

# Taxi and Private Hire Conditions of Licensing

Approved and adopted by  
Stevenage Borough Council  
On XXXXXXXX

This document can be revised at any time to reflect Acts of Parliament, new legislation, associated revisions to existing legislation and/or policy changes.

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## Definitions

- The Council - Stevenage Borough Council
- HCV – Hackney Carriage Vehicle
- PHV - Private Hire Vehicle
- PHO – Private Hire Operator
- CRB – Criminal Records Bureau
- DSA – Driving Standards Agency
- DVLA – Driver and Vehicle Licensing Agency
- MOT – Ministry of Transport – annual motor vehicle inspection
- GP – General Practitioner

## Background

Stevenage Borough Council has responsibility for licensing hackney carriage and private hire vehicles, drivers and operators within the district of Stevenage.

## The Role of Taxis and PHV's

Taxis (more formally known as hackney carriages) and PHV's (or minicabs as some of them are known) play an important part in local transport. In 2003<sup>1</sup> some 650 million journeys were made by taxi and PHV in Great Britain, and households spent around £3 billion on taxi and PHV journeys; spending by business and foreign visitors was a substantial extra figure. Taxis and PHV's are used by all social groups; low income young women (amongst whom car ownership is low) are one of the largest groups of users.

## The Role of Licensing: Policy and Justification

The aim of local authority licensing of the taxi and PHV trades is to protect the public. Stevenage Borough Council is aware that the public should have reasonable access to taxi and PHV services, because of the part they play in local transport provision. Licensing requirements which are unduly stringent will tend unreasonably to restrict the supply of taxi and PHV services, by putting up the cost of operation or otherwise restricting entry to the trade. The Council recognise that too restrictive an approach can work against the public interest and can, indeed, have safety implications.

For example, it is clearly important that somebody using a taxi or PHV to go home alone late at night should be confident that the driver is competent and that the vehicle is safe. However, if the supply of taxis or PHV's has been unduly constrained by onerous licensing conditions then that person's safety might be put at risk by having to wait on late-night streets for a taxi or PHV to arrive; he or she might even be tempted to enter an unlicensed vehicle with an unlicensed driver illegally plying for hire.

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<sup>1</sup> D for T - Taxi and Private Hire Licensing: Best Practice Guidance – October 2006

## **Best Practice Guidance**

The Department for Transport consulted with a large number of individuals and organisations to produce their document - Taxi and Private Hire Vehicle Licensing: Best Practice Guidance. Due regard has been given to the advice contained within that document in the formulation of these conditions of licensing. The advice contained within the documents below was also considered in the drafting of this policy and conditions: -

- The Office of Fair Trading - Legal Framework of Taxi and PHV licensing in the UK - published November 2003
- The National Association of Licensing and Enforcement Officers - Model Standard for Taxi and Private Hire Licensing - Published 2007
- The Public Authority Transport Network - Taxi and PH Technical Officer Group - Vehicle Inspection Manual - published 2008

## **Consultation**

The Council recognise that a number of groups and organisations have an interest in the provision of hackney carriage and private hire vehicle services. These include those working within the hackney carriage and PHV trade, enforcement agencies and local residents, all of whom have views and concerns that require consideration in the formulation of this document. The following individuals and organisations have been asked to comment on the draft document.

The list is not exhaustive:

- Local Authorities bordering Stevenage Borough
- Drivers, vehicle proprietors and operators licensed by Stevenage Borough Council
- The National Private Hire Association
- The National Taxi Association
- Hertfordshire County Council (Passenger Transport Unit)
- Hertfordshire Constabulary
- Hertfordshire Fire and Rescue Authority
- Local Safeguarding Children Board
- East and North Herts Primary Care Trust
- REACT Disabled Group (Stevenage)
- Age Concern (Stevenage)
- First Capital Connect
- Arriva Bus Company
- VOSA

## **Introduction**

### ***Powers and Duties***

These conditions of licensing are written pursuant to the powers conferred by the Local Government (Miscellaneous Provisions) Act 1976, as amended, which places on Stevenage Borough Council the duty to carry out its licensing functions in respect of hackney carriages and private hire vehicles.

### ***Objectives***

In setting out its conditions of licensing, the Council seeks to promote the following objectives:

- The protection of public health and safety.
- The establishment of a professional and respected hackney carriage and private hire trade.
- Public access to an efficient and effective public transport system.
- The protection of the environment.

The aim of the licensing process, in this context, is to regulate the hackney carriage and private hire trade in order to promote the above objectives. It is Stevenage Borough Council's wish to facilitate well run and responsible businesses which display sensitivity to the wishes and needs of the general public.

### ***Status***

In exercising its discretion when carrying out its regulatory functions, the Council will have regard to this document and the objectives set out above.

Notwithstanding the existence of this document and any other relevant Council policy, each application or enforcement measure will be considered on its own merits. Where it is necessary for the authority to depart from its policies, reasons will be given for doing so.

### ***Implementation***

Upon implementation of this document, the Council expects licence holders to comply with its terms and conditions immediately. It is acknowledged, however, that certain provisions may place financial obligations on existing licence holders and, accordingly, the Council will permit a transitional period, during which necessary changes must be made. (hereinafter referred to as Grandfather Rights). Where Grandfather rights apply they are described within that individual condition (see appendices).

## Vehicles

### ***Hackney Carriage and Private Hire***

#### **Accessibility**

Stevenage Borough Council has considered how accessible licensed vehicles are for disabled people (which includes – but is not limited to – people who need to travel in a wheelchair).

The Department for Transport has for some years now been working on proposals which would substantially improve taxi provision for people with disabilities. This work is continuing and an announcement will be made in due course. In the meantime licensing authorities are encouraged to introduce taxi accessibility policies for their areas.

Different accessibility considerations apply to taxis and PHV's. Taxis can be hired on the spot - in the street or at a rank - by the customer dealing directly with a driver; but PHV's can only be booked through an operator. It is important that a disabled person should be able to hire a taxi on the spot with the minimum delay or inconvenience, and having accessible taxis available helps makes that possible. For PHV's, it may be more appropriate for a local authority to license any type of saloon car, noting that some PHV operators offer accessible vehicles in their fleet.

The Council decided some years ago that Hackney Carriage Vehicle numbers 71 – 100 must be wheelchair accessible and it is not proposed to change that decision at this time. A new condition is placed on PHO's that they must ensure that, during their hours of operation, there is always at least one licensed PHV available for booking that is wheelchair accessible (see appendix E).

#### ***Maximum Age of Vehicles***

Vehicles manufactured prior to 1994 did not have to meet emission limits (Euro One (1) technology) designed to improve air quality. Therefore in the interests of improving air quality any application for the grant or renewal of a hackney carriage or private hire vehicle licence where the vehicle in question is manufactured prior to 1994 will not be granted. This provision will not apply to non-motorised vehicles.

#### ***Security / CCTV***

Stevenage Borough Council is very aware that drivers of hackney carriage and private hire vehicles, being lone workers, are vulnerable to unlawful acts whilst providing a service to the public. In addition, the installation of in-car CCTV provides reassurance to the travelling customer. Therefore, the Council actively supports the installation of approved security screens, CCTV or other suitable security devices in hackney carriage and private hire vehicles.

#### ***Environmental Considerations***

Stevenage Borough Council is keen to promote the use of proven low emission and alternative fuel technologies within the hackney carriage and private hire fleet in Stevenage. The Council will offer a reduction in the vehicle licence fee for applications relating to vehicles using environmentally friendly engines/fuels.

## ***Stretched Limousines***

Every application to licence a stretched limousine as a private hire vehicle will be considered on its individual merits. Imported stretched limousine type vehicles may: -

- be granted an exemption from the requirement, under the conditions of licence for private hire vehicles, for the vehicle to be right hand drive
- be granted an exemption from the requirement to display external licence plates and door signs
- be approved for licensing as private hire vehicles subject to the additional conditions detailed in Appendix F.

## ***Livery***

The Council has decided that it is necessary, in the interests of public safety, for the public to be able to clearly distinguish between HCVs and PHVs. As a result, all HCVs will be of a manufacturer's standard black colour and display a roof sign bearing the words Taxi Cab For Hire or similar that is capable of being illuminated at night. PHVs are required to be any manufacturer's standard colour except black and must not display any form of roof sign. Every private hire vehicle must also display door signs of a type and design approved by the Council, except where written permission has been granted not to do so.

## **Application Procedures and Service Standards**

The application procedures for hackney carriage or private hire licences are not prescribed by law, but are described in appendix G.

The Council will:

- Process any new or renewal application within five working days of receiving a completed application form and all associated documentation;
- Process any change of vehicle application, where the current licensed vehicle is still in use, within 5 working days
- Process any change of vehicle application involving a replacement vehicle, following a road traffic incident or serious breakdown, within one working day of receiving a completed application form and all associated documentation
- Process any other applications or notifications, such as change of address or vehicle transfer, within 5 working days of receipt of all required documents and forms

The Council will send written reminders to existing licence holders approximately six weeks prior to the expiry date of the current licence. Where any application is received less than five working days prior to the expiry of the current licence, the Council cannot guarantee completion before the expiry of the current licence and, consequently, the licence may expire. In this case the driver or vehicle concerned would not be licensed and consequently would be unable to work.

In the event that a renewal application is not received prior to the expiry of the existing licence the application will not be treated as a renewal. Such an application will be treated as an initial (new) grant of a licence, requiring the applicant to submit to a new medical

examination and a new C.R.B. and D.V.L.A. disclosure. The decision to grant the licence will not be made until all the relevant documentation has been received by the Council.

### ***Consideration of Applications***

The Council will consider all applications, on their own merits, once it is satisfied that the appropriate criteria have been met and the application form and supporting documents have been correctly completed and received by the Council. The Council will have regard to the Policy Statement on Convictions when considering driver applications.

### ***Grant and Renewal of Licences***

The initial grant of a hackney carriage or private hire driver's licence will be for a period one (1) year. On renewal of a hackney carriage or private hire driver's licence there is an option of a three (3) year licence with a discounted fee.

The initial grant, and renewal, of hackney carriage and private hire vehicle licences will be for a period of one (1) year as required by legislation.

The initial grant of private hire operators licences will be for a period of one (1) year. On renewal of a private hire operator licence there is an option of a three (3) year licence with a discounted fee.

## **Drivers**

### ***Parallel Procedures***

The Council has decided that as the criteria for private hire and hackney carriage drivers are the same, dual licences will be issued that will enable any licensed driver to drive private hire and hackney carriage vehicles.

### ***Competency***

Stevenage Borough Council believes that hackney carriage and private hire drivers are professional drivers whose driving abilities and standards should be of the highest calibre from the time an applicant is first granted a licence and badge. The Council recognises that private hire and hackney carriage drivers are lone workers, who occasionally have to manage difficult customers whilst, simultaneously, having to drive a vehicle safely and to high standards. Consequently, in addition to the legal requirement for applicants to have held a full UK driving licence or equivalent for at least 12 months, the Council requires applicants for hackney carriage or private hire driver's licences to demonstrate their competency by passing the tests described below.

### ***Driver Tests***

Stevenage Borough Council considers that licensed drivers need a good working knowledge of the area for which they are licensed. In particular, applicants for licences who are not resident in, or familiar with, the Stevenage area benefit from studying for and passing the local knowledge test.

In order to maintain the high standards that the Council expects of its drivers, a licence will not be granted unless the Council is satisfied that the applicant is a 'Fit and Proper' person. The Council considers that the Knowledge Test is a relevant question to be asked in helping to decide who is a 'Fit and Proper' person, in this context. An applicant's ability to find destinations easily, have a working knowledge of the licensed district, have a good working knowledge of the Highway Code and the legislation relevant to the use of hackney



carriage and private hire vehicles is seen as a fundamental skill in providing a safe, quality, service to passengers.

In order to determine an applicants 'Fitness' in this respect, applicants will be required to undertake a written test as to their knowledge of:

- the topography of the Stevenage Borough Council licensed district and its immediate surroundings
- the Highway Code
- the statutory legislation relating to hackney carriage and private hire vehicle use
- the conditions of licensing for hackney carriage vehicles, private hire vehicles, drivers and operators within the Stevenage licensing district
- relevant road traffic legislation
- basic numeracy and literacy

### ***English language***

All applicants will be required to take an English language test. The Council believes this is vital to ensuring that the licensed driver is safe and can deal with potentially volatile customers that they may encounter during their work. It is also important that the customer can easily communicate with the licensed driver for the purposes of receiving good customer service.

### ***Driving Proficiency and Qualifications***

Stevenage Borough Council consider that the ordinary Driving Standards Agency (DSA) driving test does not demonstrate an adequate standard of driving competency for drivers of hackney carriage and private hire vehicles, particularly for those persons newly applying to obtain a licence.

The DSA provides a driving assessment specifically tailored for drivers of hackney carriage and private hire vehicles. The assessment can incorporate an element relative to the use of wheelchair accessible vehicles (WAV's) where appropriate.

All new applicants for driver licences are, therefore, required to take and pass the DSA hackney carriage/private hire test before a licence will be granted. Those applicants intending to drive a wheelchair accessible vehicle should include that element of the DSA test.

Existing holders of hackney carriage or private hire driver licences will not be required to undertake the DSA test as a matter of course, however, those licensed drivers who:

- attract a complaint about their standard of driving
- are involved in a blameworthy road traffic collision
- commit an offence or offences for which they receive a Fixed Penalty Notice fine and/or points
- commit an offence or offences for which they appear at Court and receive points and/or a fine
- for any other reasonable cause

may be required to undertake the D.S.A. test to assure the Council that they remain a 'Fit and Proper' person to hold a licence.

## **Medical Examination**

The following is an extract from The Department of Transport Taxi and Private Hire Vehicle Licensing: Best Practice Guidance: -

*'It is clearly good practice for medical checks to be made on each driver before the initial grant of a licence and thereafter for each renewal. It is common for licensing authorities to apply the 'Group 2' medical standards - applied by DVLA to the licensing of lorry and bus drivers - to taxi and PHV drivers. This seems best practice.'*

The Council has decided that each applicant for the grant of a driver's licence will be required to undergo a medical examination to the Group Two (2) standard, with their own General Practitioner (GP), to assess their physical and mental fitness to drive a licensed vehicle. The medical examination report must be returned to the Council before a licence will be determined.

The Group Two (2) standard precludes the licensing of drivers with insulin treated diabetes, however, exceptional arrangements do exist for driver's with insulin treated diabetes who can meet a series of medical criteria, to obtain a licence to drive category C1 vehicles. The position is summarised at Annex B to the Guidance from the Secretary of States Honorary Medical Advisory Panel on Diabetes Mellitus and Driving.

Existing licence holders must provide a medical examination report every 3 years on renewal application and must advise the Council of any deterioration in physical or mental health that may affect their fitness to drive licensed vehicles.

Where there is any doubt as to the medical fitness of any applicant or licence holder, the Council may require that person to undergo a medical examination by a medical practitioner nominated by the Council.

## **Criminal Record Bureau (CRB) Disclosures**

Public safety is the first priority in all aspects of hackney carriage and private hire licensing. Consequently, CRB checks and the declaration on each renewal application form of any convictions or cautions, both criminal and motoring, are an essential requirement of the licensing process.

Applicants for licences are, therefore, required to disclose all convictions and cautions, including those that would previously have been regarded as spent under the Rehabilitation of Offenders Act 1974, by completing the relevant section of the licence application form.

Failure to declare any conviction, or caution, may result in the immediate suspension of a licence, pending an investigation, and, if necessary, an appearance before the licensing committee.

Before an initial application for a driver's licence can be considered, the Council must be in receipt of an enhanced CRB Disclosure related to that applicant. The applicant must apply for the disclosure via Stevenage Borough Council; 'applicant's copy' certificates from third parties will not be accepted.

Applicants for a driver's licence who come from elsewhere in the EU and other overseas countries, who have been resident in the United Kingdom for less than five years, will also

be required to provide a Certificate of Good Conduct (Citizenship) from their country of birth, or residence, via their embassy or legation.

Applicants for the renewal of a driver's licence must renew their enhanced CRB disclosure every three years, or at any time that the Council may, reasonably, request. Licensed drivers are obliged to notify the Council, without delay and in any case within seven (7) days, of any criminal or motoring convictions or cautions that they receive during the term of a licence, and of any arrest or pending court appearances. Failure to do so may result in the immediate suspension of a driver's licence pending the outcome of an investigation.

# **APPENDIX A**

## **CONDITIONS OF LICENCE – DRIVERS**

The following specifications and conditions of licence are made by Stevenage Borough Council in pursuance of the powers conferred by Part II of the Local Government (Miscellaneous Provisions) Act 1976 (as amended) to ensure effective regulation of private hire vehicle use and to ensure that proper vehicle and driver standards are maintained, in the interests of public safety.

Possession of this Conditions of Licence document does not guarantee that the individual holds a current, valid private hire or hackney carriage driver licence. The validity of any licence may be confirmed by contacting Stevenage Borough Councils' Licensing Office.

### **DEFINITIONS**

In these conditions: -

'the 1976 Act' shall mean the Local Government (Miscellaneous Provisions) Act 1976 (as amended)

'the Council' shall mean Stevenage Borough Council.

'Authorised Officer' shall mean a Licensing Officer authorised in writing by Stevenage Borough Council.

'the hirer' shall mean any person who, from time to time, hires or books the vehicle.

'the licensee' and 'the driver' shall mean the person(s) named in the licence.

'the operator' shall mean any person or company or partnership licensed by the Council to operate private hire vehicles.

'the vehicle' shall mean the vehicle named in the licence.

### **GENERAL**

All licensed vehicles shall comply, in all respects, with the conditions of licensing set out below. The conditions of licence are supplementary to, and should be read in conjunction with, applicable statutory legislation. The following list is not exhaustive: -

The Town Police Clauses Act 1847 (as amended)

The Local Government (Miscellaneous Provisions) Act 1976 (as amended)

The Disability Discrimination Act 1995

## CONDITIONS

### 1. CONDUCT OF DRIVER

The holder of a private hire driver's licence shall comply with the following conditions:

- 1.1. The driver shall, at all times, when acting in accordance with the driver's licence granted to them, wear such badge as supplied by the Council in such a position and manner as to be plainly and distinctly visible at all times.
- 1.2. The badge supplied by the Council shall include the driver's full name, colour photograph, licence number and expiry date. The badge must not be covered, concealed or defaced in any way
- 1.3. The licence holder shall not lend the badge to any other person or cause or permit any other person to wear it and on termination or surrender of a driver's licence, he/she shall return the badge to the Council immediately.
- 1.4. The driver shall behave in a civil, polite and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
- 1.5. The driver shall not wilfully or negligently cause or permit the vehicle licence plate to be concealed from public view or allow the licence plate to be so defaced as to make any figure or information unavailable. The driver shall also ensure that the door signs that are required to be displayed on the vehicle are present and not damaged, defaced or concealed in any way.
- 1.6. The driver who has agreed, or has been hired, to be in attendance with the vehicle at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such vehicle at such appointed time and place.
- 1.7. The driver, when hired to drive to a particular destination, shall proceed to that destination by the shortest available route, unless a different route has been agreed with the hirer before the commencement of the journey.
- 1.8. The driver shall not convey, or permit to be conveyed, in such vehicle any greater number of persons than the number of persons specified on the vehicle licence (plate).
- 1.9. The driver shall convey a reasonable amount of luggage and afford reasonable assistance in loading and unloading luggage.
- 1.10. The driver must not solicit, by calling out or by any other means, any person to hire or be carried for hire, and must not accept an offer for the hire of the vehicle except where that hiring is first communicated to the driver by the operator.
- 1.11. The driver shall ensure that the vehicle is presented in a clean and tidy condition for each journey undertaken.
- 1.12. The private hire vehicle must only be driven with the permission of the proprietor of the vehicle.

- 1.13. The driver must comply with any hirer's request not to drink or eat in the vehicle, or play any radio or sound equipment, which is not connected with the operation of the vehicle as a private hire vehicle.
- 1.14. The driver shall ensure that the noise emitted from any sound equipment in the vehicle does not cause annoyance to any person, whether inside or outside the vehicle.
- 1.15. The driver shall not attract the hirer's attention, as a means of indicating that the vehicle has arrived or is waiting, by operating the horn or shouting.
- 1.16. The driver must not cause or permit the vehicle to stand on a road or in a public place so as to suggest that the vehicle is plying for hire or stop, wait on or use any hackney carriage stand.

## **2. FITNESS OF DRIVER**

- 2.1. The licensed driver must at any time, or at such intervals as the Council may reasonably require, produce a medical report from their own General Practitioner (G.P.) in a form prescribed by the Council, to the effect that he/she is, or continues to be physically and mentally fit to be the driver of a private hire vehicle.
- 2.2. Drivers will undergo a medical examination to Group 2 standards on first application for a licence. Thereafter licensed drivers will undergo a further medical examination and submit a report to the Council in the required format every 3 years.
- 2.3. Whether or not a medical report is produced a driver must, if required by the Council at any time, submit to a medical examination by their own G.P. or, if necessary, a Medical Practitioner designated by the Council.
- 2.4. A driver must cease driving any licensed private hire vehicle and inform the Council immediately they become aware of any medical condition which may affect their driving ability and/or the health and safety of themselves or their passengers.
- 2.5. The following medical condition(s) must be notified to the Council, in writing, as soon as reasonably practicable:
  - Heart Condition.
  - Abnormal Blood Pressure.
  - Diabetes.
  - Epilepsy.
  - Sudden attacks of giddiness or fainting.
  - Deterioration of eyesight or hearing.
  - Alcohol or Drug dependency.
  - Mental or Psychological disorders.
  - Serious physical injury or disability.
  - Any other condition affecting the ability to drive.

### **3. FARES AND JOURNEYS**

- 3.1. The driver/operator of a private hire vehicle may make their own agreement with the hirer as to the fare to be charged for a particular journey.
- 3.2. The driver shall, if requested by the hirer, provide the hirer with a written receipt for the fare paid.
- 3.3. If the private hire vehicle is fitted with a taxi-meter, then the driver of a private hire vehicle shall: -
  - 3.3.1. unless the hirer expresses, at the commencement of the journey, his/her desire to engage by time alone (agree the fare before the journey commences), bring the meter into operation at the commencement of the journey;
  - 3.3.2. bring the machinery of the taxi-meter into action by moving the said key, flag, button or other device, so that the word 'HIRED' is legible on the face of the taxi-meter before beginning a journey for which the fare is charged by distance and time, and keep the machinery of the taxi-meter in action until the termination of the hiring;
  - 3.3.3. when waiting for hire, keep the key, flag, button. Or other device fitted for that purpose locked in the position in which no fare is recorded on the face of the meter;
  - 3.3.4. cause the display of the taxi-meter to 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 any other time at the request of the hirer; and
  - 3.3.5. not demand from any hirer of a private hire vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator or, if the vehicle is fitted with a taxi-meter, the fare shown on the face of the meter.
- 3.4. In the event of a journey commencing in, but ending outside Stevenage Borough Council's area, or vice-versa there may be charged for the journey such fare or rate, if any, as was agreed before the hiring commenced. If no such agreement was made then the fare to be charged should be no greater than that fixed by the Council 'Hackney Carriage Table of Maximum Fares'.

### **4. DUTIES OF LICENCE HOLDER**

- 4.1. Any change in circumstance affecting this licence must be notified to the Council within fourteen (14) days.
- 4.2. The private hire driver's licence, to which these conditions refer, must be made available for inspection, on request, by any authorised Officer of the Council or Police Constable.
- 4.3. The driver must notify the Council in writing, within seven (7) days of being engaged or employed to drive a private hire vehicle, of the name of the proprietor (licensee) of the vehicle, the operator of the vehicle (if different) and the date when such engagement or employment commenced and ceased.
- 4.4. All licenses and badges remain the property of the Council at all times. They must be returned forthwith when the licensee ceases to be engaged or employed as a

private hire driver, the licence expires and is not renewed, or where the licence is suspended or revoked.

- 4.5. The driver must notify the Council in writing, within seven (7) days, of any change of personal address or change of private hire operator.
- 4.6. The driver must notify the Council in writing, within seven (7) days, of any criminal or motoring Conviction, Caution or the receipt of any Fixed Penalty Notice imposed on them whilst the licence is in force. Failure to disclose a Conviction, Caution or receipt of a Fixed Penalty Notice may result in the immediate suspension of this licence pending an investigation by the Council.
- 4.7. The licensed driver must submit an enhanced criminal records bureau certificate to the Council every three (3) years. This must be obtained through Stevenage Borough Council as the registered body; third party certificates will not be accepted.
- 4.8. The licensee shall submit an application for the renewal of this licence and all required original documentation, to the Council, at least five (5) days prior to the expiry of the current licence.

## **5. LOST PROPERTY**

- 5.1. The driver of a private hire vehicle shall immediately after the termination of any hiring, or as soon as practicable thereafter, carefully search the vehicle for any property which may have been left therein. If any property is found it should, as soon as possible but in any event within forty eight (48) hours, be handed in at the nearest Police Station. A receipt or Found Property Register number must be obtained at that time.

## **6. ACCIDENT REPORTING**

- 6.1. A proprietor, or driver, of a private hire vehicle shall report to the Council, in writing, as soon as reasonably practicable, and in any case within seventy two (72) hours of the occurrence, any accident including road traffic collisions or any other accident causing damage to a licensed vehicle materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons using the vehicle.

## **7. CARRIAGE OF ANIMALS**

- 7.1. A driver must not carry in a private hire vehicle any animal which belongs to or is being looked after by themselves, the owner of the vehicle or the operator whilst it is being used as a private hire vehicle.
- 7.2. Animals in the custody of passengers may be carried, at the driver's discretion, provided that they are restrained in a safe manner.
- 7.3. A driver must carry assistance dogs, including guide dogs for the blind, hearing dogs and other dogs which assist persons with physical impairments, when requested to do so by the customer. The only exception being where a driver has been granted an exemption from doing so by the Council.



- 7.4. An exemption certificate, when granted, must be displayed in the licensed vehicle it relates to at all times whilst it is available for hire.

## **8. WHEELCHAIR ACCESSIBLE VEHICLES**

All drivers of wheelchair accessible vehicles (WAV's): -

- 8.1. must be fully conversant with the correct method of operation of all ramps, lifts, wheelchair restraints and any ancillary equipment provided for the purpose of conveying wheelchair bound passengers;
- 8.2. must, before the vehicle is put into motion, ensure that all wheelchairs and occupants are firmly secured to the vehicle by use of an approved restraint system and seatbelt(s). The wheel brakes of any wheelchair should be set before the private hire vehicle is put into motion;
- 8.3. must ensure that any wheelchair(s), equipment and passengers are carried in such a manner that no danger is likely to be caused to those passengers or to any other person, and in accordance with any statutory legislation or regulations;
- 8.4. must be physically capable of loading and unloading passengers confined to an un-powered wheelchair.

## **APPENDIX B**

### **CONDITIONS OF LICENCE – PRIVATE HIRE VEHICLE**

The following specifications and conditions of licence are made by Stevenage Borough Council in pursuance of the powers conferred by Part II of the Local Government (Miscellaneous Provisions) Act 1976 (as amended) to ensure effective regulation of private hire vehicle use and to ensure that proper vehicle and driver standards are maintained, in the interests of public safety.

Possession of this Conditions of Licence document does not guarantee that a private hire vehicle licence is in force for the vehicle nor do they imply that the vehicle is roadworthy or fit for use. The validity of any licence may be confirmed by contacting Stevenage Borough Councils' Licensing Office.

### **DEFINITIONS**

In these conditions: -

'the 1976 Act' shall mean the Local Government (Miscellaneous Provisions) Act 1976 (as amended)

'the Council' shall mean Stevenage Borough Council.

'Authorised Officer' shall mean a Licensing Officer authorised in writing by Stevenage Borough Council.

'the hirer' shall mean any person who, from time to time, hires or books the vehicle.

'the licensee' shall mean the person(s) named in the licence.

'the operator' shall mean any person or company or partnership licensed by the Council to operate private hire vehicles.

'the vehicle' shall mean the vehicle named in the licence.

### **GENERAL**

All licensed vehicles shall comply, in all respects, with the conditions of licensing set out below. The conditions of licence are supplementary to, and should be read in conjunction with, applicable statutory legislation. The following list is not exhaustive: -

The Town Police Clauses Act 1847 (as amended)

The Local Government (Miscellaneous Provisions) Act 1976 (as amended)

The Road Vehicles (Construction and Use) Regulations 1986 (as amended)

## 9. CONSTRUCTION

9.1. All licensed vehicles shall have an appropriate 'type approval' which is either a:

- 9.1.1. European Whole Vehicle Type Approval;
- 9.1.2. British National Type Approval; or
- 9.1.3. British Single Vehicle Type Approval.

It is also recommended that vehicles with a Euro NCAP star rating of four, or more, should be considered when purchasing a replacement vehicle.

9.2. Vehicles should be manufactured or adapted to carry not more than eight passengers; this number includes any passengers who may be seated in wheelchairs if the vehicle is capable of transporting such passengers. Where a vehicle has been altered, adapted or modified ONLY Type Approval Certificates granted after alteration, adaptation or modification will be accepted

9.3. The vehicle shall be: -

9.3.1. a four-door saloon car with adequate seating accommodation for, not less than, four adult passengers in addition to the driver; or

9.3.2. a five door estate or hatchback with adequate seating accommodation for, not less than, four adult passengers in addition to the driver. Estate vehicles must be fitted with a luggage screen or guard to prevent luggage encroaching into the passenger compartment in the event of an accident ; or

9.3.3. a Multi Purpose Vehicle (MPV), including those manufactured or suitably adapted to carry wheelchair bound passengers, with adequate seating accommodation for, not less than, four adult passengers, and not more than eight inclusive of any passengers who may be seated in wheelchairs, in addition to the driver. Such vehicles to be provided with a means of securing any luggage carried. Such vehicles must have been granted the relevant M1 Type Approval Certificate, applicable after the vehicle has been manufactured or adapted, for carrying wheelchair-bound passengers; or

9.3.4. a mini-bus type vehicle, including those manufactured or suitably adapted, to carry wheelchair bound passengers, with adequate seating accommodation for, not less than four adult passengers, and not more than eight inclusive of any passengers who may be seated in wheelchairs, in addition to the driver. Such vehicles must have been granted the relevant M1 Type Approval Certificate, applicable after the vehicle has been manufactured or adapted, for carrying wheelchair-bound passengers.

9.4. The TX series, MetroCab (London style vehicles) or any vehicle having the appearance of a hackney carriage will not be considered for licensing as a private hire vehicle.

9.5. The vehicle must be suitable in type, size and design for use as a private hire vehicle

9.6. Only those vehicles manufactured as right hand drive will be acceptable for licensing (an exception may be made in the case of stretch limousines)

9.7. The engine capacity shall be not less than 1,600cc

- 9.8. The vehicle shall be provided with sufficient luggage space for the number of passengers for which the vehicle is licensed.
- 9.9. A private hire vehicle shall be any manufacturer's standard colour other than black. Grandfather rights apply for existing licensed vehicles at the time these conditions come into force, but they must comply when that vehicle is replaced. The primary factor in deciding the colour of any vehicle will be the vehicle V5 document, however, the final arbiter will be any authorised officer

## **10. DOORS**

- 10.1. All saloon, hatchback or estate cars shall have, at least, four side opening doors which may be opened from the inside and the outside
- 10.2. MPV's and mini-bus type vehicles shall have three doors, not including any tailgate or rear doors
- 10.3. The rear compartment, passenger, door shall be located so as to allow access and egress on the nearside (kerbside) of the vehicle only. Grandfather rights apply for existing licensed vehicles at the time these conditions come into force, but they must comply when that vehicle is replaced
- 10.4. The vehicle shall be constructed so that doors open sufficiently wide as to allow easy access into, or egress from, the vehicle.
- 10.5. Tailgates and rear doors are only to be used for loading/unloading luggage or as an emergency exit. The rear door(s) or tailgate should be clearly marked, both inside and out, with a sign indicating that they can only be used as an emergency exit.

## **11. TINTED WINDOWS**

- 11.1. For safety reasons it should be possible to observe the driver and passengers being carried. Many hackney carriage and private hire vehicles are used for the carriage of children, and vulnerable persons, and for this reason tinted windows which prevent clear vision into the vehicle will not be permitted.
- 11.2. The Road Vehicles (Construction and Use) Regulations 1986, as amended, specify the minimum levels of light that must pass through the windscreen and the front side windows. The limits are: -

*Motor Vehicles first used before 1 April 1985:*

The windscreen and front side windows must allow at least 70% of light to be transmitted through them.

*Motor Vehicles first used on or after 1 April 1985:*

The light transmitted through the windscreen must be at least 75%. The front side windows must allow at least 70% of light to be transmitted through them.

If the glass is tinted to a point whereby it lets through less light, then the vehicle does not meet legal requirements.

- 11.3. For safety reasons the Council will require all side and rear windows in hackney carriage and private hire vehicles licensed after the adoption of these conditions to comply with the above requirements. Grandfather rights apply for existing licensed vehicles at the time these conditions come into force, but they must comply when that vehicle is replaced
- 11.3.1. An exception to this requirement may be made in respect of executive, luxury and special events (stretch) type vehicles dependent on written permission being granted by the Council.

## **12. VENTILATION**

- 12.1. Windows must be provided at the rear and sides along with the means of opening and closing not less than one window on either side.
- 12.2. Rear passenger windows must be capable of being opened and closed by passengers unless air conditioning is available.

## **13. WHEELCHAIR ACCESSIBLE VEHICLES (WAV'S)**

- 13.1. In the case of all private hire vehicles which are built or adapted for the carriage of wheelchair bound passengers, the design of the vehicle shall be such that any wheelchair is loaded, and unloaded, from the nearside rather than the rear of the vehicle. Grandfather rights apply for existing licensed vehicles at the time these conditions come into force, but they must comply when that vehicle is replaced
- 13.2. Any vehicle that has been adapted or modified to accommodate disabled passengers shall be re-certified, after adaptation or modification, to meet the European Whole Vehicle (M1) Type Approval standard, the British National Low Volume Type (M1) Approval standard or the British National Single Vehicle (M1) Type Approval in respect of all such adaptations or modifications. The relevant certificate will be required before such a vehicle can be licensed.
- 13.3. Access to and egress from the wheelchair position must not be obstructed in any manner, at any time, except by wheelchair loading apparatus;
- 13.4. Wheelchair internal anchorage points and equipment must be of the manufacturers design and construction and comply with the M1 standards as specified in European Directive 76/115 EEC (as amended by 90/629 EEC) and should be secured in such a position as to not obstruct any emergency exit when the equipment is not in use;
- 13.5. A suitable, separate, restraint (seat belt) must be available for the occupant of the wheelchair;
- 13.6. Access ramps or lifts must be securely fixed to the vehicle prior to use and be able to support the weight of any wheelchair, occupant and helper;
- 13.7. Ramps and lifts must be securely stored in the vehicle before driving off;
- 13.8. The vehicle shall be fitted with a locking mechanism, or other device, that holds the wheelchair access door in the open position whilst a wheelchair is being loaded or unloaded.

- 13.9. Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must have been tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (S/I 1998/2307). Any such equipment must be maintained in efficient working order so as to be available for use at all times.
- 13.10. Where a vehicle is manufactured or adapted to carry a wheelchair, and the vehicle has been licensed as such, the licensee (and any licensed private hire operator responsible for operating the vehicle) shall ensure that the driver of the vehicle has received sufficient training to be able to load/unload and convey wheelchair bound passengers in safety and comfort.
- 13.11. A sign may be affixed to the outside of the vehicle indicating that it is able to convey passengers in wheelchairs, provided that the vehicle has been manufactured or properly adapted for that purpose.

#### **14. SEAT BELTS**

- 14.1. All private hire vehicles must be fitted with fully operational seat belts, one for each passenger to be carried. Each seat belt to be fully compliant with any relevant legislation and British Standard, except where the law specifically provides for an exemption. Seat belts should be used in accordance with the requirements of the statutory legislation that is applicable at the relevant time.

#### **15. FIRE EXTINGUISHER**

- 15.1. A fire extinguisher must be carried at all times in such a position as to be readily available for use.
- 15.2. The appliance shall have a minimum contents weight of 1 (one) kilogram, conform to BS EN3 1996 and be of the dry powder or foam type.
- 15.3. The extinguisher shall be fitted with a gauge that indicates the condition of the contents and shall be indelibly marked with the registration mark or licence number of the vehicle to which it is assigned.
- 15.4. Fire extinguishers that are damaged, dented or disfigured, in any way, will render the associated vehicle liable to immediate suspension until a replacement extinguisher is provided.
- 15.5. The extinguisher shall be securely mounted in a bracket, affixed to the vehicle, in a location where it is readily accessible to the driver and visible to the passengers. Where the appliance is not readily visible a notice indicating its location shall be displayed within the vehicle where it can be clearly seen by passengers carried in the vehicle.

## **16. FIRST AID KIT**

- 16.1. There shall be provided, in such a position as to be readily available at all times whilst the vehicle is available for hire, a first-aid kit, approved by the Council, to enable the driver to administer basic first-aid to him/herself only.
- 16.2. The first-aid kit should contain appropriate dressings and appliances for immediate use in an emergency. Suggested minimum contents – six individually wrapped sterile adhesive dressings, one large sterile un-medicated dressing – approx 18cm x 18 cm, two triangular bandages, two safety pins, individually wrapped moist cleansing wipes, one pair of disposable gloves and a leaflet giving general guidance on first-aid
- 16.3. The kit should be in a sealed container, indelibly marked with the registration mark or licence number of the vehicle to which it is assigned.

## **17. LUGGAGE**

- 17.1. Luggage carried must, where necessary, be suitably secured in place and must not obstruct any exit, or emergency exit.

## **18. MAINTENANCE AND CONDITION OF A PRIVATE HIRE VEHICLE**

The licensee of the vehicle shall: -

- 18.1. provide sufficient means by which any person in the vehicle may communicate with the driver;
- 18.2. cause the roof or covering to be kept watertight;
- 18.3. cause the seats to be properly cushioned, covered and free from cigarette burns, rips, splits, tears and stains;
- 18.4. cause the floor to be covered with carpet, mat or other suitable material, such covering shall be properly secured and be free from cigarette burns, rips, splits, tears or stains;
- 18.5. cause the fittings, furniture and additional equipment fitted in the vehicle to be kept in an acceptably clean condition, well maintained and in every way fit for public service. Items such as taxi-meters, radios, Sat-Nav's, mobile phone holders and other ancillary items shall be securely mounted in the vehicle in such a position as to not hinder or obstruct the driver's operation of, or view out of, the vehicle;
- 18.6. ensure that no material alteration or change to the specification of the vehicle is made without the prior written approval of the Council at any time whilst the licence is in force;
- 18.7. ensure that the vehicle is supplied with a suitable bulb-kit to provide for the replacement of defective bulbs whilst the vehicle is available for hire. Such bulb-kit to be indelibly marked with the registration number or licence number of the vehicle to which it is assigned.

- 18.8. The Council will suspend the vehicle licence or refuse to issue a licence to any vehicle which is found to be displaying an invalid vehicle excise licence.
- 18.9. The interior and exterior of the vehicle shall be maintained in a clean, safe and proper manner, to the reasonable satisfaction of the Council and, without prejudice to the foregoing, in particular, the exterior of the vehicle shall be free from conspicuous dents, sharp edges, conspicuous rust or un-repaired accident damage (however caused) and shall at all times have uniform paintwork equivalent to that applied by the manufacturer.
- 18.10. The doors, windows and seats shall be required to function in accordance with the original manufacturer's specification.
- 18.11. Vehicles shall be liable to being inspected and tested at any time (in accordance with the requirements of the 1976 Act). If, upon inspection, it is discovered that a vehicle is not being properly maintained or kept in good order, a notice may be served on the owner to this effect setting out the defects to be remedied. If public safety is compromised by the defects, further use of the vehicle may be prohibited until the defects have been addressed and the vehicle has successfully undergone a further inspection.
- 18.12. The vehicle shall have, at least, four roadworthy wheels and tyres with the tyre load ratings set to the manufacturer's recommendations. Remould tyres are permitted but they must comply with British Standards and be marked in accordance with British Safety Standard BSAU 144e.
- 18.13. The licensee shall provide and maintain, at all times when the vehicle is in use or available for hire, a spare wheel.
- 18.14. Generally, only a spare wheel and tyre, of the same size and construction as the vehicle road wheels will be acceptable. Where no such spare is available, a wheel and tyre of the 'space saver' type may be allowed subject to it being supplied, as standard, by the vehicle manufacturer and to approval being granted by the Council. In the event of a 'space saver' wheel being used, it must only be used to conclude the journey during which it was fitted and in accordance with the manufacturer's maximum speed limit. After conclusion of that journey, the vehicle must not be used for hire until a standard wheel and tyre is fitted to replace the 'space saver' wheel.

## **19. TAXI-METER**

The licensee and or the driver shall ensure that; where a private hire vehicle is fitted with a taxi-meter: -

- 19.1. The taxi-meter shall be of the calendar controlled type. Such meter shall be so constructed, or programmed, that it is not possible for any person to manually alter the tariff rate without breaking the seals affixed thereto;
- 19.2. The taxi-meter shall be fitted with a key, flag or other device, the operation of which shall bring the machinery of the taxi-meter into action and cause the word "HIRED" to appear on the face of the taxi-meter;



- 19.3. Such key, flag or other device shall be capable of being located in such a position that the machinery of the taxi-meter is not in action and that no fare is recorded on the face of the taxi-meter;
- 19.4. When the machinery of the taxi-meter is in action there shall be recorded on the face of the taxi-meter, in figures clearly legible and free from ambiguity, the fare which the proprietor or driver is entitled to demand, and take, for the hire of the vehicle;
- 19.5. The word "FARE" shall be printed on the face of the taxi-meter in plain letters so as to clearly apply to the fare recorded thereon;
- 19.6. The taxi-meter shall be so placed that all letters and figures on the face thereof shall be, at all times plainly visible to any person travelling in the vehicle and, for that purpose, the letters and figures shall be suitably illuminated during any period of hiring, and the switch for operating the light provided and the said illumination shall be incorporated in and operated in conjunction with the key, flag or other device which brings the machinery of the taxi-meter into action. No other method of operating the said light shall be employed;
- 19.7. The taxi-meter and all the fittings thereof shall be affixed to the vehicle with seals or other appliances so 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;
- 19.8. The taxi-meter tariff shall be set at a fare, no higher than that published within the Stevenage Borough Council tariff of hackney carriage fares. A private hire vehicle fitted with a taxi-meter must display the Stevenage Borough Council tariff of fares in a place where it is clearly visible to passengers travelling in the vehicle, at all times whilst the vehicle is available for hire.

## **20. IDENTIFICATION (LICENCE) PLATE**

- 20.1. The identification plate issued by the Council, bearing the number of the licence granted in respect of the vehicle, shall be securely fixed on the outside rear of the vehicle. The plate shall be kept in such a condition that the information contained thereon is clearly visible to public view. The plate shall be fixed in such a manner that it can be removed by an authorised officer of the Council or Police Constable without causing damage to the vehicle.
- 20.2. Where a private hire vehicle licence has been suspended, revoked or has expired, and provided that, where necessary, the requisite notice(s) has been served, as required by the 1976 Act a Police Constable or authorised officer of the Council is entitled to remove and retain the vehicle licence plate.
- 20.3. Vehicle licence plates remain the property of Stevenage Borough Council at all times and must be returned on surrender, suspension, revocation or expiry of the licence or if the vehicle is sold, or disposed of, out of the licensed trade. If a plate is LOST or STOLEN it must be reported to the Police. A crime or lost property number must be obtained, and the Licensing Office, Daneshill House, Danestrete, Stevenage, Hertfordshire. SG1 1HN. Tel: 01438 242242, informed.

- 20.4. The licensee of a private hire vehicle used exclusively for chauffeur, executive, airport transfer, special event, school transport or similar specialist (non circuit) work may apply, in writing, to the Council for an exemption from the requirement to display the identification plate. Such permission must be given in writing and carried in the vehicle at all times whilst it is licensed as a private hire vehicle. The identification (licence) plate must also be kept in the vehicle at all times whilst the vehicle is available for hire.

## **21. COPY OF LICENCE AND CONDITIONS**

- 21.1. The licensee shall ensure that they, or any driver they engage or employ to drive the vehicle, carry a copy of the licence and these conditions in the vehicle and make them available for inspection by any authorised officer, Police Constable, hirer or passenger on request.

## **22. INTERIOR MARKINGS**

- 22.1. The licensee shall cause to be marked and maintained inside the vehicle; in such a position as to be clearly visible at all times to the persons conveyed therein, the number of the vehicle licence and the maximum number of passengers to be carried, as prescribed in the licence. This interior sign shall be provided by the Council with the vehicle licence plate.

## **23. SIGNS, NOTICES AND ADVERTISING**

- 23.1. No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed in, on or from a private hire vehicle except as may be required by any statutory provision (including bye-laws) or, as authorised by the Council.

- 23.2. Condition 23.1 shall not apply to any indication on a taxi-meter fitted to the vehicle, or to a sign which:

- 23.2.1. is displayed on, in or from the vehicle only while it is stationary; and
- 23.2.2. contains no words or numbers other than the name and address of a person, firm or company through which the vehicle may be hired and/or the name of a passenger or passengers to be carried in that vehicle; and
- 23.2.3. is displayed in pursuance of a prior arrangement made for the carriage of a passenger or passengers named in that sign.

- 23.3. All private hire vehicles will display at least two door signs, of a design and type approved by the Council and provided by the Council with the licence plate. The door signs will denote that the vehicle is licensed by Stevenage Borough Council, showing its licence number and wording to the effect that the vehicle is only available by prior booking. The private hire operator for said vehicle may include a company telephone number below the door sign. The words 'taxi', 'taxis', 'cab', 'cabs', 'For Hire' or any words that may lead the public to believe the vehicle is a hackney carriage, or available for immediate hire, will not be permitted.

- 23.4. Door signs will be displayed on the front nearside and offside of the vehicle and will be permanently affixed to the vehicle; magnetic signage is not acceptable. Once licensed as a private hire vehicle, door signs must be displayed at all times, except where written permission has been given by the Council. If door signs are damaged or defaced in any way they must be replaced immediately.
- 23.5. The proprietors of private hire vehicles used exclusively for chauffeur, executive, airport transfer, special event, or similar specialist (non circuit) work may apply, in writing, to the Council for an exemption from the requirement to display vehicle door signs. Such permission must be given in writing and carried in the vehicle at all times whilst it is licensed as a private hire vehicle.
- 23.6. The licensee of the vehicle shall notify the Council, in writing, within seven working days if the vehicle transfers to a different private hire operator and the vehicle door signs must be replaced accordingly.
- 23.7. The foregoing provisions, of this condition, shall not apply to a sign in, on or from a private hire vehicle: -
- 23.7.1. which indicates membership of the AA, RAC or other similar motoring organisation; or
- 23.7.2. which indicates that passengers should not eat or smoke in the vehicle. Signage in accordance with the Smokefree Workplace Regulations, vehicle requirements, must be affixed to the outside, or inside, of the vehicle indicating that smoking is prohibited in the vehicle; or
- 23.7.3. which indicates that in-car CCTV surveillance is in use in the vehicle; or
- 23.7.4. which indicates that the vehicle is suitable, and equipped, for the carriage of wheelchair bound passengers;
- 23.7.5. which indicates that the driver of the vehicle is exempted through medical grounds from the requirement to carry assistance dogs.

## **24. CHANGE OF ADDRESS**

- 24.1. The licensee of the private hire vehicle, to which this licence applies, shall notify the Council in writing, of any change of their home or business address during the period of the licence, within seven days of such change taking place.

## **25. CONVICTIONS**

- 25.1. The licensee of a private hire vehicle shall as soon as is practicable, and in any event within seven days of any conviction, caution, or fixed penalty notice disclose to the Council in writing, details of such conviction, caution, or fixed penalty notice imposed upon them or, if the licensee is a company or partnership, on any of the directors or partners, during the period of the licence (Convictions to include both criminal and motoring).

## **26. INSURANCE**

- 26.1. The licensee shall produce, on request, a current, valid, Certificate of Insurance (or insurance cover notes) to provide proof of continuous insurance cover.

## **27. VEHICLE DAMAGE**

- 27.1. The licensee shall, as soon as reasonably practicable, but in any case within seventy two hours, disclose to the Council, in writing, details of any accident involving the vehicle or, of any damage to the vehicle however caused, materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons carried therein. The vehicle may not continue to operate without the prior approval of the Council.

## **28. TRAILERS**

Trailers may only be used with the prior, written, approval of the Council and are subject to the following requirements: -

- 28.1. the trailer must be presented for inspection and testing, at a Council approved testing station prior to first use and, again, at each inspection of any vehicle on which the trailer is authorised to be used;
- 28.2. trailers can only be used in connection with private hire bookings where excess luggage needs to be carried;
- 28.3. the trailer must, at all times, comply with all requirements of Road Traffic legislation, in particular those laid down in the Road Vehicles (Construction and Use) Regulations 1986;
- 28.4. the vehicle insurance must provide adequate cover for the towing of a trailer;
- 28.5. trailers must not be left unattended anywhere on the highway;
- 28.6. speed restrictions applicable to trailers must be observed at all times;
- 28.7. the trailer shall be equipped with an approved braking system;
- 28.8. the trailer shall be equipped with an approved break-away cable;
- 28.9. the trailer shall be fitted with a manufacturers plate showing the maximum load permissible;
- 28.10. when the trailer is in use with a licensed vehicle, the licence plate issued by the Council, specifically for that trailer shall be displayed on the outside rear of the trailer so as to be clearly visible to other road users;
- 28.11. a suitable lid, or other approved means of enclosure shall be fitted to secure and cover the contents of the trailer whenever it is in use;

## **29. AGE LIMITS**

- 29.1. There will be no statutory age limits set in respect of the licensing of private hire vehicles. Vehicles submitted for licensing will be judged on the suitability of the vehicle. All vehicles submitted for consideration of licensing, especially those vehicles five (5) years or older, will be expected to be in 'Exceptional Condition' as defined by the Council in appendix C. The decision to approve a vehicle for licensing will be at the sole discretion of the Council.
- 29.2. Those vehicles submitted for licensing, or re-licensing, that are five years old or more at the time of being compliance tested will be subject to bi-annual compliance testing. Such vehicles will be compliance tested on the relevant date and at six monthly periods thereafter. The licensee of such vehicles will be expected to produce written evidence, at each compliance test, that the vehicle has been serviced and maintained to the manufacturer's intervals and schedules.
- 29.3. Those vehicles that have travelled in excess of 150,000 miles, at the time of being submitted for compliance testing, will be subject to bi-annual compliance testing. Such vehicles will be compliance tested on the relevant date and at six monthly periods thereafter. The licensee of such vehicles will be expected to produce written evidence, at each compliance test, that the vehicle has been serviced and maintained to the manufacturer's intervals and schedules.

## **30. ANNUAL LICENCE RENEWAL**

- 30.1. The licensee shall submit an application for the renewal of this licence, including all required original documentation, to the Council at least five (5) working days prior to the expiry of the current licence.

## **31. DEPOSIT OF DRIVER'S LICENCE**

- 31.1. If the proprietor of this vehicle engages or employs any other person to drive the vehicle he/she shall, before the person commences to drive the vehicle, and for so long as they are so engaged or employed, cause the driver to deliver to him/her a copy of their current private hire driver's licence, for retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other licensed private hire vehicle of his/hers.

## **32. OPERATION OF A PRIVATE HIRE VEHICLE**

- 32.1. Any requirements of the statutory legislation affecting the use and operation of private hire vehicles, being carried out under the terms of this licence, shall be regarded as if they are conditions of this licence.
- 32.2. Every contract for the hire of a private hire vehicle licensed under the 1976 Act shall be deemed to be made with the operator who accepted the booking for that vehicle, whether or not they provided the vehicle. Therefore if the licensee intends to take bookings in whatever form, by telephone, in person or by contract, a private hire vehicle operator's licence is required.

### **33. CERTIFICATE OF COMPLIANCE**

- 33.1. Private hire vehicles that are one year old, or over, are required to undergo, and pass, a Ministry of Transport test at a VOSA approved MOT testing station. A valid MOT certificate will be required before a private hire vehicle licence will be granted to a vehicle aged twelve months or over.
- 33.2. All vehicles must have a valid Certificate of Compliance in force in relation to the vehicle, issued when the vehicle has passed the appropriate Council test. Any vehicle that fails to pass the Council compliance test is not considered to be fit for use as a licensed vehicle and should be withdrawn from service until the vehicle has been re-tested and passed as fit. Those vehicles submitted for compliance testing that are found to have faults which, may, render them unsafe or unsuitable for licensed work may have the vehicle licence suspended and the vehicle identification plate removed, until such time as the vehicle has passed a compliance test to the satisfaction of the Council. It is the responsibility of the licensee of the vehicle to ensure that vehicles are submitted for compliance testing on or before the relevant renewal dates and that vehicles remain fit for service at all times.
- 33.3. Where the licensee, or driver, of a vehicle books an appointment for a vehicle to be compliance tested that vehicle must be presented at the appointed place and time for testing. Failure to attend at the appointed place and time, may render the full compliance test fee to be charged before any further compliance test is carried out. Cancellations will be accepted, without penalty, if they are received at the Council test station at least seven (7) days prior to the date of the test. Cancellations made at less than seven (7) days but more than twenty four (24) hours prior to the date of the test will result in a penalty payment of 50% of the normal compliance test fee being charged before a further compliance test is carried out.

### **34. CCTV IN PRIVATE HIRE VEHICLES**

- 34.1. The Council recognises that some proprietors may wish to install CCTV security cameras in their vehicle for the benefit and protection of both driver's and passengers. Such equipment may be installed provided that signs, advising that surveillance is in use, are prominently displayed on the vehicle and visible to passengers. That the equipment used is approved by the Council and must also have British Standards Institute approval. The equipment must be capable of being sealed and secured to prevent unauthorised access to the information/images contained in the system to ensure that recordings can only be accessed and viewed by the Police or an authorised officer of the Council.

### **35. LUGGAGE OR OTHER ITEMS LEFT IN PRIVATE HIRE VEHICLES**

- 35.1. The licensee/driver shall, after the completion of any journey, check the vehicle to ensure that any goods or property have been left behind by the last passenger(s) carried in the vehicle. Any property found in the vehicle shall, within forty eight (48) hours of the completion of the journey either, be returned to the owner or delivered to the nearest Police station where a receipt should be obtained as proof of disposal.

## **APPENDIX C**

### **DEFINITION OF 'EXCEPTIONALLY WELL MAINTAINED'**

#### **EXTERIOR**

1. All bodywork to be clean and sound, free from rust, dents, scrapes, significant scratches or loose panels.
2. All paintwork to be in first class condition – no “egg shell” finish, or different shades or colours on either external or interior areas which are visible to the public.
3. All wheel trims to be fitted according to manufacturers specification and to match.
4. Aerials where fitted to be in good condition and free from rust.
5. Door or wing mirrors to be in good condition, no broken glass or surrounds.
6. Front and rear number plates to be clean, clear and unbroken.
7. Front and rear bumpers to be in first class condition, no rust, dents, scrapes (including any over-riders and end surrounds) and should be securely fitted.
8. Mud Flaps (if fitted) should be maintained.
9. No broken or missing glass or surrounds on all front and rear lights and indicators (including repeater indicators where fitted).
10. Radiator grills should be secure and of original specification.
11. Front and rear (where fitted) windscreen wiper heads and arms should be in good working condition, no rust and properly fitted.
12. Door and boot locks should be fitted and in good working order.
13. Doors should be easily opened and closed from the outside and inside.
14. All door handles should be properly fitted, easily operated and of original colour specification.
15. A spare wheel which conforms to legal requirements should be provided and properly fitted in the vehicle.
16. All tyres should conform to legal requirements.
17. All road wheels to be clean and free from rust (where trims are not fitted).

## INTERIOR

18. All seats to be of manufacturers original design (unless a rotating seat is fitted) should all match and be securely fitted no dirt, stains, holes or tears. No loose covers allowed.
19. Front and rear (where fitted) seat belts should be clean and in good working order and condition. All anchorage point covers should be properly fitted and match original trim.
20. All panels should be clean, properly fitted and match original trim
21. Carpets should be as manufacturers original, clean with no stains or holes and securely fitted.
22. All instruments and accessory covers to be securely fitted and match original trim.
23. All ashtrays to be fitted and match original trim.
24. Headlining to be clean, free from stains, holes and tears and to be as originally fitted.
25. All window winder handles to be as originally fitted, clean and easy to operate.
26. All door handles and arm rests to be secure, clean and as originally fitted.
27. Brake, clutch and accelerator pedal rubbers to be fitted and in good condition.
28. The inside of the vehicle should be free from loose or trailing wires.
29. The boot should be tidy with a clean, unstained carpet/cover to manufacturers specification. All panelling should be secure, clean and in good condition.
30. In hatchback vehicles the boot cover should be to original specifications, in good condition with both lifting straps fitted. A cargo guard should also be fitted in estate vehicles.
31. Gear lever gaiters (where fitted) should be to manufacturers specification, in good condition and properly fitted.
32. A rear view mirror must be properly fitted and in good condition.
33. All manufacturers fittings should be as original (i.e. speaker covers, etc).
34. All lights should be in proper working order with appropriate covers securely fitted.
35. Window locks and handles, where provided by the manufacturer should be in good working order



## **APPENDIX D**

### **CONDITIONS OF LICENCE – HACKNEY CARRIAGE VEHICLE**

The following specifications and conditions of licence are made by Stevenage Borough Council in pursuance of the powers conferred by Part II of the Local Government (Miscellaneous Provisions) Act 1976 (as amended) to ensure effective regulation of private hire vehicle use and to ensure that proper vehicle and driver standards are maintained, in the interests of public safety.

Possession of this Conditions of Licence document does not guarantee that a hackney carriage vehicle licence is in force for the vehicle nor do they imply that the vehicle is roadworthy or fit for use. The validity of any licence may be confirmed by contacting Stevenage Borough Councils' Licensing Office.

#### **DEFINITIONS**

In these conditions: -

'the 1976 Act' shall mean the Local Government (Miscellaneous Provisions) Act 1976 (as amended)

'the Council' shall mean Stevenage Borough Council.

'Authorised Officer' shall mean a Licensing Officer authorised in writing by Stevenage Borough Council.

'the hirer' shall mean any person who, from time to time, hires or books the vehicle.

'the licensee' shall mean the person(s) named in the licence.

'the operator' shall mean any person or company or partnership licensed by the Council to operate private hire vehicles.

'the vehicle' shall mean the vehicle named in the licence.

#### **GENERAL**

All licensed vehicles shall comply, in all respects, with the conditions of licensing set out below. The conditions of licence are supplementary to, and should be read in conjunction with, applicable statutory legislation. The following list is not exhaustive: -

The Town Police Clauses Act 1847 (as amended)

The Local Government (Miscellaneous Provisions) Act 1976 (as amended)

The Road Vehicles (Construction and Use) Regulations 1986 (as amended)

## 1. CONSTRUCTION

- 1.1. All licensed vehicles shall have an appropriate 'type approval' which is either a:
  - 1.1.1. European Whole Vehicle Type Approval;
  - 1.1.2. British National Type Approval; or
  - 1.1.3. British Single Vehicle Type Approval.

It is also recommended that vehicles with a Euro NCAP star rating of four, or more, should be considered when purchasing a replacement vehicle.

- 1.2. Vehicles should be manufactured or adapted to carry not more than eight passengers; this number includes any passengers who may be seated in wheelchairs if the vehicle is capable of transporting such passengers. Where a vehicle has been altered, adapted or modified ONLY Type Approval Certificates granted after alteration, adaptation or modification will be accepted
- 1.3. The vehicle shall be: -
  - 1.3.1. a four-door saloon car with adequate seating accommodation for, not less than, four adult passengers in addition to the driver; or
  - 1.3.2. a five door estate or hatchback with adequate seating accommodation for, not less than, four adult passengers in addition to the driver. Estate vehicles must be fitted with a luggage screen or guard to prevent luggage encroaching into the passenger compartment in the event of an accident ; or
  - 1.3.3. a Multi Purpose Vehicle (MPV), including those manufactured or suitably adapted to carry wheelchair bound passengers, with adequate seating accommodation for, not less than, four adult passengers, and not more than eight inclusive of any passengers who may be seated in wheelchairs, in addition to the driver. Such vehicles to be provided with a means of securing any luggage carried. Such vehicles must have been granted the relevant M1 Type Approval Certificate, applicable after the vehicle has been manufactured or adapted, for carrying wheelchair-bound passengers; or
  - 1.3.4. a mini-bus type vehicle, including those manufactured or suitably adapted, to carry wheelchair bound passengers, with adequate seating accommodation for, not less than four adult passengers, and not more than eight inclusive of any passengers who may be seated in wheelchairs, in addition to the driver. Such vehicles must have been granted the relevant M1 Type Approval Certificate, applicable after the vehicle has been manufactured or adapted, for carrying wheelchair-bound passengers.
  - 1.3.5. A purpose built vehicle of the London Taxis International TX series, MetroCab or similar London cab style vehicles.
- 1.4. The vehicle must be suitable in type, size and design for use as a Hackney Carriage vehicle
- 1.5. Only those vehicles manufactured as right hand drive will be acceptable for licensing
- 1.6. The engine capacity shall be not less than 1,600cc
- 1.7. The vehicle shall be provided with sufficient luggage space for the number of passengers for which the vehicle is licensed.

- 1.8. A hackney carriage vehicle shall only be permitted to be the vehicle manufacturer's standard black colour. Grandfather rights apply for existing licensed vehicles at the time these conditions come into force, but they must comply when that vehicle is replaced. The primary factor in deciding the colour of any vehicle will be the vehicle V5 document, however, the final arbiter will be any authorised officer

## **2. DOORS**

- 2.1. All saloon, hatchback or estate cars shall have, at least, four side opening doors which may be opened from the inside and the outside
- 2.2. MPV's and mini-bus type vehicles shall have three doors, not including any tailgate or rear doors
- 2.3. The rear compartment, passenger, door shall be located so as to allow access and egress on the nearside (kerbside) of the vehicle only. Grandfather rights apply for existing licensed vehicles at the time these conditions come into force, but they must comply when that vehicle is replaced
- 2.4. The vehicle shall be constructed so that doors open sufficiently wide as to allow easy access into, or egress from, the vehicle.
- 2.5. Tailgates and rear doors are only to be used for loading/unloading luggage or as an emergency exit. The rear door(s) or tailgate should be clearly marked, both inside and out, with a sign indicating that they can only be used as an emergency exit.

## **3. TINTED WINDOWS**

- 3.1. For safety reasons it should be possible to observe the driver and passengers being carried. Many hackney carriage and private hire vehicles are used for the carriage of children, and vulnerable persons, and for this reason tinted windows which prevent clear vision into the vehicle will not be permitted.
- 3.2. The Road Vehicles (Construction and Use) Regulations 1986, as amended, specify the minimum levels of light that must pass through the windscreen and the front side windows. The limits are: -

*Motor Vehicles first used before 1 April 1985:*

The windscreen and front side windows must allow at least 70% of light to be transmitted through them.

*Motor Vehicles first used on or after 1 April 1985:*

The light transmitted through the windscreen must be at least 75%. The front side windows must allow at least 70% of light to be transmitted through them.

If the glass is tinted to a point whereby it lets through less light, then the vehicle does not meet legal requirements.

- 3.3. For safety reasons the Council will require all side and rear windows in hackney carriage and private hire vehicles licensed after the adoption of these conditions to comply with the above requirements. Grandfather rights apply for existing licensed

vehicles at the time these conditions come into force, but they must comply when that vehicle is replaced

#### **4. VENTILATION**

- 4.1. Windows must be provided at the rear and sides along with the means of opening and closing not less than one window on either side.
- 4.2. Rear passenger windows must be capable of being opened and closed by passengers unless air conditioning is available.

#### **5. WHEELCHAIR ACCESSIBLE VEHICLES (WAV'S)**

- 5.1. In the case of all hackney carriage vehicles which are built or adapted for the carriage of wheelchair bound passengers, the design of the vehicle shall be such that any wheelchair is loaded, and unloaded, from the nearside rather than the rear of the vehicle. Grandfather rights apply for existing licensed vehicles at the time these conditions come into force, but they must comply when that vehicle is replaced
- 5.2. Where an existing hackney carriage licence has been granted specifically as a wheelchair accessible vehicle (those bearing the identification plate numbers 71 – 100 inclusive) such vehicles may only be replaced by suitably approved wheelchair accessible vehicles.
- 5.3. Any vehicle that has been adapted or modified to accommodate disabled passengers shall be re-certified, after adaptation or modification, to meet the European Whole Vehicle (M1) Type Approval standard, the British National Low Volume Type (M1) Approval standard or the British National Single Vehicle (M1) Type Approval in respect of all such adaptations or modifications. The relevant certificate will be required before such a vehicle can be licensed.
- 5.4. Access to and egress from the wheelchair position must not be obstructed in any manner, at any time, except by wheelchair loading apparatus;
- 5.5. Wheelchair internal anchorage points and equipment must be of the manufacturers design and construction and comply with the M1 standards as specified in European Directive 76/115 EEC (as amended by 90/629 EEC) and should be secured in such a position as to not obstruct any emergency exit when the equipment is not in use;
- 5.6. A suitable, separate, restraint (seat belt) must be available for the occupant of the wheelchair;
- 5.7. Access ramps or lifts must be securely fixed to the vehicle prior to use and be able to support the weight of any wheelchair, occupant and helper;
- 5.8. Ramps and lifts must be securely stored in the vehicle before driving off;
- 5.9. The vehicle shall be fitted with a locking mechanism, or other device, that holds the wheelchair access door in the open position whilst a wheelchair is being loaded or unloaded.

- 5.10. Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must have been tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (S/I 1998/2307). Any such equipment must be maintained in efficient working order so as to be available for use at all times.
- 5.11. Where a vehicle is manufactured or adapted to carry a wheelchair, and the vehicle has been licensed as such, the licensee (and any licensed private hire operator responsible for operating the vehicle) shall ensure that the driver of the vehicle has received sufficient training to be able to load/unload and convey wheelchair bound passengers in safety and comfort.
- 5.12. A sign may be affixed to the outside of the vehicle indicating that it is able to convey passengers in wheelchairs, provided that the vehicle has been manufactured or properly adapted for that purpose.

## **6. SEAT BELTS**

- 6.1. All hackney carriage vehicles must be fitted with fully operational seat belts, one for each passenger to be carried. Each seat belt to be fully compliant with any relevant legislation and British Standard, except where the law specifically provides for an exemption. Seat belts should be used in accordance with the requirements of the statutory legislation that is applicable at the relevant time.

## **7. FIRE EXTINGUISHER**

- 7.1. A fire extinguisher must be carried at all times in such a position as to be readily available for use.
- 7.2. The appliance shall have a minimum contents weight of 1 (one) kilogram, conform to BS EN3 1996 and be of the dry powder or foam type.
- 7.3. The extinguisher shall be fitted with a gauge that indicates the condition of the contents and shall be indelibly marked with the registration mark or licence number of the vehicle to which it is assigned.
- 7.4. Fire extinguishers that are damaged, dented or disfigured, in any way, will render the associated vehicle liable to immediate suspension until a replacement extinguisher is provided.
- 7.5. The extinguisher shall be securely mounted in a bracket, affixed to the vehicle, in a location where it is readily accessible to the driver and visible to the passengers. Where the appliance is not readily visible a notice indicating its location shall be displayed within the vehicle where it can be clearly seen by passengers carried in the vehicle.

## **8. FIRST AID KIT**

- 8.1. There shall be provided, in such a position as to be readily available at all times whilst the vehicle is available for hire, a first-aid kit, approved by the Council, to enable the driver to administer basic first-aid to him/herself only.
- 8.2. The first-aid kit should contain appropriate dressings and appliances for immediate use in an emergency. Suggested minimum contents – six individually wrapped sterile adhesive dressings, one large sterile un-medicated dressing – approx 18cm x 18 cm, two triangular bandages, two safety pins, individually wrapped moist cleansing wipes, one pair of disposable gloves and a leaflet giving general guidance on first-aid
- 8.3. The kit should be in a sealed container, indelibly marked with the registration mark or licence number of the vehicle to which it is assigned.

## **9. LUGGAGE**

- 9.1. Luggage carried must, where necessary, be suitably secured in place and must not obstruct any exit, or emergency exit.

## **10. MAINTENANCE AND CONDITION OF A HACKNEY CARRIAGE VEHICLE**

The licensee of the vehicle shall: -

- 10.1. provide sufficient means by which any person in the vehicle may communicate with the driver;
- 10.2. cause the roof or covering to be kept watertight;
- 10.3. cause the seats to be properly cushioned, covered and free from cigarette burns, rips, splits, tears and stains;
- 10.4. cause the floor to be covered with carpet, mat or other suitable material, such covering shall be properly secured and be free from cigarette burns, rips, splits, tears or stains;
- 10.5. cause the fittings, furniture and additional equipment fitted in the vehicle to be kept in an acceptably clean condition, well maintained and in every way fit for public service. Items such as taxi-meters, radio's, Sat-Nav's, mobile phone holders and other ancillary items shall be securely mounted in the vehicle in such a position as to not hinder or obstruct the driver's operation of, or view out of, the vehicle;
- 10.6. ensure that no material alteration or change to the specification of the vehicle is made without the prior written approval of the Council at any time whilst the licence is in force;
- 10.7. ensure that the vehicle is supplied with a suitable bulb-kit to provide for the replacement of defective bulbs whilst the vehicle is available for hire. Such bulb-kit to be indelibly marked with the registration number or licence number of the vehicle to which it is assigned.

- 10.8. The Council will suspend the vehicle licence or refuse to issue a licence to any vehicle which is found to be displaying an invalid vehicle excise licence.
- 10.9. The interior and exterior of the vehicle shall be maintained in a clean, safe and proper manner, to the reasonable satisfaction of the Council and, without prejudice to the foregoing, in particular, the exterior of the vehicle shall be free from conspicuous dents, sharp edges, conspicuous rust or un-repaired accident damage (however caused) and shall at all times have uniform paintwork equivalent to that applied by the manufacturer.
- 10.10. The doors, windows and seats shall be required to function in accordance with the original manufacturer's specification.
- 10.11. Vehicles shall be liable to being inspected and tested at any time (in accordance with the requirements of the 1976 Act). If, upon inspection, it is discovered that a vehicle is not being properly maintained or kept in good order, a notice may be served on the owner to this effect setting out the defects to be remedied. If public safety is compromised by the defects, further use of the vehicle may be prohibited until the defects have been addressed and the vehicle has successfully undergone a further inspection.
- 10.12. The vehicle shall have, at least, four roadworthy wheels and tyres with the tyre load ratings set to the manufacturer's recommendations. Remould tyres are permitted but they must comply with British Standards and be marked in accordance with British Safety Standard BSAU 144e.
- 10.13. The licensee shall provide and maintain, at all times when the vehicle is in use or available for hire, a spare wheel.
- 10.14. Generally, only a spare wheel and tyre, of the same size and construction as the vehicle road wheels will be acceptable. Where no such spare is available, a wheel and tyre of the 'space saver' type may be allowed subject to it being supplied, as standard, by the vehicle manufacturer and to approval being granted by the Council. In the event of a 'space saver' wheel being used, it must only be used to conclude the journey during which it was fitted and in accordance with the manufacturer's maximum speed limit. After conclusion of that journey, the vehicle must not be used for hire until a standard wheel and tyre is fitted to replace the 'space saver' wheel.

## **11. TAXI-METER**

The licensee and or the driver shall ensure that: -

- 11.1. The taxi-meter shall be of the calendar controlled type. Such meter shall be so constructed, or programmed, that it is not possible for any person to manually alter the tariff rate without breaking the seals affixed thereto;
- 11.2. The taxi-meter shall be fitted with a key, flag or other device, the operation of which shall bring the machinery of the taxi-meter into action and cause the word "HIRED" to appear on the face of the taxi-meter;

- 11.3. Such key, flag or other device shall be capable of being located in such a position that the machinery of the taxi-meter is not in action and that no fare is recorded on the face of the taxi-meter;
- 11.4. When the machinery of the taxi-meter is in action there shall be recorded on the face of the taxi-meter, in figures clearly legible and free from ambiguity, the fare which the proprietor or driver is entitled to demand, and take, for the hire of the vehicle;
- 11.5. The word "FARE" shall be printed on the face of the taxi-meter in plain letters so as to clearly apply to the fare recorded thereon;
- 11.6. The taxi-meter shall be so placed that all letters and figures on the face thereof shall be, at all times plainly visible to any person travelling in the vehicle and, for that purpose, the letters and figures shall be suitably illuminated during any period of hiring, and the switch for operating the light provided and the said illumination shall be incorporated in and operated in conjunction with the key, flag or other device which brings the machinery of the taxi-meter into action. No other method of operating the said light shall be employed;
- 11.7. The taxi-meter and all the fittings thereof shall be affixed to the vehicle with seals or other appliances so 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;
- 11.8. The taxi-meter tariff shall be set at a fare, no higher than that published within the Stevenage Borough Council tariff of hackney carriage fares. A hackney carriage vehicle fitted with a taxi-meter must display the Stevenage Borough Council tariff of fares in a place where it is clearly visible to passengers travelling in the vehicle, at all times whilst the vehicle is available for hire.

## **12. IDENTIFICATION (LICENCE) PLATE**

- 12.1. The identification plate issued by the Council, bearing the number of the licence granted in respect of the vehicle, shall be securely fixed on the outside rear of the vehicle. The plate shall be kept in such a condition that the information contained thereon is clearly visible to public view. The plate shall be fixed in such a manner that it can be removed by an authorised officer of the Council or Police Constable without causing damage to the vehicle.
- 12.2. Where a hackney carriage vehicle licence has been suspended, revoked or has expired, and provided that, where necessary, the requisite notice(s) has been served, as required by the 1976 Act a Police Constable or authorised officer of the Council is entitled to remove and retain the vehicle licence plate.
- 12.3. Vehicle licence plates remain the property of Stevenage Borough Council at all times and must be returned on surrender, suspension, revocation or expiry of the licence or if the vehicle is sold, or disposed of, out of the licensed trade. If a plate is LOST or STOLEN it must be reported to the Police. A crime or lost property number must be obtained, and the Licensing Office, Daneshill House, Danestrete, Stevenage, Hertfordshire. SG1 1HN. Tel: 01438 242242, informed.

## **13. COPY OF LICENCE AND CONDITIONS**



- 13.1. The licensee shall ensure that they, or any driver they engage or employ to drive the vehicle, carry a copy of this licence and these conditions in the vehicle and make them available for inspection by any authorised officer, Police Constable, hirer or passenger on request.

#### **14. INTERIOR MARKINGS**

- 14.1. The licensee shall cause to be marked and maintained inside the vehicle; in such a position as to be clearly visible at all times to the persons conveyed therein, the number of the vehicle licence and the maximum number of passengers to be carried, as prescribed in the licence. This interior sign shall be provided by the Council with the vehicle licence plate.

#### **15. SIGNS, NOTICES AND ADVERTISING**

- 15.1. The licensee shall cause to be affixed and maintained whilst the vehicle is being used as a hackney carriage an illuminated roof sign, of a design and construction previously approved by the Council, bearing the word 'TAXI' and, if desired, a telephone number through which the vehicle may be hired. The sign to be operated through the setting of the taxi-meter and must only be illuminated when the vehicle is available for hire. The licensee shall also cause a sign bearing the words 'FOR HIRE' to be displayed in the lower front nearside portion of the vehicle windscreen. Such sign to be operated through the setting of the taxi-meter and only to be illuminated when the vehicle is for hire
- 15.2. No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed in, on or from a hackney carriage vehicle except as may be required by any statutory provision (including bye-laws) or, as authorised by the Council.
- 15.3. Condition 15.2 shall not apply to any indication on a taxi-meter fitted to the vehicle, or to a sign which:
- 15.3.1. is displayed on, in or from the vehicle only while it is stationary; and
  - 15.3.2. contains no words or numbers other than the name and address of a person, firm or company through which the vehicle may be hired and/or the name of a passenger or passengers to be carried in that vehicle; and
  - 15.3.3. is displayed in pursuance of a prior arrangement made for the carriage of a passenger or passengers named in that sign.
- 15.4. Advertising (including 'Full Wrap' in LTI and MetroCab type vehicles) on a hackney carriage may be permitted if the positioning, design and content of such advertising is previously submitted to, and approval in writing, obtained from the Council.

- 15.5. The foregoing provisions, of this condition, shall not apply to a sign in, on or from a hackney carriage vehicle: -
- 15.5.1. which indicates membership of the AA, RAC or other similar motoring organisation; or
  - 15.5.2. which indicates that passengers should not eat or smoke in the vehicle. Signage in accordance with the Smokefree Workplace Regulations, vehicle requirements, must be affixed to the outside, or inside, of the vehicle indicating that smoking is prohibited in the vehicle; or
  - 15.5.3. which indicates that in-car CCTV surveillance is in use in the vehicle; or
  - 15.5.4. which indicates that the vehicle is suitable, and equipped, for the carriage of wheelchair bound passengers;
  - 15.5.5. which indicates that the driver of the vehicle is exempted through medical grounds from the requirement to carry assistance dogs.

## **16. CHANGE OF ADDRESS**

- 16.1. The licensee of the hackney carriage vehicle, to which this licence applies, shall notify the Council in writing, of any change of their home or business address during the period of the licence, within seven days of such change taking place.

## **17. CONVICTIONS**

- 17.1. The licensee of a hackney carriage vehicle shall as soon as is practicable, and in any event within seven days of any conviction, caution, or fixed penalty notice disclose to the Council in writing, details of such conviction, caution, or fixed penalty notice imposed upon them or, if the licensee is a company or partnership, on any of the directors or partners, during the period of the licence (Convictions to include both criminal and motoring).

## **18. INSURANCE**

- 18.1. The licensee shall produce, on request, a current, valid, Certificate of Insurance (or insurance cover notes) to provide proof of continuous insurance cover.

## **19. VEHICLE DAMAGE**

- 19.1. The licensee shall, as soon as reasonably practicable, but in any case within seventy two hours, disclose to the Council, in writing, details of any accident involving the vehicle or, of any damage to the vehicle however caused, materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons carried therein. The vehicle may not continue to operate without the prior approval of the Council.

## **20. TRAILERS**

Trailers may only be used with the prior, written, approval of the Council and are subject to the following requirements: -

- 20.1. the trailer must be presented for inspection and testing, at a Council approved testing station prior to first use and, again, at each inspection of any vehicle on which the trailer is authorised to be used;
- 20.2. trailers can only be used in connection with private hire bookings where excess luggage needs to be carried;
- 20.3. the trailer must, at all times, comply with all requirements of Road Traffic legislation, in particular those laid down in the Road Vehicles (Construction and Use) Regulations 1986;
- 20.4. the vehicle insurance must provide adequate cover for the towing of a trailer;
- 20.5. trailers must not be left unattended anywhere on the highway;
- 20.6. speed restrictions applicable to trailers must be observed at all times;
- 20.7. the trailer shall be equipped with an approved braking system;
- 20.8. the trailer shall be equipped with an approved break-away cable;
- 20.9. the trailer shall be fitted with a manufacturers plate showing the maximum load permissible;
- 20.10. when the trailer is in use with a licensed vehicle, the licence plate issued by the Council, specifically for that trailer shall be displayed on the outside rear of the trailer so as to be clearly visible to other road users;
- 20.11. a suitable lid, or other approved means of enclosure shall be fitted to secure and cover the contents of the trailer whenever it is in use;

## **21. AGE LIMITS**

- 21.1. There will be no statutory age limits set in respect of the licensing of hackney carriage vehicles. Vehicles submitted for licensing will be judged on the suitability of the vehicle. All vehicles submitted for consideration of licensing, especially those vehicles five (5) years or older, will be expected to be in 'Exceptional Condition' as defined by the Council in appendix C. The decision to approve a vehicle for licensing will be at the sole discretion of the Council.
- 21.2. Those vehicles submitted for licensing, or re-licensing, that are five years old or more at the time of being compliance tested will be subject to bi-annual compliance testing. Such vehicles will be compliance tested on the relevant date and at six monthly periods thereafter. The licensee of such vehicles will be expected to produce written evidence, at each compliance test, that the vehicle has been serviced and maintained to the manufacturer's intervals and schedules.

- 21.3. Those vehicles that have travelled in excess of 150,000 miles, at the time of being submitted for compliance testing, will be subject to bi-annual compliance testing. Such vehicles will be compliance tested on the relevant date and at six monthly periods thereafter. The licensee of such vehicles will be expected to produce written evidence, at each compliance test, that the vehicle has been serviced and maintained to the manufacturer's intervals and schedules.

## **22. LICENCE RENEWAL**

- 22.1. The licensee shall submit an application for the renewal of this licence, including all required original documentation, to the Council at least five (5) working days prior to the expiry of the current licence.

## **23. DEPOSIT OF DRIVER'S LICENCE**

- 23.1. If the proprietor of this vehicle engages or employs any other person to drive the vehicle he/she shall, before the person commences to drive the vehicle, and for so long as they are so engaged or employed, cause the driver to deliver to him/her a copy of their current hackney carriage driver's licence, for retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other licensed hackney carriage vehicle of his/hers.

## **24. OPERATION OF A HACKNEY CARRIAGE VEHICLE**

- 24.1. Any requirements of the statutory legislation affecting the use and operation of hackney carriage vehicles, being carried out under the terms of this licence, shall be regarded as if they are conditions of this licence.

## **25. CERTIFICATE OF COMPLIANCE**

- 25.1. Hackney carriage vehicles that are one year old, or over, are required to undergo, and pass, a Ministry of Transport test at a VOSA approved MOT testing station. A valid MOT certificate will be required before a hackney carriage vehicle licence will be granted to a vehicle aged twelve months or over.
- 25.2. All vehicles must have a valid Certificate of Compliance in force in relation to the vehicle, issued when the vehicle has passed the appropriate Council test. Any vehicle that fails to pass the Council compliance test is not considered to be fit for use as a licensed vehicle and should be withdrawn from service until the vehicle has been re-tested and passed as fit. Those vehicles submitted for compliance testing that are found to have faults which, may, render them unsafe or unsuitable for licensed work may have the vehicle licence suspended and the vehicle identification plate removed, until such time as the vehicle has passed a compliance test to the satisfaction of the Council. It is the responsibility of the licensee of the vehicle to ensure that vehicles are submitted for compliance testing on or before the relevant renewal dates and that vehicles remain fit for service at all times.

- 25.3. Where the licensee, or driver, of a vehicle books an appointment for a vehicle to be compliance tested that vehicle must be presented at the appointed place and time for testing. Failure to attend at the appointed place and time, may render the full compliance test fee to be charged before any further compliance test is carried out. Cancellations will be accepted, without penalty, if they are received at the Council test station at least seven (7) days prior to the date of the test. Cancellations made at less than seven (7) days but more than twenty four (24) hours prior to the date of the test will result in a penalty payment of 50% of the normal compliance test fee being charged before a further compliance test is carried out.

## **26. CCTV IN HACKNEY CARRIAGE VEHICLES**

- 26.1. The Council recognises that some proprietors may wish to install CCTV security cameras in their vehicle for the benefit and protection of both driver's and passengers. Such equipment may be installed provided that signs, advising that surveillance is in use, are prominently displayed on the vehicle and visible to passengers. That the equipment used is approved by the Council and must also have British Standards Institute approval. The equipment must be capable of being sealed and secured to prevent unauthorised access to the information/images contained in the system to ensure that recordings can only be accessed and viewed by the Police or an authorised officer of the Council.

## **27. LUGGAGE OR OTHER ITEMS LEFT IN HACKNEY CARRIAGE VEHICLES**

- 27.1. The licensee/driver shall, after the completion of any journey, check the vehicle to ensure that any goods or property have been left behind by the last passenger(s) carried in the vehicle. Any property found in the vehicle shall, within forty eight (48) hours of the completion of the journey either, be returned to the owner or delivered to the nearest Police station where a receipt should be obtained as proof of disposal.

# **APPENDIX E**

## **CONDITIONS OF LICENCE – PRIVATE HIRE OPERATOR**

The following specifications and conditions of licence are made by Stevenage Borough Council in pursuance of the powers conferred by Part II of the Local Government (Miscellaneous Provisions) Act 1976 (as amended) to ensure effective regulation of private hire vehicle use and to ensure that proper vehicle and driver standards are maintained, in the interests of public safety.

Possession of this Conditions of Licence document does not guarantee that a private hire operator licence is in force. The validity of any licence may be confirmed by contacting Stevenage Borough Councils' Licensing Office.

### **DEFINITIONS**

In these conditions: -

'the 1976 Act' shall mean the Local Government (Miscellaneous Provisions) Act 1976 (as amended)

'the Council' shall mean Stevenage Borough Council.

'Authorised Officer' shall mean a Licensing Officer authorised in writing by Stevenage Borough Council.

'the hirer' shall mean any person who, from time to time, hires or books the vehicle.

'the licensee' shall mean the person(s) named in the licence.

'the operator' shall mean any person or company or partnership licensed by the Council to operate private hire vehicles.

'the vehicle' shall mean the vehicle named in the licence.

### **GENERAL**

Private hire vehicle operators shall comply, in all respects, with the conditions of licensing set out below. The conditions of licence are supplementary to, and should be read in conjunction with, applicable statutory legislation. The following list is not exhaustive: -

The Town Police Clauses Act 1847 (as amended)

The Local Government (Miscellaneous Provisions) Act 1976 (as amended)

The Road Vehicles (Construction and Use) Regulations 1986 (as amended)

### **1. STANDARDS OF SERVICE**

1.1. The operator shall not, by calling out or otherwise, importune any person to hire any private hire vehicle operated by them and shall not make use of the services of any person for that purpose.

- 1.2. This licence permits the holder to operate private hire vehicles from the authorised premises only, as identified within the licence. Any change must be notified, in writing, within seven days to The Licensing Officer, Environmental Health and Licensing, Daneshill House, Danestrete, Stevenage. SG1 1HN
- 1.3. The operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times and, without prejudice to the generality of the foregoing, the operator shall:
  - 1.3.1. ensure that when a private hire vehicle, operated by them, has been hired to be in attendance at an appointed place and time such vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at the appointed place and time; and
  - 1.3.2. keep clean and adequately heated, ventilated and lit any premises which the operator provides to which the public have access, whether for the purposes of booking or waiting, and ensure that any waiting area provided has adequate seating facilities; and
  - 1.3.3. ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly.
- 1.4. The operator shall not incite the proprietor or driver of any private hire vehicle, operated by them, to convey in such vehicle a greater number of persons than the number of persons specified in the licence for that vehicle.
- 1.5. The operator shall keep a written record of any complaint and record any action taken in response to that complaint. In addition, upon receipt of any complaint concerning a contract or purported contract for hire related to, or arising from, his business, the operator shall immediately notify the Licensing Officer, in writing, of the substance of the complaint and any action taken, or proposed to be taken, in respect of such complaint.
- 1.6. The operator shall ensure that they only make use of drivers and vehicles licensed by Stevenage Borough Council and shall ensure that all the drivers and vehicles engaged or employed by them comply with all licence requirements laid down by Stevenage Borough Council.
- 1.7. The operator shall ensure that, where necessary, they are in possession of adequate Public and Employers Liability insurance.
- 1.8. The operator shall ensure that each private hire, and hackney carriage, vehicle operated by them is in a suitable mechanical condition, safe, comfortable, clean and presentable. That there is in force a suitable Certificate of Insurance, a hackney carriage or private hire licence granted by Stevenage Borough Council, and that the plate provided by the Council, in accordance with Section 48(5) of the Local Government (Miscellaneous Provisions) Act 1976 is affixed to the vehicle in such a manner and position as is required by the Council.
- 1.9. The Operators Licence granted by Stevenage Borough Council and a copy of these conditions must be available, at all times, at the premises designated in the licence. The operator shall make the licence and these conditions available for inspection by either actual, or potential fare paying passengers.

- 1.10. Operators must ensure that, during their hours of operation, there is always at least one licensed PHV available for booking that is wheelchair accessible.

## **2. OPERATORS RECORDS OF WORK**

- 2.1. The operator shall keep legible, hand-written or computerised records, pursuant to Section 56(2) of the Local Government (Miscellaneous Provisions) Act 1976, and enter therein, at the time of accepting any booking, every hiring of a private hire vehicle (or hackney carriage for the time being used for pre-booked work) invited or accepted by him. Whether by accepting the same from the hirer, or undertaking it at the request of another operator. Such record shall contain the following information: -
  - 2.1.1. The time and date of the booking and, if different, the time and date of the proposed journey.
  - 2.1.2. The name and address, or telephone number, of the hirer.
  - 2.1.3. The agreed time and place of collection. (Place to include an address or street name)
  - 2.1.4. The destination. (Destination to include an address or street name)
  - 2.1.5. The time at which a driver/vehicle was assigned to the booking and the Stevenage Borough Council licence number, or company call-sign of the vehicle.
  - 2.1.6. The fare, if agreed between the operator and the hirer at the time of booking.
  - 2.1.7. Remarks (to include, if necessary, details of any sub-contract, fare evasion, complaints in respect of the service provided by the operator or driver or any other matter relevant to the hiring to which it relates.)

## **3. OPERATORS RECORDS - VEHICLES**

- 3.1. The operator shall keep legible, hand-written or computerised records of the particulars of all private hire vehicles operated by him pursuant to Section 56(3) of the Local Government (Miscellaneous Provisions) Act 1976, namely the:
  - 3.1.1. Vehicle Registration Mark
  - 3.1.2. Make, Model, Colour
  - 3.1.3. Number of passenger seats. (As authorized by the hackney carriage/private hire vehicle licence)
  - 3.1.4. The hackney carriage/private hire licence number.
  - 3.1.5. The company call-sign for the vehicle.
  - 3.1.6. The vehicle proprietors name and address.
  - 3.1.7. Insurance particulars of all vehicles working on behalf of the operator.
  - 3.1.8. The date the vehicle was added to the operator's fleet.
  - 3.1.9. The date the vehicle was withdrawn from the operator's fleet.

## **4. OPERATORS RECORDS - DRIVERS**

- 4.1. The operator shall keep legible, hand-written or computerised records of the particulars of all drivers of hackney carriage/private hire vehicles operated by them, namely:
  - 4.1.1. The name, address and company call-sign assigned to the driver.
  - 4.1.2. The date the driver commences working for the operator.
  - 4.1.3. The date the driver ceases working for the operator.



- 4.1.4. Any change of address of a driver during the course of his service with the operator.
  - 4.1.5. Any illness, disability or condition which may affect a driver's ability to safely carry out their duties, where the operator becomes aware of any such condition.
  - 4.1.6. The Stevenage Borough Council hackney carriage/private hire driver's licence number and expiry date of same.
- 4.2. The operator shall cause to be delivered to him, and retain in his possession, a copy of the Stevenage Borough Council licence of any driver engaged by them, until such time as the driver ceases to be so engaged. The operator shall also ensure that all drivers engaged by them are in possession of the appropriate drivers badge issued by Stevenage Borough Council. (Original hackney carriage driver licenses should be held by the vehicle proprietor)
- 4.3. All records, however maintained, shall be kept for at least twelve (12) months from the date of the entry. The records shall be produced for inspection, on request, by any Authorised Officer of the Council or Police Officer. Where the operator keeps computerised records they must be able to provide a print-out (in a format approved by the Council) of the requested records as, and when, required.

## **5. CONVICTIONS**

- 5.1. The operator shall, within seven days, disclose to the Council, in writing, details of any convictions, including motoring convictions and fixed penalty notices, imposed on them (or if the operator is a company or partnership, on any of the directors or partners) during the life of the licence.
- 5.2. The operator shall provide a basic disclosure certificate to the Council every three (3) years. If the operator is also a driver licensed with Stevenage Borough Council, the enhanced disclosure certificate necessary for the driver licence will suffice and it is not necessary to provide a basic disclosure certificate in addition.

## **6. STAFF**

- 6.1. The operator shall notify the Council, in writing, within seven days of the engagement or employment of a hackney carriage or private hire driver, the operation of any additional hackney carriage or private hire vehicle and the termination of engagement, employment or operation of such hackney carriage or private hire driver or vehicle.

## **7. INSURANCE**

- 7.1. The operator shall ensure that every hackney carriage or private hire vehicle operated by them in accordance with this licence is covered by a Certificate of Insurance, or cover note, indemnifying the proprietor of the said vehicle within the provisions of the Road Traffic Act 1972, for the carriage of passengers for hire or reward.

## **8. CHANGE OF ADDRESS**

- 8.1. The operator shall notify the Council, in writing within seven days, of any change to their address, including their personal address and any address from which they operate, or otherwise conduct their business as an operator, during the period of the licence.

## **9. LICENCE RENEWAL**

- 9.1. The licensee shall submit an application for the renewal of this licence, including all required original documentation, to the Council at least five (5) working days prior to the expiry of the current licence.

## **APPENDIX F**

### **CONDITIONS OF LICENCE – PRIVATE HIRE – STRETCHED LIMOUSINES**

The following specifications and conditions of licence are made by Stevenage Borough Council in pursuance of the powers conferred by Part II of the Local Government (Miscellaneous Provisions) Act 1976 (as amended) to ensure effective regulation of private hire vehicle use and to ensure that proper vehicle and driver standards are maintained, in the interests of public safety.

Possession of this Conditions of Licence document does not guarantee that a private hire vehicle licence is in force for the vehicle nor do they imply that the vehicle is roadworthy or fit for use. The validity of any licence may be confirmed by contacting Stevenage Borough Councils' Licensing Office.

#### **DEFINITIONS**

In these conditions: -

'the 1976 Act' shall mean the Local Government (Miscellaneous Provisions) Act 1976 (as amended)

'the Council' shall mean Stevenage Borough Council.

'Authorised Officer' shall mean a Licensing Officer authorised in writing by Stevenage Borough Council.

'the hirer' shall mean any person who, from time to time, hires or books the vehicle.

'the licensee' shall mean the person(s) named in the licence.

'the operator' shall mean any person or company or partnership licensed by the Council to operate private hire vehicles.

'the vehicle' shall mean the vehicle named in the licence.

#### **GENERAL**

Stretched Limousines shall comply, in all respects, with the conditions of licensing set out below and with the relevant parts of the Conditions of Licensing for Private Hire Vehicles. These conditions of licence are supplementary to and should be read in conjunction with applicable statutory legislation. The following list is not exhaustive: -

The Town Police Clauses Act 1847 (as amended)

The Local Government (Miscellaneous Provisions) Act 1976 (as amended)

The Road Vehicles (Construction and Use) Regulations 1986 (as amended)

## 1. PRIVATE HIRE – STRETCH LIMOUSINES

- 1.1. Stretched limousines shall not be used for every day private hire use. The vehicle shall meet with the Conditions of Licensing relating to private hire vehicles (Appendix B) with the exception that the vehicle: -
  - 1.1.1. may be left hand drive;
  - 1.1.2. may have some side facing seats provided that they conform with all relevant Road traffic vehicle legislation;
  - 1.1.3. may have tinted glass, in the passenger compartment only, provided that it complies with the requirements of current Road Vehicles (Construction and Use) Regulations;
  - 1.1.4. must have all passenger seats fitted with, 3 point inertia reel, seat belts that comply with all relevant Road Traffic legislation.
- 1.2. The licensee of the vehicle shall ensure that the vehicle is, at all times, only driven by a person who holds a current private hire vehicle driver's licence issued by Stevenage Borough Council;
- 1.3. The licensee shall not permit to be conveyed in the vehicle more than the number of persons shown in the vehicle licence, regardless of the age or size of the passenger;
- 1.4. Passengers shall not be permitted to be carried in the front/drivers compartment of the vehicle whilst the vehicle is in use for private hire;
- 1.5. Intoxicating liquor shall not be supplied in the vehicle unless there is in force an appropriate licence permitting the sale or supply of same.
- 1.6. Where alcoholic drink is supplied in the vehicle, no person under the age of eighteen (18) years being conveyed in the vehicle shall be allowed to consume alcohol. Any alcohol served shall only be served in non-breakable receptacles (e.g. plastic). Alcohol shall only be served whilst the vehicle is stationary and at all other times bottles are to be stored in a secure receptacle.
- 1.7. The following activities are prohibited in the vehicle
  - 1.7.1. Striptease
  - 1.7.2. Lap Dancing
  - 1.7.3. Pole Dancing
  - 1.7.4. Any other activity or performance of a like kind
- 1.8. The licensee/driver of the vehicle shall not, knowingly, permit to be played any video, DVD, Blu-Ray or other recorded image that is unsuitable having regard to the age of the passengers being conveyed. In that respect regard should be had to the British Board of Film classification of any video, DVD, Blu-Ray or other recorded images shown. The licensee shall ensure that a Performing Rights Society (PRS) and/or a Phonographic Performance Licence (PPL) are held for the vehicle, where appropriate. Copies of these documents must be carried in the vehicle at all times whilst it is available for hire.

## **2. VEHICLE SAFETY EQUIPMENT**

- 2.1. The licensee of the vehicle shall provide a minimum of two fire extinguishers that conform to British Standard EN3:1996, have a minimum contents weight of 1 kilogram and be of the dry powder or foam type.
- 2.2. One fire extinguisher must be securely mounted, on a bracket, in a convenient position within the driver's compartment. The second must be securely mounted within the boot of the vehicle, so as to be readily available at all times;
- 2.3. The vehicle and all its fittings and equipment shall at all times kept in a fit, serviceable, efficient, safe and clean condition and all relevant statutory requirements (*including those contained in the Motor Vehicles (Construction and Use) Regulations*) are fully complied with. Should the vehicle fail to comply with any legal requirement then the vehicle should be removed from service until the reason(s) for non-compliance is rectified;
- 2.4. Vehicles must be fitted with a 'Life' safety hammer which will be securely located in the driver's compartment.
- 2.5. The licensee shall not, at any time, use or permit to be used in the vehicle any radio scanner or citizen band radio.

## **3. DOORS**

- 3.1. The vehicle to which this licence is granted shall have a minimum of four doors, as standard, two available for the driver's compartment and, a minimum of, two available in the rear passenger compartment. All doors must be able to be working correctly.

# APPENDIX G

## Application Procedures

### Driver Licence

Before a Licensing Authority in England and Wales can grant a hackney carriage or private hire driver's licence, the Authority must satisfy itself that the applicant is, what is termed, a "fit and proper person" to hold such a licence. To allow a Licensing Authority to reach that decision the Authority can ask any questions it feels are relevant to that process.

An applicant for a new hackney carriage or private hire driver's licence must:

1. Contact Stevenage Borough Council Licensing Team via telephone or email to arrange an initial interview with a Licensing Officer. During the interview the Licensing Officer will give a detailed explanation about the local knowledge test and application procedures. A copy of current 'Fees and Charges' will be provided.
2. Sit, and pass, the local knowledge written test.

The knowledge test consists of five subjects with ten questions in each subject. The time allowed is one hour and the pass mark is 80%. The five subjects are:

1. Shortest routes
  2. Neighbourhood areas
  3. Notable buildings
  4. Highway Code
  5. Hackney carriage and private hire legislation
3. Provide an Enhanced Criminal Records Disclosure (obtained via Stevenage Borough Council)
  4. Provide a Driver and Vehicle Licensing Agency (DVLA) Disclosure (obtained via Stevenage Borough Council).
  5. Provide a medical disclosure (form supplied by Stevenage Borough Council).
  6. Pass an English Language test
  7. Pass the DSA hackney carriage/private hire driver test
  8. Submit a completed driver licence application
  9. Provide a cheque or credit/debit card payment for the relevant fee(s).

## Vehicle Licence

Before a Licensing Authority in England and Wales can grant a hackney carriage or private hire vehicle licence, the Authority must satisfy itself that the vehicle is safe and in all ways suitable to be granted a licence.

Before a licence will be granted any vehicle must have been Compliance Tested by Stevenage Borough Council as to its suitability for licensing. Any vehicle that it is proposed to licence as a hackney carriage or private hire vehicle must also have a current MOT certificate if the vehicle is over one year old (from the date of first registration).

An applicant for a hackney carriage or private hire vehicle licence must:

1. Contact Stevenage Borough Council depot at Cavendish Road in Stevenage (01438 218800) and arrange an appointment for the vehicle to be Compliance Tested
2. Submit the following original documents to the Licensing Team:
  - Completed vehicle licence application form.
  - Compliance test (pass) report.
  - Vehicle V5 document.
  - Vehicle insurance document providing appropriate public or private hire liability.
  - Vehicle MOT (if required).
  - Provide a cheque or credit/debit card payment for the relevant fee(s).

## Operator Licence

Before a Licensing Authority in England and Wales can grant a private hire operators licence, the Authority must satisfy itself that the applicant is, what is termed, a “fit and proper person” to hold such a licence. To allow a Licensing Authority to reach that decision the Authority can ask any questions it feels are relevant to that process.

An applicant for a private hire operator’s licence must:

1. Contact Disclosure Scotland ([www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk) or 0870 609 6006 - calls charged at national rates) and obtain a Basic Criminal Records Disclosure.
2. Submit a completed operator licence application form
3. Submit the Basic Criminal Records Bureau disclosure certificate OR if also licensed as a driver with Stevenage Borough Council, the enhanced disclosure certificate.
4. Provide a cheque or credit/debit card payment for the relevant fee(s).