

## HACKNEY CARRIAGE VEHICLE CONDITIONS

This document sets out the relevant conditions relating to the application for, and operation of a Hackney Carriage Vehicle Licence.

### CONDITIONS OF APPLICATION

1. Chorley Council will only issue a Hackney Carriage Vehicle licence when it is satisfied that the person applying for the licence is the proprietor, and all proprietors connected to the vehicle have been declared at the time of application. That person(s) must also:
  - i) Satisfy the Council that he is a fit and proper person to hold such a licence and to operate a Hackney Carriage.
  - ii) Satisfy the Council that the vehicle is registered under the Vehicles (Excise) Act 1949 or the Vehicles (Excise) Act 1971 or any statutory amendments of those Acts by producing the vehicle's registration document at the time of application, bearing the name of the proprietor. Where the vehicle is new (not previously registered within the UK) a vendors bill of sale will be acceptable detailing the name, address, date of purchase, and vehicle chassis number will be acceptable, the proprietor of the vehicle will produce to the council the V5 document within 7 days of him receiving it.
  - iii) Satisfy the Council that there is in force, in relation to the use of the vehicle as a Hackney Carriage Vehicle, a policy of insurance or security complying with the provisions of Part VI of the Road Traffic Act 1972, which covers third party liability both in respect of physical injury or death and also in respect of damage to personal belongings. The policy/certificate of insurance or security must be produced before a licence may be granted.
  - iv) Present the vehicle for inspection at such place and at such time as the Council may by notice require.

With affect from **4<sup>th</sup> January 2010** all vehicles on first application and on renewal for a vehicle licence will pay for 6 month vehicle licence and pass the Councils Vehicle Inspection & Safety Test every 6 months.

### Documentation

2. Proprietors must produce the following documents in order to progress the application:
  - i) Completed application form in the name of the vehicle proprietor (or joint proprietors) and appropriate fee. An application is not deemed complete if the method of payment is not cleared.
  - ii) The DVLA V5 'log book' or other certificate or document in the name of the vehicle proprietor that declares the first date of registration of the vehicle. Only vehicles declared as new at first registration in the UK will be considered for licensing, except stretched limos etc. Such vehicles will be licensed at the discretion of the Council.
  - iii) An LPG Gas Association Safety Certificate relating to the conformity and safe installation of any LPG system attached to the vehicle and in the vehicle proprietors name, where applicable.
  - iv) A valid certificate of insurance shall be produced to the council prior to the grant of the hackney carriage vehicle licence.

## DEFINITIONS

3. "Authorised Officer" has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act, 1976.  
"The Council" means the Council of the Borough of Chorley.  
"Taxi" has the same meaning as in the Transport Act, 1985.  
"The identification plates" mean the plates and livery issued by the Council for the purpose of identifying the vehicle as a hackney carriage.  
"The proprietor" has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act, 1976.  
"Taximeter" has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act, 1976.  
"Byelaws" are those byelaws made in pursuance of the Town Police Clauses Act, 1847 and the Local Government (Miscellaneous Provisions) Act, 1976.

## IDENTIFICATION PLATES & LIVERY

4. The identification plate and livery shall remain the property of the Council at all times. The licence plate shall be affixed to the Hackney Carriage vehicle by the proprietor at his own expense, in the following manner:-
  - (a) at the rear of the vehicle, and
  - (b) to the exterior of the vehicle, and
  - (c) with the number facing to the rear, and
  - (d) in a vertical plane, and
  - (e) must be affixed by bolts or screws or other similar secure means as approved by the Council, in such a manner as to be easily removed by an Authorised Officer.
5. The proprietor of the Hackney Carriage vehicle shall ensure the identification plates are maintained and kept in such condition that the information contained on the identification plate is clearly visible to public view at all times.
6. The internal disc must be fixed to the windscreen outside the swiped area not obscuring the driver's view with the expiry date information visible from the vehicle exterior.
7. Internal licence plate must be fixed to the dashboard not obscuring the drivers view or on the windscreen outside the swiped area.
8. Door signs. The vehicle shall display Council provided livery to the front driver and passenger door fixed in a readable position. The Council's door signs shall be fixed permanently to the vehicle and the use of magnets or other means of temporary fixing shall not be used.

## TYPE OF VEHICLE

9. When applying for the grant of a hackney carriage vehicle licence, the proposed vehicle shall be subjected to the approval of the council and the following conditions apply:
  - a) The vehicle **must be** a vehicle approved for use as a hackney carriage in Chorley and not be licensed as a hackney carriage or private hire vehicle with any other Licensing Authority.
  - b) The vehicle must not be left hand drive.
  - c) The vehicle must not be a convertible, i.e. have a soft top.
  - d) The vehicle must have at least 4 doors.
  - e) No 'Q' plated vehicles will be considered for licensing.
  - f) Vehicles that have been categorised as 'write offs' by any insurance company at any level will not be considered for licensing.

- g) It must have at least two rear side doors for the boarding and alighting of passengers in addition to a separate door for the driver and it must be fitted with at least four road wheels.
- h) The vehicle must have a capacity for at least 4 adult passengers.
- i) The engine capacity must be adequate for the loads to be carried. Accordingly, the vehicle should have an engine capacity of at least 1200cc.
- j) Where the vehicle is fitted with continuous seats, one person shall be counted for each complete length of 16 inches measured in a straight line lengthwise on the front of each seat, and where any such continuous seat is fitted with arms for the purpose of separating the seating spaces and such arms are so constructed that they can be folded back or otherwise put out of use, such seat shall be measured for the purposes of this Regulation as if it had not been fitted with such arms.
- k) Only one passenger may be accommodated in the front of the vehicle next to the driver in cases where the vehicle is designed to take only one front seat passenger.
- l) Door catches must be secure at all times whilst being capable of easy operation by passengers.
- m) Forward mounted driving mirrors must be fitted on both sides of the vehicle and an interior rear mirror must be fitted. The mirrors must be maintained all times.
- n) The vehicle must be white unless it is a purpose built or approved converted / modified wheelchair accessible Hackney Carriage.
- o) A 1kg (2.2lb) British standards fire extinguisher of the dry powder type shall be securely fitted to the vehicle so as to be readily available for use at all times. The fire extinguisher shall be maintained in good working order at all times.
- p) Every estate type vehicle be fitted with the manufacturer's approved or other universal type approved grille, securely fixed to the frame of the vehicle between the passenger area and load (luggage) carrying area.
- q) All seats must be fitted with the manufacturer's head restraints.
- r) Seating for each passenger must be not less than 400mm (16") with a minimum width, measured between the arm rests, or any other point that is protruding into passenger seating area, and be measured between the rear side passenger doors of not less than 1220mm (48").
- s) Any vehicle application received for a Hackney Carriage vehicle licence for more than 4 passenger seats, that vehicle shall have been purposely constructed to accommodate such seating and hold a suitable vehicle type approval, awarded prior to first UK registration as detailed at 12 below. The vehicle shall be of the original manufactures design and specification, every seat shall be regarded as a permanent seat, and no seating shall be capable of being stowed within the confines of the body of the vehicle (except for purpose built Hackney Carriage Vehicles).
- t) No vehicle presented for licensing shall by any design or feature of that vehicle be capable to offer seating for more than the number of passengers as stated on the Hackney Carriage vehicle license application. Any modifications made to satisfy this requirement shall be made to the satisfaction of the Council.
- u) There shall be a minimum gap of 180mm (7") between the back of any forward seat and the front edge of any rear seating; this shall be measured when the front seating is in its furthest pushed back position. (Seating relates to the base of the seat as opposed to the back support of the seating arrangement).
- v) The height as measured between the rear seat and the height to the roof lining in a vertical plane must be not less than 860mm (34"). This shall be

measured at the center of a passenger seat situated between the two rear passenger doors.

- w) No vehicle will be licensed if the passenger has to climb over seats or luggage to gain access or egress, or where such entrance or exit is sited over a fuel tank or high sill. All handles and levers shall be clearly visible and of a type consistent with those fitted to all other doors of the vehicle.
10. The proposed vehicle shall be subjected to the approval of the council and:
- i) provide sufficient means by which any person in the vehicle may communicate with the driver;
  - ii) Cause the roof or covering to be kept watertight;
  - iii) Provide any necessary windows and a means of opening and closing with not less than one window on each side;
  - iv) cause the seats to be properly cushioned or covered;
  - v) cause the floor to be provided with a proper carpet, mat, or other suitable covering;
  - vi) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public use;
  - vii) Provide means for securing luggage
11. Any vehicle incorporating a lifting device shall at first application provide a certificate of conformity issued in accordance with the LOLER Regulations 1998, and produce at any subsequent renewal a certificate of safety issued in accordance with LOLER Regulations 1998 and guidance to the satisfaction of the council
12. Any vehicle presented for Hackney carriage licensing shall meet the technical standards for type approval to
- a) European Whole vehicle type approval
  - b) British National type approval
  - c) British Single vehicles approval or
  - d) British Low volume type approval
13. Vehicles presented at first licensing from **5<sup>th</sup> October 2010** intended to provide Disability access shall for the purpose of Type 1 Disability Access will have the following:
- a) Wheel chair means of access and egress and means of securing wheelchairs safely in the vehicle where all fixtures and fitting meet E1 Type Approval or equivalent.
  - b) A fixed bulkhead incorporating:
    - i) A partition screen
    - ii) A pay point
    - iii) Assisted means of communication.
  - c) Offer suitable accommodation for the provision of at least one adult size occupied wheelchair.
  - d) Suitable hand grips designed to be clearly recognisable to aid in the access and egress of passengers.
  - e) A forward facing illuminated top sign permanently fixed to; or a built-in taxi sign as an integral part of the structure and operated by the taxi meter (The top sign does not have to display the words Chorley Borough Council)
  - f) All vehicles will have 2 side passenger doors to access the rear compartment of the vehicle.
  - g) All seats must be accessible by a clear permanent opening of 400mm

- h) All wheelchair accessible vehicles will have provision for at least two permanently fixed passenger seats in the rear compartment of the vehicle.
  - i) All vehicles will have been converted by a recognised coachbuilder / conversion company.
  - j) Any ancillary equipment shall be capable of being stored securely and safely
  - k) All vehicles will be inspected and licensed at the discretion of the Council,
  - l) Those vehicles that are presented for licensing that are purpose built as defined or professionally converted vehicles as conforms to a-h above shall be white or any other colour as agreed by the Council at first licensing.
14. All vehicles of Type 1 or 2 Disability Access shall display the appropriate disability emblem in a prominent position on the vehicle.

## **CONDITIONS OF VEHICLE LICENCE**

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15. The proprietor shall ensure that the hackney carriage shall be maintained in a sound mechanical and structural condition and be capable of satisfying the Council's Vehicle Inspection & Safety Test at all times.
16. The proprietor or proprietors as defined by Section 80 of the Local Government (Miscellaneous Provisions) Act, 1976 shall be jointly and severally responsible for the vehicle and all its fittings and equipment and shall ensure that at all times when the vehicle is in use or available for hire, it is maintained in an efficient, safe, tidy and clean condition and that all relevant statutory requirements (including in particular those contained in Motor Vehicles (Construction and Use) Regulations) are fully complied with.
17. The proprietor shall not allow the mechanical and structural specification of the hackney carriage to be varied without the consent of an Authorised Officer of the Council. Unauthorised variations will result in the licence becoming immediately invalid.

### **LPG POWERED VEHICLES**

18. When a LPG system is fitted to an existing hackney carriage vehicle, a certificate of conformity shall be presented to the Council immediately upon completion of the LPG installation and the vehicle shall not be eligible to act as a hackney carriage vehicle until the conversion is to the satisfaction of the Council.

### **TRAILERS**

19. No trailer shall be attached to a hackney carriage vehicle unless the trailer has been tested at the same time as the hackney carriage was tested and the trailer is clearly identifiable by a serial number or other permanent mark for purposes of identification.
20. Any trailer must provide secure and weatherproof storage for luggage.

### **SIGNS, NOTICES, ETC**

21. No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle except as may be required by any statutory provision or required or permitted by these conditions.

This condition **shall not** apply to a sign which:

- (a) contains no words or numbers other than the name, address and telephone number of the operator of the vehicle or the name under which he carries on his business and his business address and telephone numbers;
  - (b) displays sponsored commercial advertisements, for which prior permission has been obtained from the Council.
  - (c) displays an information sticker or disc describing membership of a taxi trade associations or similar taxi trade body is permitted in the windscreen of licensed hackney carriage and private hire vehicles provided that it is of such a size and in such a position so as not to obscure the field of vision of the driver. The display of such sticker or disc shall be limited to one per vehicle.
22. Every hackney carriage vehicle must display in a prominent position inside the vehicle, the Council's table of fares in force at that time.
  23. Any additional livery must not be above 12" measured from the bottom of the front passenger and driver door, and in any case must not protrude higher than the bump bar strip fitted to the door, this area will be regarded as the lower panel of the door.
  24. The proprietor shall cause to be fixed to the roof of Saloon Type Hackney Carriages an illuminated sign bearing the words "CHORLEY BOROUGH TAXI" on both the forward and rearward faces of the sign. The sign shall be capable of being so operated that when the vehicle is engaged for hire, the sign is not illuminated, this operation shall be controlled by the meter.

#### **PASSENGERS**

25. The proprietor shall not permit the Hackney Carriage to be used to carry a greater number of passengers than that prescribed in the licence.

#### **ANIMALS**

26. The proprietor shall not permit any animal to ride in the vehicle, except an animal in the custody or control of the hirer which animal shall be conveyed in the rear of the vehicle.
27. The licensee must carry a guide, hearing or other prescribed assistance dog belonging to a passenger, free of charge, unless the driver has a proven medical condition that would preclude such action. Drivers have a responsibility to ensure that their operator/company is aware of such medical condition when they are first employed.

#### **TWO-WAY RADIOS**

28. The proprietor shall ensure that any radio equipment fitted to his hackney carriage is at all times kept in a safe and sound condition and maintained in proper working order.
29. That any means of radio communication used by the proprietor or driver of a hackney carriage with respect to the operation thereof must be a means of radio communication using radio frequencies other than those licensed by the Department of Trade and Industry for use by Citizens Band Radio.

#### **CHANGE OF ADDRESS**

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

## **DRIVERS**

31. No person, other than a holder of a current hackney carriage driver's licence issued by the Council is permitted to drive the hackney carriage.

## **ACCIDENTS**

32. The proprietor of a Hackney Carriage shall report to the Council as soon as is reasonably practicable, and in any case within 72 hours of the occurrence of any accident to the licensed vehicle causing damage materially affecting the safety, performance and appearance of the licensed vehicle or the comfort or convenience of persons carried.

## **RECORD BOOKS AND RECEIPTS**

33. The proprietor shall ensure that a record book is kept at all times in the vehicle. This record book must show the occasions when a receipt is issued. A receipt must be given if requested and each receipt must show the licence number of the driver, the date and the amount charged. A sign should be displayed in the vehicle indicating that a receipt will be given if requested.

## **METERS**

34. The taximeter that must be fitted in accordance with hackney carriage byelaws must be calibrated so that the fare shown is the current fare authorised by the Council. The meter shall bear the original seal(s) as fitted by the person authorised to carry out the calibration.
35. The calibration certificate should be made available to an authorised officer upon request.

## **RADIO SCANNERS**

36. The licensee shall not fit, carry or use any radio frequency scanning apparatus in or on a licensed vehicle.

## **INSURANCE**

37. A hackney carriage vehicle must be insured at all times during the period of the licence. The licence is invalid if it is not insured.
38. Where the insurance produced with the application for or renewal of this licence is due to expire before the date of expiry of the licence a current insurance document must be produced either on or before the date when the original insurance expires. It is the responsibility of the proprietor to ensure that a current insurance document is produced to the Licensing Section.

## **ADDITIONAL LICENCE CONDITION**

39. Applicable only to licence numbers 32 to 40 inclusive:  
This licence is issued specifically in respect of a vehicle constructed or adapted for the carriage of disabled persons. Any replacement vehicle must comply with the conditions as set out in paragraph 13 above.