

CONDITIONS ATTACHED TO THE ISSUE OF A HACKNEY CARRIAGE LICENCE ADDITIONAL TO THE STATUTORY BYELAWS

<p>DEFINITION</p> <p>1. "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.</p> <p>IDENTIFICATION PLATES & LIVERY</p> <p>2. 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:-</p> <ol style="list-style-type: none"> (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) <u>must be affixed by bolts or screws</u> or other similar secure means as approved by the Council, in such a manner as to be easily removed by an Authorised Officer. (f) The licence plate will display the expiry date of the vehicle licence or the expiry date of the vehicles taxi test, which ever expires soonest. <p>3. 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.</p> <p>4. Internal licence plate must be fixed to the dashboard not obscuring the drivers view or on the windscreen outside the swiped area.</p> <p>5. 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.</p> <p>TYPE OF VEHICLE</p> <p>6. (a) The vehicle must be a vehicle approved for use as a Hackney Carriage in Chorley. (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) The vehicle must have a capacity for at least 4 adult passengers. (f) 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. (g) 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. (h) Door catches must be secure at all times whilst being capable of easy operation by passengers. (i) 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. (j) The vehicle must be white unless it is a purpose built wheelchair accessible vehicle. Bizarre or garish colour schemes will not be permitted. (k) A 1kg (2.2lb) British standards fire extinguisher of the dry powder type shall be fitted to the vehicle so as to be readily available for use at all times and be marked with the Hackney Carriage plate number. The fire extinguisher shall be maintained in good working order at all times. (l) 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. (j) 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, of 1220mm (48"). (m) The minimum width between the back of the driver's seat and the front of the rear seating, measured when the forward seat is fully pushed back, must not be less than 180mm (7"). (n) The height as measured at the centre of any passenger seat and the height to the roof lining in a vertical plane, must be not less than 860mm (34"). (o) No vehicle will be licensed if the passenger has to climb over seats or luggage to gain egress, or where such entrance or exit is sited over a fuel tank, high sill, or has been fitted with handles which are not clearly visible and of a type consistent with those fitted to all other doors of the vehicle. (p) Any person applying for a hackney carriage vehicle licence with regards to the grant/renewal or transfer of a vehicle licence, the proposed vehicle shall be subjected to the approval of the council. With the exception given at (q iii) below. (q) The colour of the vehicle unless a purpose built hackney carriage shall be white. (i) On the date of first licensing, a vehicle shall normally be no older than three years from the date of first registration; (ii) Where a vehicle reaches eight years from the date of first registration and the vehicle fails the MOT/Taxi Test or Vehicle Safety Report it will not be eligible for licensing. (iii) That in respect of the Fairway, Austin FX4 or Reliant Metrocab Hackney Carriages, or any subsequent replacement models thereof, on the date of first licensing a vehicle shall be no older than seven years from the date of first registration, and that on the vehicle reaching the age of twenty years from the date of first registration, the Licence for the vehicle shall normally no longer be eligible for renewal. (iv) The Council's Hackney Carriage vehicle licence conditions of application apply.</p> <p>LPG powered vehicles</p> <ol style="list-style-type: none"> (i) Any vehicle presented for taxi testing will be required at the time of taxi testing to produce to the examiner a certificate as described in the Councils conditions of application of hackney carriage vehicles, relating to the conformity and safe installation of any LPG system attached to the vehicle. (ii) 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. <p>CONDITION OF VEHICLE</p> <p>7. The proprietor shall ensure that the hackney carriage shall be maintained in a sound mechanical and structural condition at all times and be capable of satisfying the Council's mechanical and structural inspection at any time during the continuance of the vehicle's licence including the MOT/taxi test and vehicle safety report.</p> <p>8. 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</p>	<p>requirements (including in particular those contained in Motor Vehicles (Construction and Use) Regulations) are fully complied with.</p> <p>9. 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.</p> <p>TRAILERS</p> <p>10. 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.</p> <p>SIGNS, NOTICES, ETC</p> <p>11. 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, provided however, that this condition shall not apply to a sign which:</p> <ol style="list-style-type: none"> (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 display prior permission has been obtained from the Council. 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. (c) every hackney carriage vehicle must display in a prominent position inside the vehicle the Council's table of fares in force at that time. (d) 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. <p>PASSENGERS</p> <p>12. The proprietor shall not permit the Hackney Carriage to be used to carry a greater number of passengers than that prescribed in the licence.</p> <ol style="list-style-type: none"> a) Under the Motor Vehicles (Wearing of Seat Belts) Regulations 1993, all occupants of a vehicle, must wear a seat belt if provided. (i) Hackney Carriage drivers may claim exemption if plying for, or actually carrying passengers on hire, but this will not apply whilst driving to and from his home or base nor whilst not plying for hire. <p>ANIMALS</p> <p>13. 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.</p> <p>TWO-WAY RADIOS</p> <p>14. 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.</p> <p>15. 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.</p> <p>SEAT BELTS</p> <p>16. The regulations, amended to include rear seat passengers, who <u>must</u> now wear seat belts if provided.</p> <p>The proprietor shall allow only one passenger per seat to be conveyed in the front of the vehicle beside the driver. The proprietor must affix a sign provided by the Council as set out hereunder in a prominent position in the interior of the vehicle so as to enable it to be clearly visible to all passengers therein. "ALL PASSENGERS MUST BY LAW USE A SEAT BELT WHERE PROVIDED"</p> <p>CONVICTIONS</p> <p>17. The proprietor of a hackney carriage shall within seven days of conviction disclose to the Council in writing details of any convictions imposed on him during the currency of his licence.</p> <p>CHEQUES</p> <p>18. A licence in respect of which the licence fee has been paid by cheque shall not be effective until the cheque has been cleared.</p> <p>CHANGE OF ADDRESS</p> <p>19. The proprietor shall notify the Council in writing of any change in his address within 7 days of such change taking place.</p> <p>TOUTING, ETC.</p> <p>20. The proprietor shall not:</p> <ol style="list-style-type: none"> (a) TOUT OR SOLICIT IN A PUBLIC PLACE ANY PERSON TO HIRE OR BE CARRIED FOR HIRE IN ANY HACKNEY CARRIAGE, OR (b) CAUSE OR PROCURE ANY OTHER PERSON TO TOUT OR SOLICIT IN A PUBLIC PLACE ANY PERSON TO HIRE OR BE CARRIED FOR HIRE IN ANY HACKNEY CARRIAGE. <p style="padding-left: 40px;">In this condition: "public place" includes any highway and any other premises or place to which at the material time the public have or are permitted to have access (whether on payment or otherwise).</p> <p>DRIVERS</p> <p>21. The proprietor shall not cause or procure or permit any person who is not the holder of a current hackney carriage driver's licence issued by the Council to drive the hackney carriage.</p> <p>ACCIDENTS</p> <p>22. 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.</p> <p>RECORD BOOKS AND RECEIPTS</p> <p>23. 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.</p> <p>METERS</p> <p>24. 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 and shall bear the Council's seal.</p> <p>RADIO SCANNERS</p> <p>24. The licensee shall not fit, carry or use any radio frequency scanning apparatus in or on a licensed vehicle.</p> <p>INSURANCE</p> <p>25. 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 licensee to ensure that a current insurance document is produced to the Licensing Section; failure to do so may result in the suspension of this licence.</p> <p>ADDITIONAL LICENCE CONDITION</p> <p>Applicable only to licence numbers 32 to 39 inclusive and No 9.</p> <p>26. This licence is issued specifically in respect of a vehicle constructed or adapted for the carriage of disabled persons and once granted, the licensed vehicle and any replacement vehicle must:</p> <ol style="list-style-type: none"> i) in the opinion of the Council be suitable for the carriage of disabled persons; ii) at all times comply with the specification guidelines set down by the Council and for the time being in force; and/or iii) comply with any regulations that may be made by the Secretary of State under the provisions of the Disability Discrimination Act 1995.
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