

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING VEHICLE POLICY

Policy Adopted by Nuneaton and Bedworth Borough Council on
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Amended October 2018

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Terminology:

Hackney carriages may be referred to in legislation, regulations and common language as taxis, cabs or black cabs. In this document the terms hackney carriage and taxi are used and refer to all such vehicles.

Nuneaton and Bedworth Borough Council is under a duty to protect the public funds it administers, and to this end may use the information supplied in connection with individual applications for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. Further information is available on the [Council's website](#).

1.0 INTRODUCTION

- 1.1 Nuneaton and Bedworth Borough Council ('the Council') is the licensing authority for hackney carriages and private hire vehicles for the Borough of Nuneaton and Bedworth.
- 1.2 The principal legislation governing the licensing of taxis and private hire is the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. The Department for Transport (DfT) has national responsibility for hackney carriage and private hire legislation in England and Wales. The Department has produced Best Practice Guidance for licensing authorities which sets out standards which can be considered good practice in this area of licensing, although it also recognises that individual licensing authorities should produce their own policies in relation to specific licensing matters. This Guidance has been taken into consideration in preparing this policy. The Council adopted this policy on the 12th December 2016
- 1.3 In developing this policy document the Council has set out to achieve the following objectives:
- That all licensed vehicles are roadworthy and fit for the carriage of fare-paying passengers.
 - To make available a range of vehicles to allow persons with disabilities to choose a vehicle that meets their particular needs.
- 1.4 In order to meet these objectives, the Council has set minimum requirements for the licensing of vehicles. These requirements include the inspection of vehicles for mechanical safety and comfort, together with checks of vehicle documentation and insurance.
- 1.5 Furthermore, the Council undertakes to uphold its commitment to the objectives by:
- Carrying out a programme of planned inspections and checks and the investigation of complaints in order to monitor compliance with legislation and licence conditions, with appropriate action taken in accordance with the Council's enforcement policy
 - Ongoing training and development of Officers and members of the Licensing Committee.
 - Providing information to the private hire and hackney carriage trades and members of the public through press releases and publications, the Council's website and attendance at any relevant forums.

2.0 REGULATORS' CODE (Published by the Better Regulation Delivery Office)

- 2.1 The Council has had regard to the Code when developing these policies and operational procedures and will equally have regard to the Code when setting standards or giving guidance. If a regulator concludes, on the basis of material evidence, that a specific provision of the Code is either not applicable or is outweighed by another relevant consideration, the regulator is not bound to follow that provision, but should record that decision and the reasons for it.

3.0 REVIEW OF POLICY

- 3.1 The Council has consulted widely on the adoption of this policy. This is the first time the Council has adopted a formal policy in relation to hackney carriage and private hire licensing, it is intended that an overall policy will be developed in stages, with this Vehicle Policy being the first stage. In addition, policies will be re-assessed following any changes in legislation relevant to the area of taxi and private hire licensing and also following any review of relevant DfT Guidance. The Council may at any time review any of the elements of licensing covered by this document and appropriate consultation will be carried out in respect of that element only if it is not part of a comprehensive taxi and private hire policy review.

- 3.2 The policy and associated documentation is available on the Council's website under taxi and private hire licensing. Hard copies are available from the Licensing Section –

contact by email at licensing@nuneatonandbedworth.gov.uk or by telephone on 024 7637 6222.

4.0 VEHICLES

4.1 Limitation of Numbers

- 4.1.1 No powers exist for licensing authorities to limit the number of **private hire vehicles** they will licence.
- 4.1.2 Whilst section 16 of the Transport Act 1985 provides that the licensing authority may refuse to grant **hackney carriage licences** for the purpose of limiting the number of licensed taxis, this is subject to them being satisfied that there is no significant unmet demand for their services. The Council does not currently limit the number of licensed hackney carriages.

4.2 Specifications and Conditions

- 4.2.1 Local authorities have a wide range of discretion over the types of vehicle that they can license as hackney carriages and private hire vehicles. The Council specifies requirements and conditions that need to be met by licensable vehicles and these are detailed in this policy.
- 4.2.2 The Council does not specify particular makes of vehicle to be licensed. Each case will be considered on its own merits
- 4.2.3 The Council also specifies the criteria to be met by any vehicle presented for inspection which comprises:
- an MOT element dealing with vehicle safety
 - a test of the taximeter (if fitted)
 - a supplementary test dealing with passenger comfort, appearance of the vehicle etc.
- 4.2.4 These inspections will be carried out by nominated **Vehicle and Operator Services Agency (VOSA)**-authorised testing station sub-contractor. The MOT and compliance test will be undertaken in accordance with the current edition of the Freight Transport Association's Hackney Carriage and Private Hire Vehicles National Inspection Standards Best Practice Guide, which [is available online](#) here.

http://www.fta.co.uk/export/sites/fta/galleries/downloads/vehicle_testing/Hackney_Carriage_document_0812.pdf

- 4.2.5 Any vehicle licence issued by the Council may be subject to conditions. The standard conditions applied to hackney carriage and private hire vehicle licences are attached at Appendix B and Appendix C respectively. Additional conditions may be applied to individual licences where necessary.

4.3 Accessibility

- 4.3.1 The vast majority of hackney carriages currently licensed to ply for hire in the Borough are wheelchair accessible.
- 4.3.2 In 1990 the Council agreed that any new hackney carriage licence issued should carry a condition requiring the vehicle to be wheelchair accessible. Any licences in existence prior to that would not be so conditioned and could continue to be attached to non-wheelchair accessible vehicles.

4.3.3 This policy was reviewed in 2005 and as part of the development of this integrated policy in 2012/13 the Council agreed to continue with its position of having a mixed fleet. The result of the consultation (which included disability groups) was that choice of vehicle was important to those with a disability - it was also important to recognise that not all persons with a disability were confined to a wheelchair and their needs were equally significant.

4.3.4 In formulating this policy the Council believes that choice of vehicle is still an important issue for passengers, particularly those with disabilities, and a mixed fleet will continue to be licensed although any new licences issued for hackney carriages must be for wheelchair accessible vehicles.

4.3.5 The Council will maintain a list of accessible taxis and private hire vehicles in accordance with section 167 of the Equality Act 2010. The effect of this is to require the driver of any accessible vehicle contained in the list:

- to carry the passenger while in the wheelchair;
- not to make any additional charge for doing so;
- if the passenger chooses to sit in a passenger seat, to carry the wheelchair;
- to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
- to give the passenger such mobility assistance as is reasonably required.

4.4. Insurance 'Write-Off' Vehicles and Damaged Vehicles

4.4.1 Vehicles that have been declared to be an insurance 'write-off' will not normally be licensed. Vehicles that have been written off under Category A or B for insurance purposes will not be considered for licensing.

4.4.2 Category C or D (now Category S – Structural and Category N – Non Structural) vehicles would not be considered for hackney carriage or private hire work unless they have been inspected by a member of the Institute of Automotive Engineer Assessors (IAEA), and that their report, which must accompany the application, indicates that the repairs to the vehicle have been undertaken satisfactorily and that the vehicle is safe.

IAEA engineers can be found at www.iaea-online.org

- 4.4.3 Other vehicles should have no damage affecting the structural safety of the vehicle and must not have been substantially repaired and/or accident damaged. If, during a vehicle fitness test or from information received, the vehicle examiner has reason to believe that the vehicle has been involved in an accident or that repairs carried out to a vehicle are substandard, then the examiner will refer matter to the Licensing Section. The Licensing Officer may require the vehicle proprietor to produce a report from a member of the IAEA as indicated in the 4.4.2 above which will be at the proprietor's expense.

4.5 Stretch Limousines

- 4.5.1 The Council will licence stretch limousines for private hire work provided they meet the Council's licensing requirements. Drivers and operators of any such vehicles licensed also need to be licensed by the Council.
- 4.5.2 The Council does not consider novelty vehicles (e.g. decommissioned military or emergency vehicles) to be suitable for use as private hire vehicles and will not normally consider them for licensing.
- 4.5.3 The Council strongly recommends that anyone wishing to licence a stretch limousine contacts the Licensing Section before purchasing a vehicle, to ensure that advice can be provided as to whether the vehicle will meet the required standards, as each vehicle will be considered on its merits.

4.6 Taxi Rank

- 4.6.1 The Council will designate ranks in appropriate locations, subject to the approval of the Police and the Highways Authority if the rank is to be located on the public highway.

4.7 Area of Use

- 4.7.1 The Council has adopted a policy at the Licensing Committee on the 12th June 2009 whereby it will not licence a vehicle as a hackney carriage if it is intended to be used primarily outside of the Borough. This is to ensure that vehicles are available for hire for residents of the Borough and to ensure that enforcement checks and inspections can be undertaken, which would not be the case if they were working elsewhere. As an indication, vehicles may be regarded as working primarily outside the Borough if they carry the livery or telephone number of an operator based in another Council's area or working a circuit outside of the Borough.
- 4.7.2 Applicants for new licences and renewals of licences will be expected to demonstrate a real intention to ply for hire within the

administrative area of Nuneaton and Bedworth Borough Council under the terms of the licence for which application is being made. All applicants will be required to sign to say they will predominantly operate within the Nuneaton and Bedworth Borough Council area.

4.7.3 **Revocation of Licence** - Where a licence has been granted under the terms that the applicant intends to ply for hire to a material extent within the administrative area of the Council but is subsequently found not to be plying for hire to a material extent in the Council's area and/or to be trading in another authority's area for a substantial amount of time then the matter will be brought before the Licensing Committee with a recommendation of revoking the licence.

4.8 Transfer of Ownership – When a licensed vehicle is transferred from one person to another

4.8.1 Provided notice has been given to the Council in accordance with Section 49 of the Local Government (Miscellaneous Provisions) Act 1976, the Council will register the transferee of a licensed hackney carriage as the new proprietor.

4.8.2 The transferee of a licensed hackney carriage will be asked to inform and confirm in writing to the Council whether it is their intention to use the vehicle to ply for hire within the administrative area of the Council. Transferees should note the obligation under Section 73 of the Local Government (Miscellaneous Provisions) Act 1976 to give to an authorised officer information which may reasonably be required by him for the purpose of carrying out his / her functions under the legislation..

4.9 Maximum Age of Vehicles

4.9.1 The DfT Guidance accepts that it is perfectly possible for an older vehicle to be in good condition and that the setting of an age limit beyond which they will not licence vehicles could be arbitrary and disproportionate. It is, however, accepted that a greater frequency of testing is appropriate for older vehicles.

4.9.2 Vehicles presented for a new hackney carriage licence since 2005 must be less than 18 months old from first date of registration and be wheelchair accessible. Any replacement of these specific vehicles must be younger than the existing vehicle.

4.9.3 Applications for replacement of all existing vehicle licences, older than 8 years (for purpose-built hackney carriages) and 5 years (for all other vehicles) will be treated on their individual merits but must be in exceptional condition in order to be licensed. All replacement vehicles should be newer than the vehicle it is replacing and must comply with the exceptional condition criteria.

4.9.4 There is an appeals process should the applicant not be satisfied with the Council's decision.

4.9.5 To be regarded as being in 'exceptional condition' a vehicle must meet the standard in the following section.

4.10 New/Replacement Licensed Vehicle - Exceptional Condition

4.10.1 Nuneaton and Bedworth Borough Council will permit the licensing of a vehicle if it can be shown that the vehicle is in exceptional condition. The exemption is not designed to licence a vehicle which is in average condition and it is important that applicants recognise this.

4.10.2 In regards to new or replacement vehicles, it is the applicant's responsibility to ensure that the vehicle will comply with the Council's policy and it is recommended that if there is any doubt that a vehicle will comply the applicant should contact the Licensing Section before purchase.

Vehicles that are emission standard Euro 6, Euro 5, or which are an Ultra-Low Emission Vehicle (ULEV), or have been converted to such standards will be licenced without any mileage criteria, provided they comply with all other licensing conditions and are as per manufacturer's specification in relation to emissions. A ULEV vehicle is defined as having a pure electric engine, a plug-in hybrid engine, or a vehicle with CO2 emissions below 75 g/km.

It will be the applicant's responsibility to verify that the vehicle being licensed is a Euro 6, Euro5, ULEV or an appropriately converted vehicle prior to purchase and provide that information for licensing purposes.

If this verification is not provided then the standard for Euro 4 and lower will be utilised, as follows:

Older Vehicles

New and replacement vehicles which are Euro 4 will not normally be licensed.

Existing Euro 4 vehicles presently licenced with the Authority should continue to be licenced until they are replaced by the proprietor of the vehicle

4.10.3 Successful applications for the grant of a licence under the exceptional condition rule will be assessed against the following criteria:

- Must meet the requirement of the current edition of the Hackney Carriage and Private Hire Vehicles – National Inspection Standards – the best practice guide.
- The bodywork should be in near-perfect condition with no signs of panel age deterioration, dents, scratches, stone chips, or rust or any other abrasions that may detract from the overall appearance of the vehicle.
- The general paint condition should show no signs of fading, discolouration or mismatching that may detract from the overall appearance of the vehicle.
- The interior trim, panels, seating, carpets and upholstery should be in excellent condition, clean and free from damage and discolouration.
- The boot or luggage compartment must be in good condition, clean and undamaged.
- Passenger areas should be free from damp or any odours that may cause passenger discomfort.
- The vehicle must be in excellent mechanical condition and in all respects safe and roadworthy, with no signs of corrosion to the mechanical parts, chassis, underside or bodywork.
- The vehicle must have a service record to show that it has been properly serviced and maintained in accordance with the manufacturer's service specification and proof of mileage will be required.

- 4.10.4 If a vehicle cannot meet all the conditions listed above, then it will not be considered to be in 'exceptional condition'.
- 4.10.5 The age of vehicle will be determined by either the date of first registration as shown on the registration document or, in the case of a vehicle first used outside of the UK, when first used on a road of any description.
- 4.10.6 DfT Guidance also advises licensing authorities to consider how far their vehicle licensing policies can and should support any local environmental initiatives, for example, by setting vehicle emissions standards or promoting cleaner fuels. The Council will consider all applications for vehicles using alternative fuels on their individual merits and has indicated in its Air Quality Action Plan that it wishes to work towards the introduction of an emissions policy for taxis and private hire vehicles to assist with the reduction of NO_x and other pollutants in the Borough.
- 4.10.7 Work relating to potential further changes in emissions standards for licensed vehicles is on-going and any future proposed revision to the Council's policy will be subject to public consultation at the appropriate time.

4.11 Renewal of Licences

- 4.11.1 It is the responsibility of the vehicle licence holder to ensure that any renewal application is submitted in advance (a minimum of 5 working days) of the expiry of the current licence. This applies even where the vehicle may not be ready for testing and will ensure that the plate can be retained. Failure to submit the renewal application in time will result in the plate being withdrawn and the licence terminated, unless the applicant satisfies the Council that there are exceptional circumstances that justify the renewal of the said licence.

4.12 Vehicle Inspection Requirements

- 4.12.1 Vehicle licence holders will be required to have their licensed private hire / hackney carriage vehicle inspected at least once per year (at application or the anniversary of the vehicle licence) for an MOT inspection and Compliance Check at a designated garage appointed by the Council.
- 4.12.2 Purpose-built taxis (London Style) over eight years old and all other private hire or hackney carriage vehicles over five years old will be required to undertake an additional Compliance Check inspection half way through the period of the licence at a designated garage, appointed by the Council.
- 4.12.3 All licensed vehicles that are over 15 years old from first registration will be required to pass an MOT and Compliance Check at the renewal of the vehicle licence and then a Compliance Check after four months and eight months at a designated garage, appointed by the Council.

4.13 Advertising on Hackney Carriages

- 4.13.1 The Council has produced guidelines relating to advertising on hackney carriages and these are attached at Appendix D. All advertisements must be approved by the Licensing Section prior to being placed on the vehicle and the approval notice must be presented when the vehicle is taken for testing.

4.14 Roof Signs on Hackney Carriages and Private Hire Vehicles

- 4.14.1 The Planning & Development Committee on the 16th November 1977 approved a recommendation that hackney carriage vehicles should carry an illuminated roof sign to ensure that they are identified to the public as vehicles plying for hire.
- 4.14.2 It is a requirement of the Local Government (Miscellaneous Provisions) Act 1976 that a private hire vehicle shall not be of such design and appearance as to lead any person to believe that a vehicle is a hackney carriage. Therefore, other than as indicated in

paragraph 4.14.3 below, private hire vehicles shall not carry signs other than the private hire plate, the name of the private hire company and the telephone number of the company.

- 4.14.3 Illuminated roof signs will be allowed to be used on top of private hire vehicles, provided they are only marked with the words “Pre-booked only” and the operator’s telephone number and nothing else.
This does not become a requirement that all private hire vehicles have to carry roof signs.

4.15 Fares

- 4.15.1 The Council sets the maximum fares for journeys in hackney carriages. The majority of private hire proprietors also adopt this tariff.

4.16 Vehicle Repair and Maintenance

- 4.16.1 Hackney carriage vehicles and private hire vehicles must be kept at all times in an efficient, safe, tidy and clean condition. Compliance with the vehicle specifications and conditions is essential and will be enforced by periodic, random vehicle inspections by the Council. Where it is found that any vehicle is not being properly maintained, a defect(s) notice will be served on the proprietor setting out the defect(s) and, where public safety is likely to be imperilled, suspending the further use of the vehicle until the defects have been remedied. The suspension will then not be lifted until the vehicle has undergone a further test, at the proprietor’s expense, and been passed as fit for use as a hackney carriage or private hire vehicle.
- 4.16.2 The procedure will follow the statutory requirements as specified in the Local Government (Miscellaneous Provisions) Act 1976. An exception to this may be when joint enforcement initiatives are being undertaken and Warwickshire Police / VOSA may deal with matters under their legislative provisions.
- 4.16.3 Where a vehicle is consistently being presented for routine inspections and is found to have significant safety defects then previous inspection reports will be reviewed and taken into consideration. If previous reports reveal a history of poor maintenance between vehicle inspections then this may result in the information being brought before the Licensing Committee with a recommendation of revoking the vehicle proprietor’s licence.

4.17 Fees

- 4.17.1 Fees for private hire and hackney carriage licensing are levied on a cost-recovery basis. These fees are reviewed yearly and operate on a three year rolling basis to ensure that the service is cost-neutral.

4.18 Type Approval

- 4.18.1 From time-to-time the Council is asked to licence, as a hackney carriage or private hire vehicle, a vehicle that has been imported independently (that is, by somebody other than the manufacturer).
- 4.18.2 Such a vehicle might meet the licensing criteria but applicants may be uncertain about the wider rules for foreign vehicles being used in the UK. Such vehicles will be subject to the type approval rules. For passenger cars up to 10 years old at the time of first GB registration, this means meeting the technical standards of:
- European Whole Vehicle Type Approval;
 - British National Type Approval; or
 - British Single Vehicle Approval (before 29 April 2009) or:
 - Individual Vehicle Approval (from April 2009)
- 4.18.3 Most Registration Certificates issued since late 1998 should indicate the approval status of the vehicle. Further Information about these requirements and the procedures for licensing and registering imported vehicles can be seen at: www.gov.uk/vehicle-approval

4.19 Tinted Windows

- 4.19.1 For all new licensed vehicles, the front windscreen and front windows must have a visible light transmission (VLT) of not less than 75% and all other windows must not be tinted to the extent that the passengers cannot be seen clearly from the outside of the vehicle. Only vehicle manufacture tints are permitted on the vehicle.

4.20 Vehicles Licensed to Carry between 5 and 8 Passengers

- 4.20.1 These vehicles must have two means of egress in the rear or side of the vehicle.
- 4.20.2 No seat should be accessed by clambering over another seat that has been tipped or folded, in order to gain access to another seat.
- 4.20.3 All seats should be adult sized seats and must be fitted with three point seatbelts.
- 4.20.4 No door will be obstructed by the position of a seat and all aisles or walkways must be clear and unobstructed.
- 4.20.5 Vehicles that are presently licensed by NBBC and do not fully comply with this part of the policy will be allowed to continue to be licensed for a period of two years following adoption of this policy. Vehicles that continue to be used after that period will only be licensed for the number of passengers / seats that comply with this policy. Any seats etc. that do not comply with this policy should be removed from the

vehicle and not be reinstalled.

Appendix A

Nuneaton and Bedworth Borough Council



Hackney Carriage and Private Hire Vehicle inspection form

Proprietor		Licence Plate Number	H/C	P/H	Meter Number	
Registration Number		Make and Model			Year of Manufacturer	
Current Road Tax	Y	N	Recorded Mileage		Number of Passengers	
Section 1: Lamps, reflectors and electrical equipment						
Testing components	Pass ✓	Fail X	Reasons for Failure			
1.9: Electrical wiring and equipment						
1.9: Additional Lamps						
Section 2: Steering and suspension						
Testing components	Pass ✓	Fail X	Reasons for Failure			
2.1: Steering control-steering wheel						
2.1: Steering control-steering column						
2.4: Suspension spring units and linkage						
Section 3: Brakes (No additional inspection required)						
Section 4: Tyres and road wheels						
Testing components	Pass ✓	Fail X	Reasons for Failure			
4.1: Tyres-condition						
Section 5: Seat belts and supplementary restraint systems (No additional inspection required)						
Section 6: Body, structure and general items						
Testing components	Pass ✓	Fail X	Reasons for Failure (also see annotation on diagram attached)			
6.1: Vehicle body and condition (exterior)						
6.1: Vehicle body, security and condition (interior)						
6.1: Bumper bars						
6.2: Doors and seats						
Section 7: Exhaust, fuel and emissions						
Testing components	Pass ✓	Fail X	Reasons for Failure			
7.1: Exhaust system						
7.2: Fuel system-pipes and tanks						
Section 8: Driver's view of the road						
Testing components	Pass ✓	Fail X	Reasons for Failure			
8.1: Mirrors and view to rear						
8.3: Windscreen-the view to the front						

8:5: Window glass or other transparent material			
Section 10: Additional requirements			
Testing components	Pass ✓	Fail X	Reasons for Failure
10.1: Transmission			
10.2: Oil and water leaks			
10.3: Luggage/load space			
10.4: Trailers and towbars			
Section 11: Ancillary equipment			
Testing components	Pass ✓	Fail X	Reasons for Failure
11.1: Wheelchair restraint and access equipment			
11.2: Fire extinguisher			
11.3: First aid kit			
LOLER Certification required	Y ✓	N X	Expiry date of certificate
NBBC Requirement – Road test and meter check			
Testing components	Pass ✓	Fail X	Reasons for Failure
a. Vehicle should drive smoothly with no mechanical noises or vibrations			
b. All equipment and instruments function correctly with no faults indicated on dashboard.			
c. Meter is correctly calibrated, sealed and fully functional			
d. Meter is securely fixed			
e. Meter is visible to passengers and easily accessible to driver			
f. An official copy of the councils current fare chart must be clearly displayed in the vehicle and plainly visible to passengers carried therein			
Section	REASONS FOR FAILURE		
Advisory Items (are to be repaired as soon as practically possible as they will fail the next inspection)			
Signature of inspector			Date of inspection

Retest fee if applicable:

Circle outcome of inspection	
PASS	FAIL

APPENDIX B

HACKNEY CARRIAGE VEHICLE LICENCE **CONDITIONS OF LICENCE**

These conditions to be read in conjunction with the appropriate provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

1. **MAINTENANCE OF VEHICLE**

The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements shall be fully complied with. The proprietor shall maintain records of service and maintenance works and make these available on demand to any authorised officer of the Council.

2. **ALTERATION OF VEHICLE**

No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the written approval of the Council at any time while the licence is in force.

3. **SAFETY EQUIPMENT**

There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a suitable and efficient fire extinguisher and a suitable first aid kit containing appropriate first aid dressings and appliances, such equipment to be carried in such a position in the vehicle as to be readily visible and available for immediate use in an emergency.

4. **INTERIOR MARKINGS**

The Proprietor shall cause to be clearly marked and maintained inside the vehicle in such a position as to be visible at all times to persons conveyed therein the approved fare tariff card together with any other signs stipulated by the Council.

5. **PLATE**

- (a) The plate shall be securely affixed to the exterior rear of the vehicle immediately on or above the bumper in such a position that the particulars are clearly visible.

- (b) The plate shall be kept in such a condition that the information carried on it is clearly visible to public view at all times when the vehicle is being used as a hackney carriage.
- (c) The plate shall remain the property of the Council at all times and shall be returned to the Council on the sale of the vehicle or in the event of surrender, suspension or revocation of the licence.

6. **SIGNS, NOTICES, ADVERTISEMENTS, ROOF SIGNS ETC.**

- (1) No signs, notices, advertisements or other markings shall be displayed on, or in, the vehicle except as may be required or permitted by any statutory provision or by these conditions.
- (2) The following signage may appear on the vehicle without the need for further approval from the Council:
 - That which contains no words or numbers other than the name and address and/or telephone number of the Proprietor of the vehicle or the name under which he/she carries on his/her business and its address and/or telephone number.
- (3) The Proprietor shall cause to be fixed and maintained an illuminated roof sign approved by the Council displaying the word 'Taxi'. (Following decision of the Planning and Development Committee on the 16th November 1977).
- (4) Application for any other signs or advertisements should be made in writing to the Council and a copy of the proposed signs or advertisements attached to the application. A copy of the Council's guidelines relating to advertisements on hackney carriages is available on request from the Licensing Section, Town Hall, Nuneaton or by e-mail to licensing@nuneatonandbedworth.gov.uk

7. **CHANGE OF ADDRESS**

The Proprietor shall notify the Council in writing of any change of his/her address during the period of the licence within seven days of such change taking place.

8. **CONVICTIONS**

The Proprietor shall within seven days disclose to the Council in writing details of any conviction imposed on him/her (or, if the Proprietor is a company or partnership, on any of the directors or partners) during the period of the licence.

9. **DEPOSIT OF HACKNEY CARRIAGE DRIVER'S LICENCE**

If the Proprietor permits or employs any other person to drive the hackney carriage, he/she shall, before that person commences to drive the vehicle, cause the driver to deliver to him/her his/her hackney carriage driver's licence for retention until such time as the driver ceases to be permitted or employed to drive the vehicle.

No person shall act as a driver of the hackney carriage unless he/she holds a current hackney carriage driver's licence issued by the Council.

10. **TRANSFER OF INTEREST IN HACKNEY CARRIAGE**

If the ownership of the vehicle is transferred, the person to whom the vehicle is transferred shall notify the Council's Licensing Section within 14 days.

11. **TABLE OF FARES**

A copy of the current 'Table of Fares' shall be exhibited inside the vehicle in such a position that it can be conveniently seen and read by hirers.

12. **RECEIPTS**

Upon request, the Proprietor shall issue to hirers receipts in respect of fares charged for hirings.

13. **INSURANCE**

Before using the vehicle as a hackney carriage, such insurances or securities as are required under Part VI of the Road Traffic Act 1988 shall be obtained by the Proprietor and thereafter maintained in respect of the vehicle. The certificate in respect of the policy of insurance or security shall be produced to the Council's Licensing Section for inspection and to any authorised officer of the Council on demand.

14. **ACCIDENTS**

14.1 The Proprietor shall report the occurrence of any accident materially affecting the safety, performance or appearance of the hackney carriage or the comfort or convenience of the passengers to the Licensing Section within 72 hours of such occurrence.

14.2 Vehicles should have no damage affecting the structural safety of the vehicle and must not have been substantially repaired and /or accident damaged. If during a vehicle fitness test or information received, the vehicle examiner has reason to believe that the vehicle has been involved in an accident or that repairs carried out to a vehicle are substandard, then the examiner will refer the matter to the Licensing

Section who may require the vehicle to be further inspected. The Licensing Officer may require the vehicle proprietor to produce a JIG report and / or engineer's report and/or steering geometry check at the proprietor's own expense. Such reports will only be accepted if produced by an approved garage and will be at the proprietor's cost.

15. **RECORDS**

The Proprietor shall ensure that records are maintained of all journeys undertaken by drivers engaged by him/her and of the hours worked by such drivers, and these records are to be made available on demand to any authorised officer of the Council.

16. **LOST PROPERTY**

If the driver of a hackney carriage delivers to the Proprietor any property accidentally left in the vehicle by a passenger, the Proprietor shall keep a record of such property (including when it was discovered) and as soon as possible, and in any event within 48 hours, return it to the passenger if known or otherwise deliver such property to a convenient police station and obtain a receipt for it.

17. **VARIATION OF CONDITIONS**

The Council may review any or all of the conditions herein contained at any time, following approval by the Licensing Committee and a consultation process being completed

PRIVATE HIRE VEHICLE LICENCE

CONDITIONS OF LICENCE

These conditions to be read in conjunction with the appropriate provisions of the Local Government (Miscellaneous Provisions) Act 1976.

1. **MAINTENANCE OF VEHICLE**

The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements shall be fully complied with. The proprietor shall maintain records of service and maintenance works and make these available on demand to any authorised officer of the Council.

2. **ALTERATION OF VEHICLE**

No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the written approval of the Council at any time while the licence is in force.

3. **SAFETY EQUIPMENT**

There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a suitable and efficient fire extinguisher and a suitable first aid kit containing appropriate first aid dressings and appliances, such equipment to be carried in such a position in the vehicle as to be readily visible and available for immediate use in an emergency.

4. **INTERIOR MARKINGS**

The Proprietor shall cause to be clearly marked and maintained inside the vehicle in such a position as to be visible at all times to persons conveyed therein the number of the private hire vehicle licence and the number of passengers prescribed in the licence.

5. **PLATE**

- (a) The plate shall be securely affixed to the exterior rear of the vehicle immediately on or above the bumper in such a position that the particulars are clearly visible.
- (b) The plate shall be kept in such a condition that the information carried on it is clearly visible to public view at all times when the vehicle is being used as a private hire vehicle.
- (c) The plate shall remain the property of the Council at all times and shall be returned to the Council on the sale of the vehicle or in the event of surrender, suspension or revocation of the licence.

6. **SIGNS, NOTICES, ADVERTISEMENTS**

- (a) The Proprietor is permitted to display signs identifying the private hire firm and its telephone number either:
- (i) on the side panels of the vehicle in letters no larger than 6" (152.4 mm) in height, and on the front windscreen with a maximum depth of 4" (101.6 mm) and abutting the lower or upper edge of the windscreen, or
 - (ii) on the front and rear windscreen with a maximum depth of 4" (101.6), a width not exceeding that of the windscreen and with the bottom edge abutting the lower edge of the windscreen in the case of rear windscreens and lower or upper edge in the case of front windscreens.

Provided that no such sign shall include the words 'taxi' or 'cab' whether in the singular or plural or the words "For Hire" or any other word or words of similar meanings or appearance likely to cause a person to believe the vehicle is a hackney carriage or is presently available to carry any passengers wishing to hire it.

- (b) No other externally visible sign, notice, advertisement, plate, mark, number, letter, figure, symbol or emblem shall be displayed on, in or from the vehicle except as may be required by any statutory provision or as may be required or permitted by these conditions or as may otherwise be approved from time to time by the Council in writing.
- (c) Any signs authorised in connection with (a) above must not interfere with any signs supplied by the Council which indicate the status of the vehicle as a private hire vehicle and that the vehicle must be pre-booked.

7. **ROOF SIGNS**

- (a) It is a requirement of the Local Government (Miscellaneous Provisions) Act 1976 that a private hire vehicle shall not be of such design and appearance as to lead any person to believe that a vehicle is a hackney carriage. Therefore, other than as indicated in paragraph 7(b) below, private hire vehicles shall not carry signs other than the private hire plate, the name of the private hire company and the telephone number of the company.
- (b) Illuminated roof signs will be allowed to be used on top of private hire vehicles, provided they are only marked with the words "Pre-booked only" and the operator's telephone number and nothing else.
This does not become a requirement that all private hire vehicles have to carry roof signs

8. **CHANGE OF ADDRESS**

The Proprietor shall notify the Council in writing of any change of his/her address during the period of the licence within seven days of such change taking place.

9. **CONVICTIONS**

The Proprietor shall within seven days disclose to the Council in writing details of any conviction imposed on him/her (or, if the Proprietor is a company or partnership, on any of the Directors or partners) during the period of the licence.

10. **DEPOSIT OF PRIVATE HIRE DRIVERS' LICENCE**

If the Proprietor permits or employs any other person to drive the vehicle as a private hire vehicle, he/she shall, before that person commences to drive the vehicle, cause the driver to deliver to him/her his/her private hire driver's licence for retention until such time as the driver ceases to be permitted or employed to drive the vehicle.

No person shall act as a driver of a private hire vehicle unless he/she holds a current private hire driver's licence issued by the Council.

11. **TRANSFER OF INTEREST IN PRIVATE HIRE VEHICLE**

If the ownership of the vehicle is transferred, the person to whom the vehicle is transferred shall notify the Council's Licensing Section within 14 days.

12. **RECEIPTS**

Upon request, the Proprietor shall issue to hirers receipts in respect of fares charged for hirings, and a card shall be prominently displayed in the private hire vehicle advising hirers of the facility.

13. **INSURANCE**

Before using the vehicle for private hire, such insurances or securities as are required under Part VI of the Road Traffic Act 1988 shall be obtained by the Proprietor and thereafter maintained in respect of the vehicle. The certificate in respect of the policy of insurance or security shall be produced to the Council's Licensing Section for inspection and to any authorised officer of the Council on demand.

14. **ACCIDENTS**

14.1 The Proprietor shall report the occurrence of any accident materially affecting the safety, performance or appearance of the private hire vehicle or the comfort or convenience of the passengers to the Licensing Section within 72 hours of such occurrence.

14.2 Vehicles should have no damage affecting the structural safety of the vehicle and must not have been substantially repaired and /or accident damaged. If during a vehicle fitness test or information received, the vehicle examiner has reason to believe that the vehicle has been involved in an accident or that repairs carried out to a vehicle are substandard, then the examiner will refer the matter to the Licensing Section who may require the vehicle to be further inspected. The Licensing Officer may require the vehicle proprietor to produce a JIG report and / or engineer's report and/or steering geometry check at the proprietor's own expense. Such reports will only be accepted if produced by an approved garage and will be at the proprietor's cost.

15. **RECORDS**

The Proprietor shall keep proper records in a form approved by the Council of all journeys undertaken by drivers engaged by him/her and of the hours worked by such drivers, and these records are to be made available on demand to any authorised officer of the Council.

16. **LOST PROPERTY**

If the driver of a private hire vehicle delivers to the Proprietor any property accidentally left in the vehicle by a passenger, the Proprietor shall keep a record of such property (including when it was discovered) and as soon as possible, and in any event within 48 hours, return it to the passenger if known or otherwise deliver such property to a convenient police station and obtain a receipt for it.

17. **FARES**

A copy of the fare tariff being applied to journeys must be displayed in a conspicuous position in the vehicle and available for inspection by passengers, **unless a fare has previously been agreed between the operator and the passengers.**

A copy of the tariff in operation must be deposited with the Licensing Section (unless the hackney carriage fare tariff approved by the Council is being applied).

18. **VARIATION OF CONDITIONS**

The Council may vary any or all of the conditions herein contained at any time, following approval by the Licensing Committee and following a consultation process. The Council may change the wording of any condition with approval of the Director of Regeneration and Public Protection and the Chair of Licensing Committee if it is just for clarity - a record of any such change will be kept on record.

**GUIDELINES RELATING TO
ADVERTISING IN OR ON HACKNEY CARRIAGES**

1. GENERAL

NB These guidelines relate specifically to the advertising of products/ services and do not relate to the livery of the company for which the vehicle is working.

- a) Suitable advertisements may be displayed on or in hackney carriages subject to written approval from the Council being obtained **before** advertisements are applied to the vehicle.
- b) Advertisements must be of a form and quality that cannot become easily dissolved, defaced or detached.
- c) Advertisements must be affixed directly onto the body of the hackney carriage or initially attached to a magnetic panel which is then attached to the vehicle.
- d) Only one product/service may be advertised at any one time, in addition to any livery advertising the name and telephone number of the company for which the hackney carriage is working.

2. EXTERIOR ADVERTISING

- a) Exterior advertising may be displayed on:
 - i) the whole vehicle (full livery);
 - ii) externally on side door panels (single or double);
 - iii) externally on the edge of the roof/top of the doors to the vehicle.
- b) Where full livery advertising is proposed, provision must be made for the immediate replacement of any damaged panels. Hackney carriages will not be permitted to work with damaged or unmatched panels, nor will they be accepted for re-licensing in this condition.
- c) Where door advertising is proposed, the advertisement should cover the lower part of the door panel(s) and not overlap the curve above the lower panel(s).

- d) Advertising involving the fixing of a structure, board, roof or other type of fixture which significantly alters the original shape of the vehicle shall not be allowed.
- e) Advertising on the boot lid which in any way obscures the hackney carriage licence plate shall not be allowed.

3. INTERIOR ADVERTISING

- a) Advertisements may only be displayed within the passenger compartment on the base of the occasional (flip up) seats and along the bulkhead above the passenger/driver partition.
- b) Occasional seat advertisements must be encapsulated in clear, non-flammable plastic.
- c) No material should be placed on the driver/passenger partition other than notices approved by the Council.

4. WINDOW ADVERTISING

- a) No advertisement which obscures vision will be permitted.
- b) Advertising material must be maintained in a good condition at all times. Advertisements should be correctly fitted and sealed to prevent the ingress of water on to the advertising materials. Any advertisement that retains water or obscures rear vision should be removed from the vehicle.

5. ADVERTISEMENT CONTENT

- a) All advertisements must comply with the British Code of Advertising Practice and it is the responsibility of the proprietor to ensure that they do so.
- b) Each proposal shall be considered upon its own merits but any advertisements which are likely to cause offence to the public are unlikely to receive approval.