
HACKNEY CARRIAGE / PRIVATE HIRE VEHICLE GENERAL CONDITIONS (POLICY)
December 2018

VEHICLE SPECIFICATIONS

The engine size of the vehicle must be at least 1250 c.c. Engine size restrictions do not apply to vehicles classified as "hybrid" or "electric". All vehicles must be right-hand drive and have a minimum of four doors.

The vehicle must be less than 5 years old when first licensed by the Council. Vehicles may be re-licensed indefinitely provided that they continue to pass the Council's vehicle examiner's inspections. Vehicles over 5 years old that were licenced by another authority can be licenced without the need for a licensing panel hearing, providing the proprietor can supply evidence that the vehicle has been operating as a taxi within the last 6 months, or in the case of vehicles previously licenced by Sedgemoor District Council, this is extended to 12 months.

A current MOT certificate is required on all vehicles over one year old. This is in addition to the Council vehicle inspection test carried out annually. This test will be approximately 6 months after the date of the MOT certificate, or as near as practical.

Vehicles over 10 years old will be required to pass a general condition check by the Council's vehicle inspector at the time of renewal and to annually pass TWO Council vehicle safety inspections in addition to the required MOT Test with all tests being approximately 4 months apart, or as near as practical.

The proprietor shall produce the registration document upon demand to determine the precise date of first registration. Proprietors have the right of appeal a decision of the Licensing Officer to the Licensing Sub-Committee

The width of the back seat must allow not less than 406mm (16") per passenger along the narrowest part of the rear seat. In addition, the leg room between the front of the back seat and the back of the front seat, when the front seat is in the normal driving position, must be at least 255mm (10").

In respect of Minibus and MPV style vehicles with effect from 1st February 2019.

- 1) A minimum of three doors to the passenger accommodation shall be provided.
- 2) Have proper signs on how to lift the second row of seats. The sign should be clearly visible to any persons seated in the rearmost seats providing customers with instructions on the operating mechanisms for the seat that may be required to be tipped/moved forward in order to gain access/egress from the vehicle.
- 3) The operating levers to be coloured yellow/orange so that they are easily identifiable. They can be coloured by using the appropriate colour tape. Tape should remain damage free at all times and replaced when worn. These colours comply with national health and safety standards.
- 4) Have well positioned exit window signs (where appropriate).
- 5) Have an internal device for the rear hatch door to be opened from the inside. This can be by way of an emergency 'quick release' button which can be fitted to the rear hatch door which can be operated by passengers in order to allow access/egress in the event of an accident and one of the side passenger doors being inaccessible.
- 6) Points 1 to 5 do not apply to vehicles currently licenced as at 31st of January 2019. They will be exempt for the life of their licence. Vehicles with conference style

seating, or purpose built wheelchair accessible vehicles are however still required to ensure that passengers have unobstructed entry and exit from the rear row of seating, and no one should have to remove or dismantle a seat or obstacle, or climb over anyone or anything to access them.

- 7) Vehicles licenced prior to 31st January 2019 should retain their existing seat configuration. If operators wish to change the seat configuration of the vehicle (e.g. installing seats previously removed), this will bring the vehicle in line with the new policy, and will have to comply with points 1 to 5 above.
- 8) All vehicles that are licenced by Sedgemoor District Council for the first time (or a vehicle that is re-licenced after a break) after 1st February 2019, must comply with points 1-5. This also applies to hire company or insurance vehicles operated by the proprietor while their vehicle is undergoing repair.

FIRE EXTINGUISHERS

As part of the inspection of its vehicles, a fire extinguisher must be fitted to the following requirements

- Of an approved type manufactured to BS-EN3
- A minimum of 1kg of powder
- Securely mounted with a retaining bracket.
- Serviced annually to BS-5306-3
- Must have a certificate of conformity valid for 12 months from the date of annual service.
- It must have service record and be fitted with an anti-tamper bag.
- A label must be displayed giving its location if not clearly visible.
- It should be marked with the registration number of the vehicle in which it is fitted.

ADVERTISING

Advertising is permitted on taxis and private hire vehicles provided that it is truthful, legal and decent.

VEHICLE LICENCE PLATES

At all times, two plates shall be securely fixed to the exterior of the vehicle, one to the front and one to the rear. The internal badge shall be displayed in the lower left corner of the windscreen with details facing outwards and the 'glow in the dark' number facing inwards.

At all times, plates must clearly visible and maintained in a clean, tidy and legible condition.

The plates remain the property of the Council and shall be returned on expiry, or within 7 days of the notice of suspension, revocation or refusal to renew the licence having been served.

SELLING OR TRANSFERRING A VEHICLE

No existing vehicle shall be replaced by another vehicle in respect of which this licence is issued until the replacement vehicle has been licenced by the Council.

CCTV

Can be included in vehicles provided that:

- CCTV signs are clearly displayed in the vehicle.

- Images can be retained for a maximum 31 days. Footage to be securely stored and never downloaded to portable media devices, or shared via social media.
- Footage to be made available to police and licensing officers upon request. The subject of the footage is also entitled to view it.

TAXIMETERS AND FARECARDS

If a vehicle is fitted with a taximeter

- a) The taximeter shall be programmed with the authorised tariff, as set by the District Council.
- b) When the taximeter is turned on, the fare on the taximeter shall be clearly visible to passengers.
- c) The taximeter and all the fittings thereof shall be so affixed to the vehicle with seals or other appliances that it shall not be practical for any person to tamper with them.
- d) The proprietor shall not permit any person to tamper with any of the seals on the taximeter.

On each occasion that the vehicle is hired, the driver/proprietor shall ensure that the meter is turned on at the commencement of the journey. The driver/proprietor may charge less than the fare shown on the meter, but not more.

At all times when the vehicle is in use, a current statement of fares which may be lawfully charged shall be displayed by fixing it to the interior of the vehicle, in such a position that it is clearly visible and legible

PROPRIETOR'S RESPONSIBILITIES

The proprietor shall permit an authorised Officer of the Council or any Police Officer to inspect the vehicle at all reasonable times and, where that person is not satisfied with its condition, the proprietor may be required, by written notice, to allow a further inspection and test of the vehicle at such reasonable time and place as may be specified in the notice. The vehicle licence may be suspended until such time as that person is so satisfied.

Without prejudice to the provisions of the previous conditions, the proprietor of the vehicle shall present the vehicle for inspection at such reasonable time and at such place within the District as is specified in a notice, in writing, served upon the proprietor by the Council.

The proprietor of a the vehicle shall report to an authorised Officer of the Council any accident involving such vehicle causing damage materially affecting the safety, performance or appearance of the vehicle, or the comfort or convenience of persons carried therein, as soon as reasonably practicable and, in any case, within 72 hours of the occurrence, in accordance with the Local Government (Miscellaneous Provisions) Act, 1976. Any damage to the vehicle must be repaired as soon as is practicable. The authorised Officer of the Council may require the vehicle to be presented for inspection after completion of the repairs.

The proprietor shall:-

- within 7 days thereof disclose to the Council, in writing, details of any conviction or formal cautions imposed during the period of the licence. This includes any offence for which you are currently going through the appeals process
- within 7 days thereof disclose to the Council, in writing, details of any change of address during the period of the licence.

The Council may suspend, revoke or refuse to renew a licence on the basis the vehicle is unfit for use, or there has been any offence or non-compliance with, the provisions of the Town Police Clauses Act, 1847 or Part II of the Local Government (Miscellaneous Provisions) Act, 1976 on the part of the proprietor or driver, or any other reasonable cause.

Any notice required to be served by the Council under this licence, or under any of the provisions of the Town Police Clauses Act, 1847 or Part II of the Local Government (Miscellaneous Provisions) Act, 1976 shall be deemed to have been properly served if served personally on them, posted to, or left at, the last known address of the licence holder

The proprietor is required to be familiar with the Council's conditions for vehicles and ensure they are complied with and that the driver is made aware of their responsibilities.

If the proprietor permits or employs any other person to drive the vehicle they shall, before that person commences to drive the vehicle, cause the driver to submit their Sedgemoor Drivers licence for retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of theirs.

The proprietor shall ensure that a valid certificate of insurance, which complies with the requirements of the road traffic legislation, is kept in force in respect of each driver of the vehicle and on being required by an authorised Officer of the Council or Police Officer to produce the certificate for examination, shall do so. The proprietor shall produce a new insurance certificate or cover note within 7 working days of the expiry of the current certificate or cover note.

Every proprietor of a hackney carriage vehicle shall:-

- (a) keep the roof or covering watertight;
- (b) ensure that all windows and window handles are maintained in good repair and condition and operate correctly;
- (c) keep the seats properly cushioned and covered. The seats should be kept free from unsightly repairs, stains and burns;
- (d) keep the floor clean and in good repair, so as to ensure that no danger is caused to passengers and no exhaust gases shall be permitted to enter the vehicle;
- (e) provide proper and sufficient accommodation for luggage and a means of securing such luggage;
- (f) provide and maintain an electric light in the interior of the vehicle for use of any person entering or alighting from the vehicle;
- (g) carry a spare wheel, tyre and suitable tools for the replacement of damaged or punctured tyres, except for a vehicle converted to run on liquid petroleum gas;
- (h) keep the vehicle properly painted in one of the manufacturer's standard range of colours, and maintain the vehicle to a high standard of appearance. All bodywork should be well maintained, free from dents and other damage. Repairs and improvements must be of a good quality and paint match.
- (i) display in both rear passenger windows a discreet sticker advising passengers that

seatbelts should be worn.

ANY PERSON WHO

- (a) wilfully obstructs an authorised Officer or Police Officer acting in pursuance of Part II of the Local Government (Miscellaneous Provisions) Act, 1976 or the Town Police Clauses Act, 1847;
- (b) without reasonable excuse fails to comply with any of the requirements properly made to him by such Officer or Police Officer under Part II of the Local Government (Miscellaneous Provisions) Act, 1976 or the Town Police Clauses Act, 1847;
- (c) without reasonable cause, fails to give such an Officer or Police Officer any other assistance or information which he may require for the performance of his functions under Part II of the Local Government (Miscellaneous Provisions) Act, 1976 or the Town Police Clauses Act, 1847

shall be guilty of an offence.

These conditions shall apply to all vehicles licensed by the Sedgemoor District Council.

The Council reserves the right to waive any requirements of these conditions at its absolute discretion.

The Council reserves the right to amend or add to any of the foregoing conditions, and notice thereof will be served on all licensees.

HACKNEY CARRIAGE VEHICLES ONLY

SIGNS

All vehicles, with the exception of 'London' style hackney carriage vehicles and eurocabs, shall be fitted with a rectangular roof sign in green, with white lettering, inscribed "Sedgemoor District Council – Taxi". Other signs shall be permitted on hackney carriage vehicles only where they are provided by the manufacturer as part of the fabric of the vehicle

PRIVATE HIRE VEHICLES ONLY

SIGNS

All vehicles shall be fitted with half-moon shaped roof signs in white, with blue lettering, inscribed "Advance booking only", the telephone number, licence number and identification of the company and shall be displayed lengthways.

APPEARANCE

The vehicle may not be of a design or appearance so as to lead any person to believe that the vehicle is a hackney carriage and, therefore, plying for hire.

PRESTIGE VEHICLES

If a vehicle has been classified as "prestige", the requirements for displaying a roof sign and the private hire licence plates on the exterior of the vehicle are waived.

Offence	Points	Person Responsible
Carrying more passengers than specified in licence for vehicle	6	Driver
Licensed vehicle failing to display, or to correctly display, the exterior plate	6/Stop Notice	Driver/Proprietor
Failing to have current insurance certificate.....	6/Stop Notice	Driver/Proprietor
Failing to have current MOT certificate	6/Stop Notice	Driver/Proprietor
Tyres, windscreen wipers/washers, exhaust, lights, reflectors, spare wheel and tyre, brakes, not maintained in good condition	4 points each defect, or Stop Notice	Driver/Proprietor
No tools to change spare wheel and tyre, or defective or unsuitable tools	4	Driver
No fire extinguishers/fire extinguisher not in good working order/not of correct type	4	Driver
Vehicle displaying signs not authorised	4	Proprietor
Dirty interior/exterior of vehicle	4	Driver/Proprietor
Failing to produce insurance certificate on request of authorised Officer	4	Proprietor
Any breach of condition not specified above.....	1-4	Driver/Proprietor
<u>METERS</u>		
Fare card not displayed	3	Driver/Proprietor
Taximeter not displaying current tariff.....	4/Stop Notice	Driver/Proprietor
Taximeter obscured or not visible to passengers.....	3	Driver/Proprietor

Where 12 or more points are issued to a driver/proprietor/operator within any period of one year, a report will be submitted to the Licensing Panel with a view to the suspension, revocation or refusal to renew such a licence.

The licence is issued on condition that you fully accept the preceding conditions and the penalty points scheme, as laid down. Breach of any of these conditions may be enforced by the Penalty Point System, as shown on the attached table.

I have read and understand the vehicle conditions and penalty point scheme. I agree to abide by the conditions and administration of the penalty point scheme.

Signed:

Date:

Full name: