

HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS

1. The Licence

In this licence:

- 'the Council' or 'Licensing Authority' means the Barrow Borough Council;
- 'the 1976 Act' means the Local Government (Miscellaneous Provisions) Act 1976;
- 'the 1847 Act' means the Town Police Clauses Act 1847; and
- 'the vehicle' means the licensed hackney carriage.

- 1.1. This licence shall continue in force for a period of one year unless suspended or revoked.
- 1.2. The vehicle must meet the Council's Hackney Carriage Vehicle Specification, at all times.
- 1.3. In addition to the conditions below, licence holders must also comply with the provisions of the Hackney Carriage Bye-laws.

2. Vehicle type and design

- 2.1. No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made subsequent to the inspection of the Council approved testing stations at any time while the licence is in force.
- 2.2. The colour of the vehicle must not be altered during the period that the vehicle is licensed.

3. General condition, cleanliness and appearance of vehicle

- 3.1. Every vehicle must be maintained in a safe and clean condition at all times and is subject to such examinations as are required by the Council.
- 3.2. Seats must still be fully 'sprung', free of stains, tears, cigarette burns or repair, and not threadbare. Floor coverings must not be unduly worn and present no trip hazards. Household carpeting or similar is unacceptable and must not be used. Upholstery (headlining and side panel coverings) must be free of ingrained grime, fractures and maintained in the manufacturer's original style.
- 3.3. Luggage and storage areas must be kept as free space for passengers luggage, unless previously agreed by the Council.
- 3.4. If at any time the vehicle is involved in a road traffic collision, the vehicle proprietor must inform the Council as soon as possible and in any event within 72 hours, by completing the Council's accident report form.

- 3.5. If the vehicle is so damaged that it cannot be driven, then the proprietor must inform the Council of this fact – the Council will then advise the proprietor of the action to be taken. In such cases the proprietor is advised to take photographic evidence of the vehicles condition that clearly illustrates the reasons why the vehicle cannot be driven/presented for examination.
- 3.6. All repairs must be carried out without undue delay and may require the vehicle to be inspected by a Council officer.
- 3.7. Bodywork must be maintained to a good condition, free of damage, paintwork must be sound and well maintained and free of corrosion, inferior re-spray work and `cover up` temporary repairs.
- 3.8. The proprietor/driver employed to drive the vehicle must ensure that the licensed vehicle has a daily safety check. As a minimum this should be a visual check on all lights, oil, water, tyres, mirrors and seat belts.

4. Identification plate, signs, notices etc

4.1. The following must be in place at all times:

- (a) A licence plate permanently affixed to the rear nearside of the vehicle
- (b) A licence plate permanently affixed to the front nearside of the vehicle
- (c) If the Hackney Carriage is undertaking Private Hire work they must also advertise the firm of whom they are operating for, by displaying magnetic / permanent door signs on the rear doors of the vehicle.
- (d) The roof sign on a hackney carriage **MUST** be yellow or white in colour and display the word "TAXI or FOR HIRE" to the front of the sign and be, when illuminated, red to the rear and display the words "TAXI or FOR HIRE", the colour of the text shall be black. This sign must be connected to the hackney meter whereby when the carriage is plying for hire the sign will be illuminated and be extinguished when the hackney carriage is hired and the meter is set.
- (e) A minimum of one no smoking sign must also be displayed.

4.2. The signs and plates referred to above will be issued or approved for use by the Council.

The signs and plates must be affixed to the vehicle in accordance with the requirements set out by the Council.

- 4.3. No other signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever displayed on, in or from the vehicle except as may be required by any statutory provision or required or permitted by these conditions. However, this condition will not apply to any indication on a taximeter fitted to the vehicle.
- 4.4. The vehicle must display a notice detailing how passengers can make a complaint about the driver/vehicle to the Licensing Authority.

- 4.5. At times of significant importance (i.e., Christmas, Remembrance Day) vehicles are permitted to adorn the inside of their vehicle with minimal decorations. Decorations must not cause a visual distraction to the travelling public or driver. If vehicle proprietors wish to add further decorations, a request must be made in writing to the Public Protection Manager at least one month prior to the proposed fitting of the decorations. The Public Protection Manager may refer the matter to Licensing Regulatory Sub-Committee.
- 4.6. No lights, flashing or otherwise are permitted inside or outside of the vehicle, save those fitted at time of the vehicle manufacture.
- 4.7. In certain circumstances (such as cases of executive hire), the Council will permit a deviation from these conditions – however a request for such a deviation will need to be made in writing to the Public Protection Manager and may be referred to Licensing Regulatory Sub-Committee.

5. Equipment and fittings

- 5.1. The vehicle and all its fittings and equipment must, 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 must be fully complied with.
- 5.2. The vehicle must carry at all times one 1kg Fire Extinguisher of the BCF or dry powder type which is in-date, maintained in good working order and fitted in the driver's compartment of the vehicle or in the rear of the vehicle in a convenient, safe and visible position. The extinguisher should only be used to assist in the evacuation of the vehicle. and one fully equipped first aid box containing appropriate dressings and appliances for immediate use in an emergency. The kit carried is to ensure compliance with the Health and Safety (First Aid) Regulations 1981 which requires employers to provide a first aid kit to enable employees to receive first aid if they become injured at work and self-employed persons to provide first aid to themselves whilst at work . Both clearly labelled with the vehicle licence number, e.g. HV123 / PV456.
- 5.3. Where vehicles are fitted with CCTV, the vehicle proprietor must notify the Council within 3 working days of it being installed.

6. Meters, fares and tariffs

- 6.1. A meter must be installed in accordance with the manufacturer's instructions, tested and verified by the Council. The tariffs with which the meter has been calibrated must be displayed in the vehicle in such a position as to be visible to passengers. Such a table must show full particulars of all tariffs calibrated on the meter.
- 6.2. A notice must be displayed within the vehicle in such a position as to be visible to passengers stating that if the meter is not used, the fare should be agreed between the passenger(s) and the driver before commencement of the journey. Any fare agreed in this way must be the fare that is charged at the end of the journey, unless the customer agrees to it being varied.

- 6.3. A hackney carriage must always use its meter for all journeys, unless the fare has been agreed prior to the journey commencing. No pre agreed price can be charged that is higher than that displayed on the meter, within the Barrow Borough Council district.
- 6.4. If a fare has not been agreed between the driver (operator) and the customer then the fare charged must be that which is shown on the meter (if fitted). A statement to this effect must be made on the notice referred to in the point listed above.

7. Seats and Passengers

- 7.1. The proprietor must not allow a greater number of passengers to be carried in the vehicle than the number specified in the licence.
- 7.2. Where the seating in the licensed vehicle can be re-arranged, the proprietor must ensure that no more seats than are stated on the licence, including wheelchair(s), are fitted in the vehicle whether occupied or not. Once the vehicle has been tested and approved by the Council the seating layout must not be altered without further approval except for temporary accommodation of a wheelchair in vehicles approved for such purpose.

8. Wheelchair passengers

- 8.1. Wheelchair bound passengers must face either forward or rearward to the direction of travel. Rearward facing wheelchairs must be appropriately secured against a bulkhead. Occupied wheelchairs must be restrained by a suitable method.
- 8.2. A full static harness or a lap and diagonal inertia-reel belt must be available for each wheelchair passenger. Whichever type of restraint is used it must engage into the same floor tracking as the wheelchair restraints or other system as approved by the Council. Such equipment must be fully adjustable for the safety and comfort of the wheelchair passenger and capable of quick release in an emergency situation.

9. Communication equipment

- 9.1. Radio communication equipment may be fitted for use in connection with the private hire operators' base station, and for personal use.
- 9.2. Equipment fitted for the use of the driver to receive information on bookings must be fitted securely in the vehicle and in a manner which does not obstruct the view of the driver through the windscreen. Any wires used for connection of the equipment must not be left in a dangerous manner.

10. Insurance and insurance cover

- 10.1. Public Hire and Private Hire, if undertaking private hire work, insurance which complies with Part VI of the Road Traffic Act 1988 must be in force at all times for the duration of the licence.

10.2. Any change in respect of the insurance must be notified to the Council, including any change of policyholder(s). The Council will require production of satisfactory documentation from the insurance company/broker confirming that although the vehicle is owned by the proprietor the insurance affected by the policyholder is nevertheless fully effective for public hire / private hire purposes.

11. Convictions

11.1. The proprietor of a hackney carriage vehicle must notify the Council in writing within 48 hours and provide full details of any conviction, binding over, caution, warning, reprimand, interview under caution or arrest for any matter (whether or not charged) imposed on him/her (or, if the proprietor be a company or partnership, on any of the directors, partners or secretary) during the period of the licence.

12. Transfer of vehicle and Control of vehicle

12.1. The licence holder must ensure that he has control of the vehicle at all times.

12.2. The proprietor must not assign or in any way part with the benefit of the licence without notifying the Council and effecting a formal transfer within 14 days. The proprietor must return the plate and the licence to the Council immediately if the vehicle is sold or otherwise disposed of without such transfer having first been affected.

13. Change of address

13.1. The Proprietor shall within 48 hours of any change of address of the place where a vehicle is kept when not in use, notify the Council in writing of the new address and further shall at every address where a vehicle is so kept if so required by the Council afford to them such facilities as may be reasonably necessary to enable them to cause the vehicle to be tested there.

13.2. Any notice required to be served by the Council under this licence or under any of the provisions of the Acts shall be deemed to have been properly served if sent by them by prepaid post to or left at the last known address of the holder of the licence.

14. Renewal applications

14.1. Applications to renew this licence will only be accepted by the Licensing Authority up to 30 days before expiry, although you must submit your renewal application at least 7 days before its expiry.

14.2. It is the licence holder's responsibility to ensure that licences are renewed prior to their expiry.

14.3. Should your application for renewal be submitted after the licence expiry, a new application must be submitted to the Licensing Authority.