

Meeting of:	<b>Public Protection Licensing Committee</b>
Date of Meeting:	<b>Tuesday, 14 May 2024</b>
Relevant Scrutiny Committee:	Homes and Safe Communities
Report Title:	Proposed Amendment to both the Hackney Carriage and Private Hire Vehicle Conditions Following Consultation
Purpose of Report:	To seek approval to amend the Hackney Carriage and Private Hire Vehicle Licence Conditions following consultation with the taxi and private hire trade on the proposed amendments
Report Owner:	Miles Punter, Director of Environment and Housing
Responsible Officer:	Kirsty Evans, Licensing Team Manager
Elected Member and Officer Consultation:	None
Policy Framework:	This is a matter for the Public Protection Licensing Committee
Executive Summary:	<p>This report is to seek approval to amend the Hackney Carriage and Private Hire Vehicle Licence Conditions.</p> <p>The proposed amendments are to increase the amount of time proprietors have to present their vehicle for testing on the renewal of their licence. Currently they have 10 working days to present their vehicle for testing, the proposal is to increase this to one month which will bring this in line with current MOT testing arrangements for all vehicles.</p>

## Recommendations

1. It is recommended that the Committee consider the contents of the report and resolve to amend condition 33 of the Hackney Carriage Vehicle Licence Conditions along with condition 38 of the Private Hire Vehicle Licence Conditions with immediate effect to:

### Inspections

*The vehicle shall be presented for examination on application for a renewal of licence. Vehicles will be accepted for testing for the renewal of a licence up to **one month prior to the expiry of the licence.***

*The vehicle shall also be presented for examination on request by the Licensing Authority during the course of the licence.*

*This condition is without prejudice to the powers in the Local Government (Miscellaneous Provisions) Act 1976.*

## Reasons for Recommendations

1. The recommendation to amend the amount of time proprietors have to present their vehicle for testing on renewal of licence will bring the testing arrangements in line with current MOT procedures for all vehicles.

This will not only ensure proprietors have ample time to arrange for the testing of vehicles, it will allow greater flexibility for proprietors when failures in testing arise. In turn this could mean more licensed vehicles on the road due to strengthening the procedure for testing.

## 1. Background

- 1.1 Under the Local Government (Miscellaneous Provisions) Act 1976, the Council may attach any conditions to the grant of a Hackney Carriage Vehicle Licence and Private Hire Vehicle Licence that they consider reasonably necessary. Conditions of licence are essential to promote public safety.
- 1.2 The Vale of Glamorgan Council's current Hackney Carriage Vehicle Licence Conditions are detailed in *Appendix A* of this report and the Private Hire Vehicle Conditions in *Appendix B*.
- 1.3 The current condition relating to presenting vehicles for testing for both the Hackney Carriage Vehicle Licence Conditions and the Private Hire Licence Conditions states:

### “Inspection

*The vehicle shall be presented for examination on application for a renewal of the licence. The vehicle shall also be presented for examination at such other times and at such places as required by the Licensing Authority. Vehicles will be*

*accepted for testing up to ten working days prior to and including the exact date on which the test is required. This condition is without prejudice to the powers in the Local Government (Miscellaneous Provisions) Act 1976.”*

## **2. Key Issues for Consideration**

**2.1** Currently proprietors may present their vehicle for testing no more than 10 working days before the expiry of their licence. This can often be an issue when failures occur during testing and leaves proprietors little time to rectify any faults and find another testing date before the expiry of their licence.

**2.2** It is proposed that condition 33 of the Hackney Carriage Vehicle Licence Conditions and condition 38 of the Private Hire Vehicle Licence Conditions are amended to:

### Inspections

The vehicle shall be presented for examination on application for a renewal of licence. Vehicles will be accepted for testing for the renewal of a licence up to **one month prior to the expiry of the licence.**

The vehicle shall also be presented for examination on request by the Licensing Authority during the course of the licence.

This condition is without prejudice to the powers in the Local Government (Miscellaneous Provisions) Act 1976.

**2.3** This will bring the testing arrangements in line with current MOT procedures for all vehicles. It is thought that this will not only benefit proprietors but will also reduce pressure on the Licensing Section. Officers have consulted with the management at the Alps testing station and they support this proposal as it will allow greater flexibility to fit vehicles in for testing when their licence is due to expire.

**2.4** During the last Public Protection Licensing Committee meeting members resolved that a 14-day consultation should take place on the proposed amendment with the taxi and private hire trade within the Vale of Glamorgan Council.

The consultation took place between 10 April 2024 and 23 April 2024. One response was received from a private hire operator which detailed their support for the proposal. The response stated:

*“We think this is a good idea and are on board with it.”*

### **3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?**

- 3.1** This report has been screened for evidence of the Five Ways of Working and how it may contribute to our Well-being Objectives.
- 3.2** Prevention and collaboration: the purpose of this regulatory function is to protect the public and ensure businesses comply with licence terms and conditions. The proposal supports a Welsh Government initiative.

### **4. Climate Change and Nature Implications**

- 4.1** None.

### **5. Resources and Legal Considerations**

#### **Financial**

- 5.1** There are no financial implications arising directly from this report.

#### **Employment**

- 5.2** None.

#### **Legal (Including Equalities)**

- 5.3** Under the Local Government (Miscellaneous Provisions) Act 1976, the Council may attach any conditions to the grant of a Hackney Carriage Vehicle Licence and Private Hire Vehicle Licence that they consider reasonably necessary. Conditions of licence are essential to promote public safety.

### **6. Background Papers**

None.



## Vale of Glamorgan Conditions for Hackney Carriage Vehicles

1. The proprietor shall at all times comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976, the Town and Police Clauses Act 1847, the Council's byelaws for the time in force and the conditions hereinafter provided..

### Definitions

2. In these conditions the following definitions as defined in section 80 of the Local Government (Miscellaneous Provisions) 1976, apply:
  - (a) 'authorised officer' means any officer of a district council authorised in writing by the council for the purposes of this Part of this Act.
  - (b) 'the Licensing Authority' means the Vale of Glamorgan Council Licensing Authority.
  - (c) 'Council' means the Vale of Glamorgan Council.
  - (d) 'the proprietor' includes a part-proprietor and, in relation to a vehicle which is the subject of a hiring agreement or hire-purchase agreement, means the person in possession of the vehicle under that agreement.
  - (e) 'taximeter' means any device for calculating the fare to be charged in respect of any journey in a hackney carriage or private hire vehicle by reference to the distance travelled or time elapsed since the start of the journey, or a combination of both.
  - (f) 'vehicle' means a hackney carriage vehicle as defined by section 38 of the Town and Police Clauses Act 1847, which is *"every wheeled carriage, whatever may be its form or construction, used in standing or plying for hire in any street within the prescribed distance, and every carriage standing upon any street within the prescribed distance, having thereon any numbered plate required by this or the special Act to be fixed upon a hackney carriage, or having thereon any plate resembling or intended to resemble any such plate as aforesaid, shall be deemed to be a hackney carriage within the meaning of this Act; and in all proceedings at law or otherwise the term 'hackney carriage' shall be sufficient to describe any such carriage."*

### Type of Vehicle

3. The vehicle shall be suitable in type and design for use as a hackney carriage vehicle. Any dispute to be decided by the Licensing Authority.
4. With the exception of London style taxis, all vehicles shall be white with a black bonnet. No alteration shall be made to the colour of the vehicle without the prior written approval of the Licensing Authority.
5. The vehicle shall be kept in good repair and condition at all times to the satisfaction of the Licensing Authority.
6. The interior and exterior of the vehicle (including the windows, signs, advertisements and fittings) shall be kept clean and maintained fit for public service at all times.

## **Window Licence and Licence Plate**

7. The vehicle licence plate or disc shall remain the property of the Licensing Authority and shall be returned to the Licensing Authority on the revocation, suspension or non-renewal of this licence or if the vehicle is destroyed or ceases to be used as a hackney carriage.
8. The proprietor shall at all times ensure that there shall be clearly displayed on the left hand side of the windscreen of the vehicle in such a position that it can be easily seen from the front of the vehicle, the window licence issued by the Licensing Authority indicating that the vehicle is licensed as a hackney carriage.
9. The licence plate must be permanently affixed to the outer rear of the vehicle's bodywork or to the rear bumper with the fixing kit supplied by the Licensing Authority at the proprietor's own expense. The identification plate must be clearly visible to the driver of a following vehicle and must not obscure the registration plate of the vehicle.
10. The proprietor and/or driver shall at all times ensure that there shall be clearly displayed on the centre or upper part of each front door of the vehicle, the adhesive hackney carriage identification sticker supplied by the Licensing Authority. The stickers must be permanently fixed to each door with the identification sticker's adhesive backing.
11. The door stickers shall not be altered or defaced in any way.

## **Maximum number of passengers**

12. The number of passengers to be carried in the vehicle at any one time shall not exceed the maximum permitted number as specified by the Licensing Authority.

## **Roof Sign**

13. All vehicles (except the London type taxis) shall be fitted with an illuminated roof sign of a design approved in writing by the Licensing Authority indicating on the front of the sign in black letters of the same type and size either "TAXI FOR HIRE" or "FOR HIRE" and the licence number to the rear and be capable of indicating clearly to persons outside the vehicle whether or not the vehicle is for hire. The size of the letters and numbers on the roof sign must be to the satisfaction of the Licensing Authority.
14. All illuminated signs shall be connected to the taxi meter and operate so that the sign light is extinguished when the meter is in operation.
15. The vehicle shall be fitted with a switch on or near the dashboard or on the meter to enable the driver of the vehicle to extinguish the sign light when the vehicle is not plying for hire.

## **The Meter**

16. The meter fitted to all hackney carriage vehicles shall be calibrated to include only Vale of Glamorgan Council tariffs applicable to the number of passengers permitted in that vehicle.
17. The proprietor shall produce annually to the Licensing Authority a certificate issued by a meter installer approved by the Licensing Authority stating that the meter is accurate and contains only the current Vale of Glamorgan hackney carriage tariff.

## Fare Table

18. The Proprietor shall ensure that a fare table is carried in the licensed vehicle at all times and shall be produced to passengers on request.

## Specification of vehicle

19. The vehicle must comply with the following requirements:
- (a) **Construction** - The vehicle must be constructed and maintained so as to be safe and comfortable and have doors of such width and which open sufficiently to allow easy access into and out of the vehicle. All vehicles shall be fitted with a right hand drive and four doors with the exception of the minibus type of vehicle, which should have a minimum of two doors provided for the exclusive use of passengers. Minibus type vehicles with one door for the exclusive use of passengers must have the door on the nearside of the vehicle. All doors will have an interior release handle.
  - (b) **Access and Egress** - Access and egress to and from the rear most seats in multi person vehicles should be clear and unobstructed where possible. In those vehicles where seats must be moved to allow passengers to vacate the rear most seats, the seats must be maintained to the highest standard to ensure the easy and immediate egress of passengers in an emergency.
  - (c) **Height (inside)** - The height above the front and rear seats of the vehicle measured from the top of the seat cushions to the roof must be of a suitable distance to the satisfaction of the Licensing Authority.
  - (d) **Knee space** - The distance between the rear of the front seats and the front edge must be to the satisfaction of the Licensing Authority. Front seats must have a suitable amount of knee space which must be to the satisfaction of the Licensing Authority.
  - (e) **Seats** - Must not be sideways facing to the direction of travel and all will comply with seatbelt regulations.
  - (f) **Front Seat** - The length of the front seat measured along the centre of the seat must be to the satisfaction of the Licensing Authority. The width of the front seat from the back to the front edge must be to the satisfaction of the Licensing Authority.
  - (g) **Seats (width)** - The width of the rear seat from the back to the front edge must be to the satisfaction of the Licensing Authority.
  - (h) **Rear seat (length)** - The length of the rear seat measured along the centre of the seat must be to the satisfaction of the Licensing Authority.
  - (i) **Body shell/structure** - Including doors, panels, wings bumpers to be in good condition, free from rust, holes, broken metal or any other visible damage to the satisfaction of the Licensing Authority.
  - (j) **Seat coverings** - To be in good condition, clean and free from any tears, damage, grease or any other contamination to the satisfaction of the Licensing Authority.
  - (k) **Floor coverings** - To be in good condition, clean and free from any contamination to the satisfaction of the Licensing Authority.
  - (l) **Interior trim** - To be in good condition, clean and free from any tears, damage, grease or any other contamination to the satisfaction of the Licensing Authority.
  - (m) **Door hinges and locks** - To be in good order all working, and doors to be seated correctly when closed.
  - (n) **Windscreen and windows** - To be in good clean condition to the satisfaction of the Licensing Authority.
  - (o) **Oil leaks** - Engine to be free from oil leaks.
  - (p) **Under seal** - Shall not extend beyond the upper limit of the sill on any vehicle unless applied as part of the original manufacturing process.

## **Spare wheel, brace and jack**

20. Each vehicle is to carry a spare wheel and tyre, jack and brace, or a suitable puncture repair kit. Any spare wheel and tyre should be in good condition and must not be carried free in the boot or luggage compartment. The spare wheel and tyre should be carried in the well or compartment provided and be fastened down securely to the satisfaction of the Licensing Authority, so as not to cause a potential hazard to passengers.

## **Boot or luggage compartment**

21. Vehicles shall have adequate space for luggage, which shall either be in the form of a separate luggage compartment or an area where luggage can be properly restrained in the event of an accident or emergency stop.

## **Interior and exterior fittings**

22. No fittings or signs to be attached inside or outside vehicles unless approved by the Licensing Authority.
23. The proprietor shall in a multi passenger vehicle display appropriate notices indicating to passengers how best to leave the vehicle in the case of an emergency including how to lower seat backs or move seats if necessary.

## **Trailers**

24. Trailers may not be used in conjunction with a hackney carriage vehicle without the prior written approval of the Licensing Authority.
25. Any trailer used for the conveyance of luggage shall be submitted for testing at the same time as the vehicle.
26. The trailer shall be fully covered for protection against wind and rain penetration and secured for the protection of the luggage carried.
27. The trailer must be covered by a policy of insurance.
28. The trailer must display a duplicate number plate and private hire plate to the rear which will be supplied by the Licensing Authority at the proprietor's own expense.
29. The trailer shall be of an approved type indicating unladen weight, gross weight, manufacturer's details and that the trailer is suitably braked.
30. Where a trailer is attached to a vehicle for the conveyance of luggage or any other reason the proprietor shall ensure that the driver's DVLA licence covers the towing of trailers.

## **Signage**

31. No signs, notices or advertisements shall be displayed in, on or from the vehicle unless first approved in writing by the Licensing Authority.
32. Only approved company logos may be used.
33. The approved logo together with the company telephone number(s) may only be displayed on the rear passenger doors of the vehicle. An additional logo may be fitted to the bonnet of the vehicle provided it is painted or firmly affixed to the bonnet (but cannot be used alone).



34. Any commercial advertising shall not be offensive or untruthful and shall comply with the Advertising Standards Code of Practice.
35. No application for commercial advertising shall be considered by the officer unless a detailed drawing of the advert is submitted.
36. Any permitted commercial advertising shall only be displayed on the area behind the rear passenger doors but not on any window of the vehicle.

### **Alterations**

37. No alteration or change to the vehicle shall be made without the approval of the Licensing Authority at any time.

### **Inspections**

38. The vehicle shall be presented for examination on application for a renewal of the licence. The vehicle shall also be presented for examination at such other times and at such places as required by the Licensing Authority. Vehicles will be accepted for testing up to ten working days prior to and including the exact date on which the test is required. This condition is without prejudice to the powers in the Local Government (Miscellaneous Provisions) Act 1976.

### **Transfers**

39. Within 14 days of the transfer of the vehicle to another person or persons the Licensing Authority shall be furnished in writing with the name(s) and address(es) of the transferee(s).
40. The licence holder shall surrender the window licence of the vehicle being transferred at the time when the transfer application is submitted.

### **Accidents**

41. Any accident shall be reported to the Licensing Authority as soon as reasonably practicable and in any case within seventy two hours of the occurrence thereof.

### **Scanners/CB radios**

42. A frequency scanner or CB radio shall not be fitted into or carried within any vehicle.

### **CCTV**

43. CCTV, including digital stills equipment may be installed in a licensed vehicle subject to the following provisions
  - (a) Approval in writing must be obtained from the Licensing Authority before CCTV equipment is installed and used in the vehicle;
  - (b) Any material recorded on the equipment shall be used only as evidence in court proceedings or to aid investigation of a crime or to confirm or rebut complaints made against a driver;
  - (c) Material captured by the system shall be accessible only to the police and authorised Council officers.
  - (d) Recorded material must be made available upon demand to the police and a duly authorised officer of the Council;
  - (e) Notices indicating that the CCTV system is in operation in the vehicle shall be clearly displayed on passenger windows visible from the outside of the vehicle. The notices shall state "CCTV OPERATES IN THIS VEHICLE".

- (f) Each system must be registered with the offices of the Data Protection Registrar with proof of registration supplied to the Licensing Department.
- (g) Each system must be operated in accordance with the Data Protection Act 1998.

### **Wheelchair access**

- 44. If the vehicle is designed or adapted to carry a wheelchair, the proprietor shall ensure that the driver has received appropriate training to load and convey wheelchair bound passengers.
- 45. Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must have been tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (SI 1998/2307). A certificate issued in respect of the lifting equipment must be produced on request by an authorised officer. Any such equipment must be maintained in good working order and be available for use at all times.

### **Animals**

- 46. Guide dogs, hearing dogs or other assistance dogs must be carried and allowed to remain with the passenger for the duration of the journey, unless the driver has a medical exemption certificate.

### **Change of particulars**

- 47. The proprietor must inform the Licensing Authority in writing of any change of address during the period of the licence within seven days of such change taking place.
- 48. The proprietor of the vehicle shall notify the Licensing Authority immediately if the place at which the vehicle is normally kept, when not in use, is changed.

### **Liquid Petroleum Gas (LPG)**

- 49. The proprietor must produce a safety certificate on installation of LPG and annually thereafter. This must be issued by an installer who must be approved by the Liquid Gas Petroleum Gas Association and produced to the Licensing Section on application.
- 50. The proprietor must produce a safety certificate when the Licensing Officer or authorised tester at the Alps Garage is not satisfied that the LPG system remains safe. This will be at the expense of the proprietor, and must be produced within two weeks following the request.
- 51. The proprietor must provide proof, in writing to the Licensing Section that the vehicle insurers are aware of the installation of LPG to the vehicle.

### **Duty to keep records**

- 52. In the case of Licensees/Proprietors who rent, lease, hire or loan out their Hackney Carriage Vehicle, the Licensee/Proprietor shall provide and keep a suitable register in which he/she shall enter the following;

particulars relating to the details of the driver to whom the vehicle has been rented, hired, leased or loaned.

a) The name and address of the driver.

b) The badge number and expiry date of the Hackney Carriage/Private Hire Driver's

Licence relating to the driver

c) The plate number and registration number of the vehicle rented, hired, leased or loaned.

d) The date(s) and time(s) the vehicle is rented, hired, leased or loaned by the driver.

The records shall be kept for a minimum of 12 months, be in chronological order and must be produced on request to an authorised officer of the Council or a Police constable for inspection.

Last updated 23.03.23

**This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg**



## **Vale of Glamorgan Conditions for Private Hire Vehicles**

1. The proprietor shall at all times comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 and the conditions hereinafter provided.

### **Definitions**

2. In these conditions the following definitions, as defined in section 80 of the Local Government (Miscellaneous Provisions) 1976, apply:
  - (a) 'authorised officer' means any officer of a district council authorised in writing by the council for the purposes of this Part of this Act.
  - (b) 'Licensing Authority' means the Vale of Glamorgan Council Licensing Authority.
  - (c) 'the Council' means the Vale of Glamorgan Council.
  - (d) 'the proprietor' includes a part-proprietor and, in relation to a vehicle which is the subject of a hiring agreement or hire-purchase agreement, means the person in possession of the vehicle under that agreement.
  - (e) 'operate' means in the course of a business to make provision for the invitation or acceptance of bookings for a private hire vehicle.
  - (f) 'taximeter' means any device for calculating the fare to be charged in respect of any journey in a hackney carriage or private hire vehicle by reference to the distance travelled or time elapsed since the start of the journey, or a combination of both.
  - (g) 'vehicle' means a private hire vehicle which means a motor vehicle constructed or adapted to seat fewer than nine passengers, other than a hackney carriage or public service vehicle or a London cab or tramcar which is provided for hire with the services of a driver for the purposes of carrying passengers.

### **Type of Vehicle**

3. The vehicle shall be suitable in type and design for use as a private hire vehicle. Any dispute to be decided by the Licensing Authority.
4. The vehicle shall not be white with a black bonnet. Any vehicle with a licence granted from January 2009 shall not be white, with the exception of minibus type vehicles, which may be white.
5. The vehicle shall be kept in good repair and condition at all times to the satisfaction of the Licensing Authority.

### **Window Licence and Licence Plate**

6. The licence identification plate shall remain the property of the Licensing Authority at all times and shall be returned to the Licensing Authority on the revocation, suspension or non-renewal or if the vehicle is destroyed or ceases to be used for private hire purposes.

7. The proprietor and/or driver shall at all times ensure that there shall be clearly displayed on the left hand side of the windscreen of the vehicle in such a position that it can be easily seen from the front of the vehicle the window licence issued by the Licensing Authority indicating that the vehicle is a licensed private hire vehicle.
8. The licence identification plate must be permanently affixed to the outer rear of the vehicle's bodywork or to the rear bumper with the fixing kit supplied by the Licensing Authority at the proprietor's own expense. The licence plate must be clearly visible to the driver of a following vehicle and must not obscure the registration plate of the vehicle.
9. The proprietor and/or driver shall at all times ensure that there shall be clearly displayed on the centre or upper part of each front door of the vehicle, the adhesive private hire identification sticker supplied by the Licensing Authority. The stickers must be permanently fixed to each door with the identification sticker's adhesive backing.
10. The door stickers shall not be altered or defaced in any way.

### **Maximum number of passengers**

11. The number of passengers to be carried in the vehicle at any one time shall not exceed the maximum permitted number as specified by the Licensing Authority

### **Condition of the vehicle**

12. The interior and exterior of the vehicle shall be kept clean and maintained fit for public service to the satisfaction of the Licensing Authority at all times.

### **Specification of vehicle**

13. The vehicle must comply with the following requirements
  - (a) **Construction** - The vehicle must be constructed and maintained so as to be safe and comfortable and have doors of such width and which open sufficiently to allow easy access into and out of the vehicle. All vehicles shall be fitted with a right hand drive and four doors with the exception of the minibus type of vehicle, which should have a minimum of two doors provided for the exclusive use of passengers. Minibus type vehicles with one door for the exclusive use of passengers must have the door on the nearside of the vehicle. All doors will have an interior release handle.
  - (b) **Access and Egress** - Access and egress to and from the rear most seats in multi person vehicles should be clear and unobstructed where possible. In those vehicles where seats must be moved to allow passengers to vacate the rear most seats, the seats must be maintained to the highest standard to ensure the easy and immediate egress of passengers in an emergency.
  - (c) **Height (inside)** - The height above the front and rear seats of the vehicle measured from the top of the seat cushions to the roof must be of a suitable distance to the satisfaction of the Licensing Authority.
  - (d) **Knee space** - The distance between the rear of the front seats and the front edge must be to the satisfaction of the Licensing Authority. Front seats must have a suitable amount of knee space which must be to the satisfaction of the Licensing Authority.
  - (e) **Seats** - Must not be sideways facing to the direction of travel and all will comply with seatbelt regulations.
  - (f) **Front Seat** - The length of the front seat measured along the centre of the seat must be to the satisfaction of the Licensing Authority. The width of the front seat from the back to the front edge must be to the satisfaction of the Licensing Authority.
  - (g) **Seats (width)** - The width of the rear seat from the back to the front edge

must be to the satisfaction of the Licensing Authority.

- (h) Rear seat (length)** - The length of the rear seat measured along the centre of the seat must be to the satisfaction of the Licensing Authority.
- (i) Body shell/structure** - Including doors, panels, wings bumpers to be in good condition, free from rust, holes, broken metal or any other visible damage to the satisfaction of the Licensing Authority.
- (j) Paint work** - To be one uniform colour and in good condition to the satisfaction of the Licensing Authority.
- (k) Seat coverings** - To be in good condition, clean and free from any tears, damage, grease or any other contamination to the satisfaction of the Licensing Authority.
- (l) Floor coverings** - To be in good condition, clean and free from any contamination to the satisfaction of the Licensing Authority.
- (m) Interior trim** - To be in good condition, clean and free from any tears, damage, grease or any other contamination to the satisfaction of the Licensing Authority.
- (n) Door hinges and locks** - To be in good order all working, and doors to be seated correctly when closed.
- (o) Windscreen and windows** - To be in good clean condition to the satisfaction of the Licensing Authority.
- (p) Oil leaks** - Engine to be free from oil leaks.
- (q) Under seal** - Shall not extend beyond the upper limit of the sill on any vehicle unless applied as part of the original manufacturing process.

### **Spare wheel, brace and jack**

14. Each vehicle is to carry a spare wheel and tyre, jack and brace, or a suitable puncture repair kit. Any spare wheel and tyre should be in good condition and must not be carried free in the boot or luggage compartment. The spare wheel and tyre should be carried in the well or compartment provided and be fastened down securely to the satisfaction of the Licensing Authority, so as not to cause a potential hazard to passengers.

### **Boot or luggage compartment**

15. Vehicles shall have adequate space for luggage, which shall either be in the form of a separate luggage compartment or an area where luggage can be properly restrained in the event of an accident or emergency stop.

### **Interior and exterior fittings**

16. No fittings or signs to be attached inside or outside vehicles unless approved by the Licensing Authority.

17. The proprietor shall in a multi passenger vehicle display appropriate notices indicating to passengers how best to leave the vehicle in the case of an emergency including how to lower seat backs or move seats if necessary.

18. The vehicle must not be fitted with a roof sign.

### **Trailers**

19. Trailers may not be used in conjunction with a private hire vehicle without the prior written approval of the Licensing Authority.

20. Any trailer used for the conveyance of luggage shall be submitted for testing at the same time as the vehicle.

21. The trailer shall be fully covered for protection against wind and rain penetration

and secured for the protection of the luggage carried.

22. The trailer must be covered by a policy of insurance.
23. The trailer must display a duplicate number plate and private hire plate to the rear supplied by the Licensing Authority at the proprietor's own expense.
24. The trailer shall be of an approved type indicating unladen weight, gross weight, manufacturer's details and that the trailer is suitably braked.
25. Where a trailer is attached to a vehicle for the conveyance of luggage or any other reason the proprietor shall ensure that the driver's DVLA licence covers the towing of trailers.

### **Signage**

26. No signs, notices or advertisements shall be displayed in, on or from the vehicle unless first approved in writing by the Licensing Authority.
27. Only approved company logos may be used.
28. The approved logo together with the company telephone number(s) may only be displayed on the rear passenger doors of the vehicle. An additional logo may be fitted to the bonnet of the vehicle provided it is painted or firmly affixed to the bonnet (but cannot be used alone).
29. Any commercial advertising shall not be offensive or untruthful and shall comply with the Advertising Standards Code of Practice.
30. No application for commercial advertising shall be considered by the officer unless a detailed drawing of the advert is submitted.
31. Any permitted commercial advertising shall only be displayed on the area behind the rear passenger doors but not on any window of the vehicle.

### **Alterations**

32. No alteration or change to the vehicle shall be made without the approval of the Licensing Authority at any time.

### **Inspections**

33. The vehicle shall be presented for examination on application for a renewal of the licence. The vehicle shall also be presented for examination at such other times and at such places as required by the Licensing Authority. Vehicles will be accepted for testing up to ten working days prior to and including the exact date on which the test is required. This condition is without prejudice to the powers in the Local Government (Miscellaneous Provisions) Act 1976.

### **Transfers**

34. Within 14 days of the transfer of the vehicle to another person or persons the Licensing Authority shall be furnished in writing with the name(s) and address(es) of the transferee(s).
35. The licence holder shall surrender the window licence of the vehicle being transferred at the time when the transfer application is submitted.

## **Accidents**

36. Any accident involving the vehicle shall be reported to the Licensing Authority as soon as reasonably practicable and in any case within seventy two hours of the occurrence thereof.

## **Scanners/CB radios**

37. A frequency scanner or CB radio shall not be fitted into or carried within any vehicle.

## **CCTV**

38. CCTV, including digital stills equipment may be installed in a licensed vehicle subject to the following provisions

- (a) Approval in writing must be obtained from the Licensing Authority before CCTV equipment is installed and used in the vehicle;
- (b) Any material recorded on the equipment shall be used only as evidence in court proceedings or to aid investigation of a crime or to confirm or rebut complaints made against a driver;
- (c) Material captured by the system shall be accessible only to the police and authorised council officers.
- (d) Recorded material must be made available upon demand to the police and a duly authorised officer of the council;
- (e) Notices indicating that the CCTV system is in operation in the vehicle shall be clearly displayed on passenger windows visible from the outside of the vehicle. The notices shall state "CCTV OPERATES IN THIS VEHICLE".
- (f) Each system must be registered with the offices of the Data Protection Registrar with proof of registration supplied to the Licensing Department.
- (g) Each system must be operated in accordance with the Data Protection Act 1998.

## **Wheelchair access**

39. If the vehicle is designed or adapted to carry a wheelchair, the proprietor shall ensure that the driver has received appropriate training to load and convey wheelchair bound passengers.

40. Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must have been tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (SI 1998/2307). A certificate issued in respect of the lifting equipment must be produced on request by an authorised officer. Any such equipment must be maintained in good working order and be available for use at all times.

## **Animals**

41. Guide dogs, hearing dogs or other assistance dogs must be carried and allowed to remain with the passenger for the duration of the journey, unless the driver has a medical exemption certificate.

## **Change of particulars**

42. The proprietor must inform the Licensing Authority in writing of any change of address during the period of the licence within seven days of such change taking place.

43. The proprietor of the vehicle shall notify the Licensing Authority immediately if the



place at which the vehicle is normally kept, when not in use, is changed.

### **Liquid Petroleum Gas (LPG)**

44. The proprietor must produce a safety certificate on installation of LPG and annually thereafter. This must be issued by an installer who must be approved by the Liquid Gas Petroleum Gas Association and produced to the Licensing Section on application.
45. The proprietor must produce a safety certificate when the Licensing Officer or authorised tester at the Alps Garage is not satisfied that the LPG system remains safe. This will be at the expense of the proprietor, and must be produced within two weeks following the request.
46. The proprietor must provide proof, in writing to the Licensing Section that the vehicle insurers are aware of the installation of LPG to the vehicle.

### **Duty to keep records**

47. In the case of Licensees/Proprietors who rent, lease, hire or loan out their Private Hire Vehicle, the Licensee/Proprietor shall provide and keep a suitable register in which he/she shall enter the following;

particulars relating to the details of the driver to whom the vehicle has been rented, hired, leased or loaned.

- a) The name and address of the driver
- b) The badge number and expiry date of the Hackney Carriage/Private Hire Driver's Licence relating to the driver
- c) The plate number and registration number of the vehicle rented, hired, leased or loaned.
- d) The date(s) and time(s) the vehicle is rented, hired, leased or loaned by the driver.

The records shall be kept for a minimum of 12 months, be in chronological order and must be produced on request to an authorised officer of the Council or a Police constable for inspection.

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