

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 PART II

PRIVATE HIRE VEHICLE LICENCE CONDITIONS

1. **Maintenance of Vehicles**

The vehicle, fittings and equipment shall at all times be kept in an efficient, safe, clean and tidy condition. The vehicle must comply with all statutory requirements including those contained in Motor Vehicles (Construction and Use) Regulations.

2. **Alteration of Vehicle**

No material alteration or change in the specification, design, condition, colour or appearance of the vehicle shall be made without the prior approval of the Council, following the vehicle undergoing the Council's mechanical test or at anytime whilst the vehicle is a licensed private hire vehicle. The vehicle shall at all times comply with the specifications of the Council for a licensed private hire vehicle.

3. **Tinting of Vehicle Windows**

Heavily tinted glazing is not permitted. Tinted films applied to the vehicle windows are not permitted. Glazing to the windscreen and front passenger windows shall comply with Regulation 32, the Road Vehicle (Construction and Use) Regulations 1986, with a minimum light transmission value of 75% for the windscreen and 70% for the front two passenger windows. All other windows which offer a view of passengers (excluding the rear quarter light/side load area window) shall have a minimum light transmission value of 65% to allow a clear view of passengers.

4. **Safety Equipment**

A fire extinguisher, **securely affixed** and fully maintained in working order, and a first aid kit approved by the Council shall be kept in the vehicle at all times. The equipment to be carried in such a position in the vehicle as to be available for immediate use in an emergency.

5. Interior and Exterior Signs and Plates

- a) The proprietor of the vehicle shall cause to be affixed and maintained inside the vehicle in such a position and in such a manner as may be prescribed by the Council any sign provided by the Council indicating the licence details for that vehicle. Such details may include the licence number of the vehicle, the expiry date of the licence, the maximum number of passengers which the vehicle is authorised to carry, the vehicle registration number, the operator's number where applicable and the address for complaints.
- b) The proprietor of the vehicle shall cause to be affixed and maintained in a vertical position on the rear and on the outside of the vehicle, the plate provided by the Council in respect of the vehicle so as to be clearly visible from behind the vehicle, and shall keep the plate in a clean and easily read condition. **The use of string or elastic straps to affix the licence plate will not be accepted.**
- c) The vehicle shall not be used for hire unless the plate and sign, issued by the Council, are exhibited on the vehicle in the manner prescribed in this section, excepting under such circumstances as are described in Section 75 of the Local Government (Miscellaneous Provisions) Act 1976.
- d) The plate and sign referred to in this condition shall remain the property of the Council and shall be returned forthwith to the Council on the surrender of the licence or in the event of the licence expiring, being suspended or revoked.

6. Advertising Notices

- a) A sign approved by the Council shall be displayed on each of the front doors of the vehicle which states “**ADVANCE BOOKINGS ONLY**”, which must be affixed to the vehicle either permanently or by means of magnetic backing plate.

In addition, private hire operator details must be displayed which will include the name of the operator's business and the operator's business telephone number only.

Such notice will be affixed to the vehicle either permanently or by means of a magnetic backing plate, the measurements of which will be 495mm wide and 130mm high. No area of the Council's sign will be obstructed by the fitting of the notice, other than the space provided for it. No other signs or advertisements shall be displayed on the vehicle.

- b) The proprietor shall cause to be affixed and maintained in the vehicle in accordance with the direction of the Council any sign or notice relating to private hire vehicles which the Council may from time to time require.
- c) There may be displayed within the vehicle for the information of passengers a table of fares in a form previously submitted to and approved by the Council.

7. **Roof Racks**

No roof rack shall be affixed to the vehicle at any time.

8. **Private Hire Vehicle Driver's Licences**

The proprietor shall, before a driver commences to drive the vehicle satisfy himself that the driver has a valid private hire vehicle driver's licence.

9. **Insurance**

The proprietor shall maintain in force for the duration of the licence an insurance policy for the vehicle providing cover sufficient to satisfy the requirements of Part VI of the Road Traffic Act 1988 and public hire use. The proprietor shall be required to produce to the Council a valid, **original** certificate of insurance or cover note in respect of the licensed vehicle when the vehicle licence is being renewed or transferred or when an MOT test is being booked. Failure to produce a valid, **original** insurance certificate or cover note will result in the application or request for MOT being rejected.

The proprietor shall ensure that a copy of the insurance certificate or cover note is kept in the vehicle at all times.

A valid insurance document or cover note shall be produced at any time on demand to an Authorised Officer of the Council. **Failure to produce a valid insurance certificate or cover note will result in the proprietor of the vehicle being issued with an offence notification.** The proprietor of the vehicle will then be required to produce a valid, original certificate of insurance, to the Council within five working days. The licence will subsequently be revoked if a valid certificate of insurance or cover note is not produced within five working days.

10. **Change of Address**

The proprietor shall notify the Council, in writing of any change of his address during the period of the licence within 7 days of such change taking place.

11. **Drivers**

The proprietor of the vehicle shall notify the Council of the name and address of all licensed drivers engaged and employed by him and of any such driver seeking to be so employed within 7 days of the date of appointment or termination as the case may be.

12. **Transfer of Vehicles**

The proprietor of the vehicle shall notify the Council in writing within fourteen days of the transfer of the vehicle to any other person, specifying the name and address of the person to whom the vehicle has been transferred.

13. **Overloading**

The proprietor shall not convey or permit to be conveyed in the vehicle a greater number of persons (exclusive of the driver) than the number of persons authorised by the licence to be carried therein.

Except where otherwise necessary in the interest of safety, children under 10 years of age shall not be conveyed in a front seat of the vehicle

14. **Vehicle Checks**

The proprietor, or the driver, of the vehicle as the case may be, shall, at the request of an Authorised Officer of the Council, stop the vehicle to enable a check to be made for the purpose of preventing or detecting any contravention of any statutory requirements or of any conditions applicable to the vehicle and its use as a private hire vehicle, whether or not passengers are carried at that time, and shall not proceed until the Authorised Officer is satisfied that all such requirements or conditions are being observed and complied with

15. **Duration of Licence**

The licence shall remain in force for a period of one year unless otherwise suspended or revoked, or unless a lesser period shall appear on the face of the licence.

16. Testing of Vehicles

- a) At all times during the currency of a vehicle licence there shall be in force for the vehicle a current Certificate of Compliance indicating that the vehicle has been tested and complies with the regulations made under Section 43 of the Road Traffic Act 1988 and the standards laid down by the Council.
- b) On the 6th anniversary after first registration in accordance with the Vehicle Excise Act 1971 all vehicles being licensed by the Council as private hire vehicles shall be subjected to a mechanical test by the Chief Technical Services Officer to determine the vehicles continued road worthiness and suitability as a private hire vehicle. Thereafter the vehicle shall be subjected to a further test as described above at not more than four-monthly intervals. Excepting that where a vehicle reaches its 6th anniversary and has the benefit of a valid Certificate of Compliance such test will not be necessary until the expiry of the Certificate of Compliance or after a period of not more than four months has elapsed since the vehicle's 6th anniversary whichever is the sooner.
- c) If a vehicle, on reaching its 6th anniversary or at any time thereafter shall fail the Council's vehicle test then any private hire vehicle licence in respect of that vehicle shall be suspended and the vehicle withdrawn from service until such time as the vehicle is re-tested by the Council and it has been determined that the vehicle is roadworthy and suitable for use as a private hire vehicle.
- d) Where a vehicle in (b) and (c) above fails a re-test then any private hire vehicle licence in respect of that vehicle shall remain suspended. The Council's Technical Services Department will provide a technical report upon the vehicle after the failed re-test in order that a decision can be made as to whether or not the vehicle licence should be revoked.
- e) In the case of a vehicle which has been used overseas prior to the date of first registration in Great Britain the 6 year period shall be calculated from the date of first registration overseas if known, otherwise from the first day of January following the declared year of manufacture or the date of first registration in Great Britain if earlier.
- f) The licensed proprietor of the vehicle shall bear the Council's costs in the testing and where necessary retesting of the vehicle and the preparation of any technical reports.
- g) Where a proprietor of a licensed vehicle fails to present a vehicle for test in the circumstances and period specified above then any such licence will be immediately suspended. The licence will be subsequently revoked if the vehicle does not pass the Council's mechanical test within five working days of the test due date.

17. **Accidents**

In accordance with the provisions of S.50 (3) Local Government (Miscellaneous Provisions) Act 1976 Part II, the proprietor shall report to the Council as soon as reasonably practicable, and in any case within seventy-two hours of the occurrence thereof, any accident to the vehicle causing damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons carried therein.

18. **Production of Vehicle Registration Document**

The proprietor of the vehicle shall produce to the Council the vehicle registration document within five weeks of the issue of any private hire vehicle licence. Failure to produce the vehicle registration document within five weeks will result in the immediate suspension of the private hire vehicle licence. The private hire vehicle licence will be revoked should the vehicle registration document not be produced within five working days from the date the vehicle licence was suspended.

19. **Radio Equipment**

Any radio equipment and related wiring, within a licensed vehicle must be securely affixed and stored in such a manner that it does not impede on the safety of the vehicles operation.

NOTE

These conditions should be read in conjunction with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 in relation to private hire operations.