



HACKNEY CARRIAGE VEHICLE

SCHEDULE OF CONDITIONS OF LICENCE

REVISED NOVEMBER 2008

HUNTINGDONSHIRE DISTRICT COUNCIL

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1. INTRODUCTION

- (a) Pursuant to provisions of the Town Police Clauses Act 1847 and Section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976 (hereinafter referred to as the 1847 Act and 1976 Act), Huntingdonshire District Council has made standard conditions which will apply to all Hackney Carriages which are required to be licensed under Section 37 of the 1847 Act..
- (b) The legislation relating to hackney carriages is contained within the 1847 Act and 1976 Act..
- (c) Further, and in accordance with section 47(1) of the 1976 Act, the Council may attach to the grant of a hackney carriage vehicle licence such conditions as it may consider reasonable necessary.
- (d) It is a criminal offence to use a hackney carriage within the Huntingdonshire District without having a hackney carriage Vehicle Licence.

STANDARD CONDITIONS

2. INTERPRETATION

- (a) For the purpose of these Standard Conditions, the following expressions shall have the meanings hereby assigned to them:-
 - (i) the expressions "proprietor and licensee" shall mean the individual who is granted and holds a Hackney Carriage Vehicle Licence

- (ii) the expression "the Council" shall mean Huntingdonshire District Council, Pathfinder House, St Mary's Street, Huntingdon, Cambridgeshire, PE29 3TN and shall include its duly authorised officers;
 - (iii) words importing the masculine, feminine or neuter genders and any body of persons corporate or incorporate masculine, feminine and neuter genders and any body of persons corporate or incorporate and the singular shall include the plural and the plural the singular unless the contrary as to gender or number is expressly provided or unless the same is inconsistent with the context.
- (b) The headings in these Standard Conditions are provided for ease of reference only and are not to be construed as qualifying, limiting, aiding or otherwise affecting the interpretation of the said conditions or any of them.

3. PENALTIES

If any of these conditions are not complied with then the Council may under Section 60 of the Local Government (Miscellaneous Provisions) Act 1976 suspend or revoke a hackney carriage/private hire vehicle licence.

4. THE VEHICLE

- (1) The vehicle shall meet the following requirements and shall:
- (a) be a purpose built hackney carriage, standard saloon, estate car or multipurpose vehicle (MPV) finished in the manufacturer's standard colour with a minimum of four doors,

or a minibus with no more than eight seats provided for passengers and with such seating arranged so that all passengers can leave the vehicle through appropriate exit doors (one of which must be at the rear of the minibus) without undue delay in an emergency. The aforementioned does not relate to Wheel Chair accessible Vehicles which can be found at Paragraph 5.

- (b) be fitted with an engine the cubic capacity of which is not less than 1300cc;
- (c) have the manufacturer's standard colour for the vehicle maintained without alteration. A vehicle which is painted in two tones of colour will not be licensed unless it can be shown that any paintwork below the centre body moulding of the vehicle is that which is the manufacturer's standard colour for the particular vehicle;
- (d) be not less than 129.5 cm (4ft 3 ins) in width in the rear part of the body. Such measurement shall be taken 15.2 cm (6 ins) below the top and 15.2 cm (6 ins) in front of the rear back seats with both of the rear doors closed;
- (e) have a minimum leg room for passengers using the rear seat of 21.5 cm (8.5 ins), such measurements to be taken from the rear door pillar to the nearest point of the rear squab;
- (f) be fitted with safety glass, ie: glass which does not fly into fragments if fractured and capable of causing severe cuts. The

safety glass shall be replaced as soon as broken, cracked or discoloured. See also condition 32 with regard to tinted windows.

- (g) not be fitted with celluloid or other highly inflammable material;
- (h) apart from the driver's and the specified passenger's seat which must have approved types of seat belts, be provided with a three-point belt, lap belt or a disabled person's belt for any forward-facing seat alongside the driver's seat, not being a specified passenger's seat, and any forward facing seats behind the driver's seat as required by the Road Vehicles (Construction and Use) Regulations 1986.

- (2) Sports salons, drop-head coupes, convertibles or touring cars are not acceptable for licensing as hackney carriages.
- (3) FX4 vehicles (ie: London type taxis) and other purpose built taxis are acceptable for licensing as hackney carriages.

5. WHEELCHAIR ACCESSIBLE VEHICLES

- (1) The vehicle shall meet the following requirements and shall:-
 - (a) be either a London type taxicab or a minibus type vehicle with not more than eight passenger seats and at least four doors (including emergency doors). All vehicles must be manufactured (purpose built) or suitably adapted (converted) to carry wheelchair bound passengers. In addition all vehicles must hold an M1 European Whole Vehicle Type Approval Certificate or achieved a National Low Volume type approval in its final format or has been fully tested to M1 category, such testing having been witnessed by the Vehicle Certification Agency and must

comply with the vehicle specifications laid down by the Council in condition 4 above. The relevant certificate will be required before such a vehicle can be licensed.

- (b) Only vehicles where access and egress for wheelchairs is confined solely to the nearside of the vehicle (or both nearside and offside) will be acceptable. Vehicles having rear passenger access and egress facilities only will not be acceptable.
- (c) All wheel chair access must be through doors which have a minimum height of 1270mm, width 680mm and internal headroom 1320mm.
- (d) Wheelchair passengers must always travel in the correct position as recommended by the vehicle manufacturer.
- (e) Wheelchair accessible vehicles are to display on the rear of the vehicle the standard sign with the symbol of the figure in a wheelchair indicating that the vehicle is wheelchair accessible.
- (f) In the interests of health and safety, proprietors of vehicles are strongly recommended to ensure that all drivers 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.
- (g) If fitted a wheelchair lift must comply with either BS 6109 Part IIA or CE marked in accordance with the EC Machinery Directive (91/368 EEC). Certificates must be produced. The lift must also be manually operative in the event of a breakdown.
- (h) A purposely designed wheelchair single plate access ramp must be permanently stowed in the vehicle in a safe/secure

position so as not to cause a hazard to passengers. Its width must be the same as the door opening. The edges of the ramp are to be highlighted to reduce the risk of trips.

- (i) All steps, ramps and lifts are to have a slip resistant surface.

6. TESTS AND INSPECTIONS

- (1) Before a licence is granted for the use of a vehicle as a hackney carriage, the vehicle shall be tested and inspected to ensure that it is mechanically sound, safe and comfortable.
- (2) Those vehicles which have been granted a hackney carriage licence shall be tested and inspected annually to establish their continued fitness to be used to convey members of the public.
- (3) An authorised officer of the Council, (usually the Licensing Officer), or any constable shall have power at all reasonable times to inspect and test, for the purpose of ascertaining its fitness, any vehicle, or any taximeter affixed to such vehicle, and if he is not satisfied as to the fitness of the vehicle or as to the accuracy of its taximeter he may by notice in writing require the Proprietor to make it or its taximeter available for further inspection and testing at such reasonable time and place as may be specified in the notice and suspend the vehicle licence until such time as such authorised officer or constable is so satisfied.

7. PROVISION OF EQUIPMENT

The Proprietor shall cause to be provided:-

- (1) An external sign on and above the roof of the vehicle showing the word "TAXI" on the side facing the front and the Company's telephone number on the side facing towards the rear of the vehicle. The roof sign shall be of an

appropriate size to enable it to be read clearly from a distance of 13.7 metres (15 yards). The sign shall be so constructed as to be illuminated when the taximeter is not in use and not be illuminated when the vehicle is hired and the taximeter is put into use. In the case of purpose built taxi vehicles eg FX4, a sign bearing the telephone number of the Proprietor, in letters not more than 5cm (2 inches) in height, may be located on the rear windscreen of the vehicle in such a position so that it does not obscure the rear view of the driver;

- (2) When a hackney carriage is provided with a taximeter which is not fitted with a flag or other device bearing the words "FOR HIRE" which may be seen by persons outside the vehicle, a sign marked "FOR HIRE" shall be positioned internally on the fascia below the front windscreen so that the words "FOR HIRE", in plain letters at least 2.5cm (1 inch) in height, shall be visible from outside the vehicle. The sign shall be constructed so that it is illuminated when the vehicle is available for hire and unlit when the vehicle is hired and the taximeter is operated at the beginning of the journey;
- (3) An efficient fire extinguisher carried in such a position in the vehicle as to be readily available for use and within easy reach from the driver's seat;
- (4) A suitable first aid kit containing appropriate first aid dressings and appliances. This equipment shall be carried in such a position in the vehicle as to be readily visible and available for immediate use in an emergency;
- (5) Both the fire extinguisher and first aid kit are to be clearly marked with the hackney carriage vehicles licence plate number
- (6) A taximeter as detailed at Condition 8 below.

8. TAXIMETER

The proprietor shall provide a taximeter to be constructed, attached and maintained as to comply with the following requirements:-

- (1) Before a taximeter can be replaced, the proprietor is to obtain authorisation from the Council's Licensing Office.
- (2) The taximeter shall be so constructed and fixed to the vehicle so that it is not possible for any persons manually to alter the tariff rate without breaking the seals affixed thereto;
- (3) The taximeter shall be fitted with a key, flag or other device the operation of which will bring the machinery of the taximeter into action;
- (4) Such key, flag, or other 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;
- (5) When the machinery of the taximeter is in action, there shall be recorded on the face thereof in figures clearly legible and free from ambiguity the 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 distance;
- (6) The word "FARE" shall be printed on the face of the taximeter in plain letters so as to clearly apply to the fare recorded thereon;
- (7) The taximeter shall be so placed that all the letters and figures on the face thereof shall be at all times visible to any person being conveyed in the vehicle and for that purpose the letters and figures shall be suitably illuminated during any period of hiring;
- (8) The taximeter shall record the table of fare approved by the Council and no others;

(9) The Council's table of hackney carriage fares is to be prominently displayed inside the hackney carriage and in the view of persons carried.

9. HACKNEY CARRIAGE LICENCE PLATE

(1) A valid licence plate identifying the vehicle as a hackney carriage must be exhibited on the vehicle. It shall be securely fixed externally to the rear of the vehicle in a conspicuous position on or above the bumper so that all particulars thereon are clearly visible from the nearside of the road. They are not to be placed in rear windows or obscured in anyway by tow bars or any other item. The plate is to be fixed in such a manner to be easily removable by an authorised officer of the Council or a constable and such plate shall continue to be fixed to the vehicle throughout the currency of the licence.

(2) the licence plate shall be replaced should it be damaged or marked in any way that renders it illegible or unsightly in appearance.

10. WINDSCREEN NOTICE

The Proprietor shall ensure that the notice bearing the licence plate number supplied by the Council is displayed and maintained on the interior of the front windscreen of the vehicle clearly visible at all times to persons conveyed in the vehicle.

11. COMMUNICATION WITH THE DRIVER

The Proprietor shall provide sufficient means by which any person in the vehicle may communicate with the driver.

12. CONDITION OF THE HACKNEY CARRIAGE

The Proprietor shall ensure that his vehicle:-

(1) Is maintained in a clean condition, both internally and externally, and in every way fit for public service and shall at all times be maintained in a sound and roadworthy mechanical condition.

- (2) Is watertight;
- (3) The windows providing ventilation must be capable of being opened and closed by passengers so that they can adjust the openings as they wish.
- (4) Has properly cushioned seats which are maintained free from dust and have any holes caused by passenger damage repaired promptly;
- (5) Has the floor covered with proper carpet, mats or other suitable covering;
- (6) Has suitable luggage accommodation and means for securing luggage;
- (7) Has a separate means of ingress and egress for the driver.

13. USE OF TWO WAY RADIOS, CAR TELEPHONES AND MOBILE PHONES

- (1) Two way radios, car telephones and mobile phones may be installed in vehicles subject to the following:-
 - (a) only 'hands free' equipment may be fitted.
 - (b) the equipment must be installed so that it is not a danger to passengers or the operation of the vehicle;
 - (c) no wiring is permitted beneath the vehicle, the floor coverings or entrance treadplates. It should be routed as far as possible beneath the headlining. All wiring must be suitably secured and the power supply adequately fused;
 - (d) suitable mounting positions should be selected and used for the 'hands free' equipment, where appropriate;
- (2) The proprietor shall ensure that drivers are warned that:-
 - (a) they should not make outgoing calls whilst the vehicles are in motion;
 - (b) passengers may make outgoing calls whilst the vehicles are in motion;
 - (c) when a call is received while a vehicle is in motion and no passengers are being carried the caller should be advised to call back later or told that their call will be returned. Calls received whilst the vehicle is in

motion should not be prolonged and should be terminated as soon as possible so that there is no danger to road safety; and

(d) on no account shall they use two way radios, car telephones or mobile phones other than hands free sets whilst driving and the vehicles are in motion.

(3) No advertisements, stickers or other medium which indicate the presence of car telephone or mobile phone equipment are to be displayed in the vehicle.

(4) The car telephone or mobile phone number is not to be displayed on any signs attached to the vehicle nor in any advertising material used by the proprietor including those business cards he uses to present to the passengers on the completion of journeys or on request.

14. WINDOW BLINDS

Plain window blinds may be fitted to a vehicle to shield passengers from the sun. Blinds with any pictures, cartoons or advertising materials printed on them will not be permitted.

15. TRANSFER OF HACKNEY CARRIAGE TO ANOTHER PERSON

If the proprietor of a hackney carriage in respect of which a vehicle licence has been granted by the Council transfers his interest in the vehicle to a person other than the proprietor whose name is specified in the licence, he shall within fourteen days after such transfer give notice in writing thereof to the Council specifying the name and address of the person to whom the hackney carriage has been transferred.

16. PERSON ACQUIRING AN INTEREST IN A HACKNEY CARRIAGE

The proprietor shall notify the Council, in writing within seven days, the name and address of any person who acquires an interest in keeping, employing or letting

for a hackney carriage for which a vehicle licence has been granted to him by the Council.

17. CHANGE OF ADDRESS AND TELEPHONE NUMBER

The proprietor shall notify the Council in writing of any change of his address or telephone number (or if the proprietor is a company or partnership, of any change in address or telephone number of the company or partnership) within seven days of the change.

18. CONVICTIONS

The proprietor shall notify the Council of any offence of which he has been convicted (or if the proprietor is a company, any convictions of directors or partners) within seven days of the conviction.

19. SURRENDER OF HACKNEY CARRAIGE LICENCE PLATE

The proprietor of any hackney carriage is required to surrender the vehicle licence plate on revocation or expiry or suspension of the licence or when the vehicle is off the road for any length of time (refer also to condition 21).

20. PLATE NOT IN USE, SALE AND SUBLETTING

If the plate is not in use the proprietor must immediately notify the Council. Once notification has been received by the Council, the proprietor will have 28 days to licence a new vehicle. If after 28 days a new vehicle has not been licensed, the Council will issue proper notice for the return on the plate. The proprietor is not permitted to sell an unused plate as it always remains the property of the Council, unless transferring his interest (see condition 16 above). The proprietor is not permitted to sublet an unused plate.

21. DEPOSIT OF DRIVER'S LICENCES

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

22. CONVEYANCE OF DEAD BODY

When a passenger dies in a vehicle, a proprietor in whose vehicle the dead body is conveyed shall ensure that the Council's Assistant Director of Environmental Health is notified by himself or the driver of the vehicle concerned as soon as possible.

24. DURATION OF LICENCE

The hackney carriage licence may be renewed for a period of twelve months (the licensing period) and shall remain in force unless suspended or revoked during the licensing period.

24. INSURANCE

- (1) The proprietor shall ensure that during the currency of the licence, the vehicle is at all times insured for public hire use.
- (2) The proprietor shall arrange for a vehicle insurance indemnification certificate to be completed by the company or broker who has arranged insurance in respect of his vehicle and forward the certificate to the Council, as required, to show continuous cover is being provided for the vehicle.
- (3) If the proprietor changes the insurer during the currency of the licence, he is to notify the Council of the change within 48hrs of that change taking place and present to the Council a copy of the new certificate of insurance.

- (4) Proprietors are to ensure insurance certificates and cover notes are retained for a period of at least 6 months after the date of expiry for production on request to an authorised officer of the Council

25. CERTIFICATES OF COMPLIANCE

The proprietor shall ensure that during the currency of the licence, a valid certificate of compliance has been issued by the Council's testing centre.

26. SIGNS, NOTICES AND ADVERTISING

In addition to the signs referred to in condition 7(1) and the wind screen notice in condition 11 the following signs are permitted:

- (1) The licence plate identifying the vehicle as a hackney carriage (as detailed at condition 10).
- (2) The personal or trade name and telephone number of the firm as indicated below:
 - (a) For vehicles with less than 6 passenger seats, the lettering on the signs and notices shall not exceed 5cm (2 inches) in height).
 - (b) Larger signs for vehicles with 6 to 8 passenger seats may be used, however all proposed signs and notices must be submitted for approval to the Council's Head of Administration.
- (3) Advertisements are permitted on, in or from the vehicle and must be submitted to the Council's Head of Legal and Democratic Services for approval on a case by case basis. The Council will not normally approve any advertisements which depict the following:
 - (a) Political, ethnic or religious messages or content which is contrary to the Council's Single Equality Scheme.

- (b) Sexual content.
 - (c) Indecent material or content likely to offend public taste.
 - (d) The promotion of the sale or consumption of tobacco products.
 - (e) The promotion of the sale or consumption of alcohol.
 - (f) Any words or image that may indicate that a Private Hire Vehicle is a Hackney Carriage.
 - (g) Gambling.
 - (h) Encouragement of unlawful or anti-social behaviour.
- (4) Any advertisement must not obscure or detract from the Council's vehicle identification materials required to be fitted to the vehicle by the conditions relating to hackney carriage and private hire vehicles. Advertisements may not be placed on the front offside and nearside doors.
- (5) The Proprietor of the vehicle is to ensure that if fitted any digital in car advertising equipment does not emit any sound and can be easily operated by the driver. Screens must not exceed 7 inches in size.
- (6) Advertising must comply with the British Code of Advertising Practice issued on behalf of the Advertising Standards Authority and compliance with Trading Standards Legislation. It will be the responsibility of the agency or individual seeking the Council's approval to ensure that this is the case.
- (7) No smoking signs as required by The Health Act 2006 (Smoke free legislation) shall be displayed in each compartment of the vehicle in which people are carried.

27. BOOKING OFFICE AND/OR WAITING ROOM

Any premises which the proprietor provides for public access, for the purpose of booking or waiting, shall be kept clean, adequately neat, ventilated, well lit and smoke free at all times in accordance with the Health Act 2006. Adequate seating facilities are also to be provided in any waiting room.

28. ACCIDENTS

(1) The proprietor shall report to the Council as soon as reasonably practicable, and in any case within 72 hours of the occurrence thereof, any accident involving a vehicle causing damage materially affecting the safety, performance, or appearance of the vehicle or the comfort or convenience of persons carried therein.

(2) In the case of serious damage to the structure or bodywork of the vehicle, the proprietor shall inform the Council when repairs have been effected so that the vehicle may be tested and inspected to establish that its condition is satisfactory for continued use as a hackney carriage.

29. ALTERATION OF VEHICLE

No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time whilst the licence is in force (see also condition 32).

30. SMOKEFREE VEHICLES

(1) The Health Act 2006(Smoke free legislation) required proprietors of hackney carriages to ensure that their vehicles remain smoke free at all times, even when the vehicle is not being used for licensed purposes.

The law applies to anything that can be smoked. This includes cigarettes, pipes (including water pipes such as shisha and hookah pipes) cigars and herbal cigarettes.

- (2) Proprietors are to ensure that the appropriate no smoking sign is prominently displayed in each compartment of the vehicle in which people can be carried. Failure to comply with the requirements of the aforementioned Act will be a criminal offence.

31. TINTED WINDOWS (see also condition 30)

- (1) Vehicles first used before 1 April 1985, the windscreen and front side windows must allow at least 70% of light to be transmitted through them.
- (2) Vehicles first used on or after 1 April 1985, the windscreen must allow at least 75% of the light to be transmitted through them whilst the front side windows must allow at least 70% of the light to be transmitted through them.
- (3) If the glass is tinted to a point whereby it lets through less light, then the vehicle does not meet legal requirements.

32. SPACE SAVER WHEELS

The use of a space saver wheel in place of a spare wheel is permitted, as long as it is a manufacturer's standard fitment for the vehicle and is only used in accordance with the manufacturer's guidance.

33. LIQUEFIELD PETROLEUM GAS (LPG) CONVERSIONS

Vehicles must comply with the following:

- (1) All LPG vehicle conversions must have been carried out by a (Liquefield Petroleum Gas Association) LPGA Approved installer and the vehicle proprietor issued with an LPG Conversion Certificate which must be produced when applying for either a Hackney Carriage or Private Hire Vehicle Licence.
- (2) The vehicle must display on the front and rear screens, a sticker stating that the vehicle has been fitted with an LPG tank for the purpose of alerting the

emergency services in the event of an accident.

- (3) The LPG system is to be inspected annually by an LPGA approved installer.
- (4) The Proprietor of the vehicle is to notify DVLA SWANSEA of the change in fuel to LPG.
- (5) The proprietor of the vehicle is to immediately notify his insurance company of its modification to run on LPG.
- (6) If the tank containing the LPG is located within the spare wheel well of the vehicle then the spare wheel must be securely fixed in the boot of the vehicle.

34. RIGHT OF APPEAL

Under Section 47(1) of the 1976 Act, any person aggrieved by the refusal of the Council to grant a Hackney Carriage Vehicle Licence, or by any conditions specified in such a licence, may appeal to a Magistrates' Court.

NOTE: FAILURE TO COMPLY WITH THESE CONDITIONS MAY RESULT IN THE COMMENCEMENT OF CRIMINAL PROCEEDINGS, AND/OR IN THE SUSPENSION OR REVOCATION OF AN EXISTING LICENCE, OR IN THE REFUSAL TO ISSUE A NEW LICENCE.