

Conditions relating to Hackney Carriage Vehicles

Town Police Clauses Act 1847 (“the 1847 Act”) Local Government (Miscellaneous Provisions) Act 1976 (“the 1976 Act”)

1. General

Any requirement of legislation which affects the operations being carried out under the terms of this licence shall be regarded as if they are conditions of the hackney carriage Vehicle Licence.

- The engine capacity of the vehicle must be no less than 1600cc (nominal).
- The vehicle will be a London-type Taxi or an approved Euro Cab.
- The vehicle shall have at least four road wheels and a spare wheel or a canister of tyre inflator/repair kept on the vehicle
- All seats, front and rear and disabled must be fitted with seat belts and maintained in good order on all passenger seats (except as the law otherwise provides in relation to London-type taxis).
- The vehicle should contain portable 1litre foam or dry powder 1Kg capacity fire extinguisher. The extinguisher must conform to BS EN3 1996 Standard and should be mounted in a convenient position in the vehicle. The extinguisher shall be marked with the licence number.
- A First Aid Kit complying with the Health and Safety (First Aid) Regulations 1981 must be carried in the vehicle. The kit shall be marked with the vehicle licence number
- The vehicle must be maintained to a high standard of appearance to the complete satisfaction of the Council, throughout the term of the vehicle licence and be kept in the condition stated in the Standards for conditions of appearance of a hackney carriage vehicle.
- No alteration or change of in specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the Licence is in force.

2. Hackney carriage occupancy plate

The vehicle shall have a hackney carriage occupancy plate (which is not the same as the hackney carriage vehicle licence disc) owned by the Council, but provided at the licensee’s expense, which shall display the following:

- the number of the licence granted in respect of the vehicle;
- the maximum number of passengers that the vehicle can carry;
- the expiry date of the licence granted in respect of the vehicle;
- the words “Three Rivers District Council hackney carriage”;
- the vehicle registration number of the hackney carriage it is assigned to, and
- any other information that the Council considers necessary.

The plate shall be securely fixed to the rear of the vehicle using a purposely made bracket at all times provided free of charge on issue and for a fee at any other time). If this is not suitable or practicable, the plate shall be securely and permanently fixed to the rear of the vehicle, on or above the bumper by the use of screws or bolts, and be clearly visible. A magnet will not be considered securely fixed for the purposes of this condition. The licensee shall ensure the plate is kept clean and is not wilfully or negligently concealed from public view whilst the vehicle is licensed.

The licensee shall ensure that the vehicle at all times throughout the period of licence, has this plate exhibited in the manner described above.

In the event of revocation or suspension and on the service of a notice under section 58, of ‘the 1976 Act’ or upon expiry of the licence, the licensee shall return the said plate to the Council’s licensing office within seven days.

The plate can be removed by the licensing officer or Police officer for reasons of gathering evidence under the Police and Criminal Evidence Act 1984 and will be returned when a photocopy of the plate is made.

3. Hackney Carriage Internal Plate

The vehicle shall for identification purposes be required to have a hackney carriage internal plate issued by the Council. The hackney carriage internal plate shall display:

- the number of the licence granted in respect of the vehicle;
 - the maximum number of passengers that the vehicle can carry;
 - the expiry date of the licence granted in respect of the vehicle;
 - the words "Three Rivers District Council Hackney Carriage";
 - the vehicle registration number of the hackney carriage it is assigned to, and
 - any other information that the Council considers necessary.
- The hackney carriage internal plate shall be displayed in the front of the vehicle in such a position that it shall be clearly visible from both the inside and the outside of the vehicle. The licensee shall ensure that it is not wilfully or negligently concealed from public view.
 - The licensee shall ensure that no person uses or permits the use of the vehicle unless the hackney carriage internal plate issued is exhibited in the manner described under these conditions.
 - In the event of revocation or suspension and on the service of a notice under sections 58, 60 or 68 of 'the 1976 Act' or upon expiry of the licence, the Licensee shall return the said disc to the Council's licensing officer within seven days.

4. Taximeter

All hackney carriage vehicles shall be fitted with a taximeter installed by an authorised taximeter company and so constructed, attached, and maintained as to comply with the following requirements:

- All new hackney carriage vehicles shall require a calendar-controlled tariff taximeter;
- The taximeter shall be fitted with a key flag or other device, the turning of which will bring the machinery of the taximeter into action and cause the word "hired" to appear on the face of the meter;
- Such key, flag or other device shall be capable of being locked in such a position indicating that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
- When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the licensee or driver is entitled to demand and take for hire of the vehicle by distance in pursuance of the table of fares made by the Council in that behalf;
- The word "fare" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
- The taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the vehicle, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring;
- The taximeter shall be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 1972, and also at the request of the hirer;
- The taximeter shall have connected thereto a roof sign bearing the words "TAXI" in accordance with paragraph 12 below and such sign shall be plainly visible and legible to persons wishing to hire the vehicle and for that purpose it shall be capable of being suitably illuminated when the vehicle is plying or standing for hire;
- The taximeter and all its fittings shall be so affixed to the vehicle with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances;

- When the vehicle is standing or plying for hire or returning from another district the key flag or other device fitted with the taximeter shall be locked in the position in which no fare is recorded on the face of the taximeter;
- Before beginning a journey for which a fare is to be charged for distance and time, the taximeter should be brought into action so that the word "HIRED" is legible on the face of the taximeter and the taximeter should be kept on until the hiring has terminated;
- The Licensee shall ensure that the taximeter and its fittings will be sealed by the installer, and are not tampered with;
- The taximeter shall be calibrated and sealed by the taximeter company at first installation and then within 1 month of any change to the Table of Fares, or when directed by the Head of Regulatory Services, any authorised officer or Police officer to submit to calibration and testing of the Taximeter by a Taximeter installer. A calibration certificate stating that the taximeter is calendar controlled and conforms to the Three Rivers District Council Table of Fares would be required in each of the above cases.

5. Signs etc.

No sign, notice, advertisement, plate, mark, letters, figures, symbols, emblems or devices shall be used, if it contains anything of a religious or political nature or advertises tobacco, alcohol, a sex shop or a sex establishment, or contains any matter likely to cause offence. Approval on the type and extent of the advertising should be sought from the relevant officer

6. Roof signs

The minimum sign dimensions for roof signs are 26cm wide 13cm deep and 11cm high, there are no maximum measurements. The word taxi only in black capital letters is to be clearly legible on the front and rear side of the roof sign. The front of the sign must be white and the back red or white.

The sign must be illuminated when plying or available for hire during the hours of darkness and must be linked to the taximeter so that when a fare is being carried, the roof sign is not illuminated.

No roof signs other than that prescribed in this condition will be permitted.

7. Passengers

The licensee shall not:-

- Convey or permit to be conveyed in the vehicle a greater number of persons than that prescribed in the licence for the vehicle
- Without the consent of the hirer convey or permit to be conveyed any other person in the vehicle
- Allow to be conveyed in the front of the vehicle:
 - Any child below the age of three years
 - More than one person above the age of three years
 - An infant in arms

The licensee shall ensure that all passengers between three and twelve years of age or 135cm in height wear an appropriate child restraint to travel in the front of a vehicle. If not available, these passengers must use an adult seat belt in the rear of the vehicle

8. Alteration of vehicle

No alterations in the specification, design or appearance of the vehicle shall be made without the written approval of the licensing officer while the licence is in force.

9. Records of vehicle use

Where more than one licensed driver has use of the hackney carriage, the licensee shall ensure that a record of usage is kept for the vehicle. This record shall include the name of the driver, the date of usage, and the start and end times of the individual's usage. It shall be kept inside the vehicle at all times, and made available to an authorised officer upon request.

10. Transfer of vehicle

If the licensee wishes to transfer his/her interest in the vehicle to a person they shall within 7 working days inform the Council, specifying the name and address of the person to whom the vehicle is being transferred.

The Council reserves the right to refuse to grant a licence to any person to whom a hackney carriage vehicle is transferred

Under no circumstances may the new owner use the vehicle as a licensed vehicle until the licence has been transferred to that person and all documentation and any necessary fees paid.

11. Accidents and damage to the vehicle

The licensee shall report to the authorised officer any accident (motoring or otherwise) involving the vehicle within 72 hours of the accident using the form issued by the Council. In the interests of public safety the licensee of any vehicle involved in an accident will be required to submit a compliance certificate to the Council.

The licensee shall ensure that the vehicle is not used for hire until it has been inspected and approved by the authorised officer or a new compliance certificate has been obtained where appropriate as considered by the Council on receipt of the reported details of the incident.

12. Insurance and road fund licence

All hackney carriage vehicles must be licensed and insured for public hire use. The insurance must include legal liability for both passengers and luggage, and proof of insurance must be submitted with each application. If the insurance expires during the term of the licence, a new cover note or certificate of insurance must be produced to the licensing team.

A certificate of insurance must be provided to the authorised officer within 7 days of any such request.

13. Lost property

The Licensee shall ensure that, immediately after the termination of any hiring or as soon as practicable thereafter, the vehicle is searched thoroughly for any property which may have been accidentally left therein.

The licensee shall ensure that any property accidentally left, or found or handed to him in the vehicle will be, taken to a police station within 48 hours of it being found.

14. Table of fares

The licensee shall ensure a copy of the tables of fares as determined by the Council to be fixed inside the vehicle. The table of fares should be clearly readable by the passenger.

15. Change of address and personal details

The licensee 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. This shall include, name, address, telephone/mobile numbers and e-mail address.

16. Proprietor to hold driver's licence

Before the licensee permits or employs another person to drive the vehicle as a hackney carriage, he shall, have retained a copy of the hackney carriage driver's licence. This shall be retained until such time as the driver ceases to be permitted or employed to drive the vehicle. On cessation of service or employment the licensee shall return the hackney carriage driver's licence to the driver.

The licensee/proprietor must also ensure the driver holds a current DVLA driving licence in respect of the number of passengers authorised on the vehicle licence/plate.

17. Copy of vehicle licence conditions

The licensee shall ensure a copy of the vehicle licence conditions are maintained in the vehicle and makes them available for inspection by any authorised officer, the hirer or any passenger on request.

18. Validity inspections

Any authorised officer of the council or a Police constable shall have power at all reasonable times, to inspect and test for the purpose of ascertaining its fitness any hackney carriage or any taximeter fixed to such vehicle and to serve notice to require further inspection and testing if not so satisfied.

19. Convictions and cautions

The licensee shall, within 72 hours, disclose to the licensing officer in writing if they or any of their drivers are arrested, cautioned, or convicted of any offence (including motoring offences) during the period of this licence. A representative must fulfil this obligation if the licensee is detained by the police. Fixed penalty notices must be declared when received not when the DVLA driving licence is updated.

The licensee shall ensure that any licensed driver employed by them in any capacity is made aware that they are required to disclose all the information contained in point (16) above to the vehicle licence-holder during their period of employment.

If the licensee is a company or partnership section (16) applies equally to all directors or partners

The licensee shall make his or her DVLA driving licence available for inspection by an authorised officer of the Council or a police officer upon request.

20. Taxi ranks and stands

Hackney carriages will operate from authorised ranks or stands, including “shared” stands or ply the carriageway for hire or can be pre-booked.

21. Giving of information

Every proprietor shall within 7 days furnish on request the details, of any person who was authorised to drive the vehicle, to an authorised officer or to a Police officer. The details would include the name and address of the person.

22. Assistance dogs

All hackney carriage vehicle drivers are required to comply with Section 37 of the Disability Discrimination Act 1995 and Equality Act (2010) to carry assistance dogs assisting disabled persons and to do so without charge. Holders of exemption certificates must display the certificate in a prominent position.

It is an offence to refuse to carry a guide or assistance dog.

23. Smoking

It is prohibited for anyone (driver or passenger) to smoke within the vehicle at any time. Appropriate signage must be displayed inside the vehicle in accordance with the Health Act 2006. An international no-smoking symbol at least 70mm in diameter must be displayed in the front passenger window or on the dashboard, and in the rear passenger window. The signs must be clearly visible from inside and outside of the vehicle.

24. [CCTV in vehicles](#)

The licensee shall ensure that their licensed vehicle does not contain any facilities to record visual or audio sources without first obtaining authorisation from the Council. Any proposed CCTV system must satisfy the requirements of the CCTV conditions contained in the hackney carriage and private hire licensing policy.

25. Appeals procedure

Any person aggrieved by any conditions specified in this licence may appeal to the Magistrates' Court within 21 days of the decision being made.

26. Standards for conditions of appearance of a hackney carriage vehicle

The vehicle must comply with the following:

- (a) **External advertising** Not more than two external advertisements (excluding the roof signs) may be carried on any vehicle, confined to the side panels and must comply with the Advertising Standards Authority code of advertising.

Although minor blemishes should not constitute a failure, the following general criteria should be followed:

- (b) **Rust** - Any vehicle presented should be free from any significant areas of visible rusting and any vehicle with visible rust patches should be failed.
- (c) **Dents** - Any vehicle with dents on one or more panels where such dents are more than 5cm in diameter/length should be failed.
- (d) **Scratches** - Any vehicle with un-repaired scratches down to bare metal on three or more panels, of 5cm in length, or a single scratch of more than 20cms in length, should be failed.
- (e) **Paintwork** - All panels on all vehicles shall be painted in manufacturer's colour; panels with unmatched colours or in primer should be deemed as failures.
- (f) **Seats** - In conventional vehicles where it is intended that the licence be for four passengers, the rear seat must be at least 1220mm (48 inches) in width. All seats shall have a minimum of 410mm (16 inches) per person and in respect of seating comply with the Road Vehicle (Registration and Licensing) Regulations 2002. All seats, including the driver's, must be free from repaired cuts, tears or cigarette burns, except of a very minor nature. Any repairs must have been carried out in a professional and neat manner. All seats must be kept clean and tidy and free from all extraneous matter.
- (g) **Carpets/floor covering** - all carpets and floor covering shall be complete and free from cuts, tears, staining and soiling.
- (h) **Headlining and other trim** - All interior trim, including headlining shall be clean, complete, properly fitted and free from cuts, tears or soiling.
- (i) **Boot/luggage compartment** - This should be empty, except for spare wheel, essential tools and first aid kit, (to comply with Health and Safety and First Aid Regulations. The compartment should be clean and any covering free from major cuts, tears or other damage or staining.
- (j) **Interior** - The interior must be kept clean, tidy and free of any water penetration or litter or other rubbish.
- (k) **Vehicle emissions** - The vehicle must comply with the Motor Vehicle (Emission Test) Regulations.
- (l) **All glazing** all vehicles will be tested with a light meter. Any vehicle with a reading lower than the following will not be licensed. Front Windscreen 75%, Front Side Windows 70%, All other Windows 30%. The lower the number, the darker the tint.
- (m) **Colour** All approved vehicles must be painted their original colour.
- (n) **Mirrors** Either two wing mirrors or two door mirrors must be fitted, one on each side of the vehicle, so as to afford the driver adequate vision to the rear. Additional mirrors may be fitted, but not in such a position s to obstruct the driver's clear view of the two mirrors required by this condition.

27. Fees

The fees payable for Licences and other charges described in these conditions will be in accordance with the scale approved by the Council from time to time.

28. Byelaws

The vehicle will also be subject to compliance with such Byelaws relating to hackney carriages that are in force within the Three Rivers District.