance with the Data Protection Act and Codes of Practice.

In the event of any potential breach being identified, the information commissioner will be informed.

Failure to comply with this code of practice may result in the suspension or revocation of a private hire vehicle licence.

CONVICTIONS, CAUTIONS, AND FIXED PENALTY NOTICES

The proprietor 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 offence 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.

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.

At the time of the grant of a private hire vehicle licence evidence of adequate insurance is required. In the event that a short term cover is in place at the time of grant the licence holder must present a further insurance certificate to the licensing team before the expiry of the cover note. Failure to present an insurance certificate before the expiry of the cover note will result in the licensing team contacting the licence holder requiring evidence of insurance to be produced. This service will be chargeable.

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)

USE OF TRAILERS

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

The luggage trailer must be inspected and approved by the Council's authorised examiners.

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.

No licensed vehicle may tow any trailer unless evidence of valid insurance to cover such use has been produced.

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.

A spare wheel and tyre of the correct size shall be carried at all times when the trailer is in use.

The contents of such trailer must be secured and covered in a proper manner.

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.

CHILD SAFETY

When any child is travelling in the vehicle the child lock on the doors if fitted should be used. The correct child seat will be used.

SIGNS AND NOTICES

Private hire vehicles which can accommodate between 5 and 8 passengers should have suitable signage displayed in 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.

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.

MINIBUSES

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).

RADIO EQUIPMENT

Any radio equipment fitted to the vehicle shall be kept in a safe condition and comply with statutory requirements.

Radio scanners are not permitted.

PASSENGER SAFETY

A proprietor or driver 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.

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 in a serviceable condition.

ANIMALS

No animal belonging to the private hire vehicle proprietor or the driver of the vehicle shall be conveyed in the vehicle.

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.

A proprietor or driver of a private hire 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.

LUGGAGE

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.

Any roof rack 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.

All vehicles shall be loaded with luggage in accordance with the vehicle manufacturer's weight and load specification.

Luggage shall not be carried or stored above the height of the rear seat or on the parcel shelf.

LOSS OF LICENCE

A replacement private hire vehicle licence may be issued upon payment of the relevant fee.

RETURN OF IDENTIFICATION PLATE

On receipt of notice, the proprietor of a private hire vehicle shall 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).

TRANSFER OF VEHICLE

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

PERMITTING OR EMPLOYING ANY OTHER PERSON TO DRIVE

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

NOTES:

- (a) FAILURE TO COMPLY WITH ANY OF THE CONDITIONS ATTACHED TO THIS LICENCE MAY RESULT IN PROSECUTION AND THE SUSPENSION OR REVOCATION OF THE PRIVATE HIRE VEHICLE LICENCE.**
- (b) 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.**
- (c) A private hire vehicle licence is not transferable to another vehicle.**
- (d) No person must act as a driver of a licensed private hire vehicle unless he holds a private hire driver's licence issued by the District Council.**

APPLICATION PROCESS

The Council's licensing team is committed to providing a problem free, speedy application process to all its applicants. The following paragraphs will be of assistance.

Private hire application forms as well as other useful information can be found on the licensing pages of the Council's web site. Application forms can be printed off, manually completed and sent to the Council with the respective fee.

Applications for private hire vehicle licences will only be accepted from licensed private hire drivers or private hire operators.

As stated previously the vehicle subject of the application will be visually examined by a licensing enforcement officer. If the vehicle is of sufficient visual quality an appointment will be made for a mechanical inspection at the Council's depot on Linden Way, Coalville. Appointments can only be made by licensing staff – applicants must not approach the depot directly.

Currently only 13 appointment slots are allocated to vehicle inspections per week and those slots tend to be fully booked towards the end of the month.

All vehicle licences start on the first day of the month and end on the last day, 12 months later. If you submit an application towards the middle of the month you must make staff aware if you want the licence to start on the month following the application otherwise it will start on the first of the month prior to the application.

Staff will deal with all new applications expeditiously but there may be occasions when licences and plates will not be available for collection until the day after an application is determined. An application can only be determined (ie granted or refused) once all the supporting documentation (eg insurance, MOT certificate etc) is received and inspections completed.

A vehicle must not be used as a private hire vehicle until it is fully licensed and the applicant is in possession of the plate.

PRIVATE HIRE VEHICLE – 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.”

The following list of Conditions will apply to your private hire vehicle licence unless otherwise stated. If you contravene any of the conditions it may result in the licence being suspended until the matter is rectified.

If you are aggrieved by any of the conditions attached to this licence you may appeal to a Magistrates’ Court within 21 days of the service of the licence on you (Section 47(3) LGMPA 1976).

1. ADVERTISEMENTS

No third party advertising is permitted on private hire vehicles.

2. 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.

3. EXTERNAL 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.

4. SAFETY EQUIPMENT

Fire extinguisher.

The vehicle shall contain a fire extinguisher which shall meet the requirements of the European standard EN3, and be inside the vehicle when it is in use or available for hire.

The fire extinguisher 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 of the vehicle indicating that a fire extinguisher is contained within.

The fire extinguisher shall be indelibly marked with the vehicle's private hire plate number.

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

The proprietor of the vehicle shall provide a suitable first aid kit in the vehicle at all times.

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.

The first aid kit shall be indelibly marked with the vehicle's private hire carriage plate number.

5. IDENTIFICATION PLATES

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.

6. 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 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.

7. DAMAGE TO VEHICLE

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

The matter must be reported on a Council form provided for that purpose.

8. CUSTOMER SERVICE SIGNAGE (INTERNAL)

A sign (internal plate) showing the number of the licence and 01530 454545 the contact number for the council shall be securely displayed inside the vehicle. A sign must be displayed in a conspicuous position visible to passengers in the front and rear of the vehicle.

The following wording must be included:

You can provide feedback on the vehicle condition or service from the driver by calling North West Leicestershire District Council 01530 454545. Please quote the vehicle licence number.

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').