

## **STANDARD CONDITIONS FOR THE LICENSING OF HACKNEY CARRIAGE VEHICLES, 2020**

Pursuant to section 47 of the Local Government (Miscellaneous Provisions) Act 1976 these standard conditions apply to all hackney carriage vehicles licensed by Welwyn Hatfield Borough Council (“the Council”) under section 37 of the Town and Police Clauses Act 1847

Any vehicle licensed by the Council pursuant to section 37 of the Town and Police Clauses Act 1847 (“Hackney Carriage”) must comply with the following conditions.

### **1 General**

1.1 The Hackney Carriage vehicle, must, at all times, be:

- (a) safe
- (b) tidy
- (c) clean; and
- (d) comply with all relevant statutory provisions, requirements and subordinate legislation at all times.

1.2 The proprietor and driver of a Hackney Carriage vehicle shall ensure that the vehicle is maintained to a high standard of appearance and cleanliness, both on the exterior and interior. They must also ensure that it is mechanically safe, reliable and that all ancillary equipment is carried in a serviceable condition.

1.3 The proprietor and driver of a Hackney Carriage vehicle must ensure that any driver is fully trained and conversant in regard to all safety features including the loading and unloading of passengers confined to a wheelchair. This training must be completed by a Council approved trainer. The training must be completed by a trainer who is approved by the Council (A list of Council-approved trainers will be provided by the Council)

### **2 Specification**

2.1 The Hackney Carriage vehicle shall be a purpose built vehicle in line with European Community Whole Vehicle Type Approval (“ECWVTA”) – M1 type approval. It must be capable of carrying, loading and alighting a person confined in a wheelchair in safety. This specification will also apply to any transfer of a vehicle licence including accidental damage.

2.2 The Hackney Carriage vehicle must have a side loading or rear loading door that enables the wheelchair user to be safely loaded into and out of the vehicle.

2.3 The Hackney Carriage vehicle shall be fitted with the appropriate access equipment (including but not exclusively ramps and steps) for the Hackney

Carriage vehicle make and model and must be kept with the Hackney Carriage vehicle at all times.

- 2.4 Where the internal floor height of the Hackney Carriage vehicle exceeds 12 inches (305mm) Intermediate steps shall be fitted every 9 inches (228mm) from road level up to the internal floor height. All steps must be capable of carrying the weight of an adult and be permanently affixed to the vehicle. All steps must be illuminated.
- 2.5 The Hackney Carriage vehicle shall be of all one standard silver colour and display WHBC Crests on the front driver and front passenger doors. (Crests will be issued initially free of charge, there will be a charge for any replacement crests).
- 2.6 The silver colour, referred to in paragraph 2.5 (above), shall be permanent or permanently affixed.
- 2.7 The Hackney Carriage vehicle must be capable of carrying not less than four passengers plus a person confined to a wheelchair (“four plus one passengers”).
- 2.8 Where the Hackney Carriage vehicle is not carrying a person confined to a wheelchair the maximum number of passengers at any one time shall be eight.
- 2.9 Where the Hackney Carriage vehicle is carrying a person confined to a wheelchair the maximum number referred to in paragraph 2.8 (above) shall be reduced according to the number of seats occupied by the wheelchair.
- 2.10 The vehicle shall be of right-hand drive manufacture and not converted as so.
- 2.11 All vehicles must have adequate leg and foot-room, shoulder-width and head-height for all passengers.
- 2.12 The vehicle shall comply with Euro 6 emission standards.
- 2.13 The vehicle glass is to be kept clear of all obstructions.

### **3 Vehicle Licence Plates**

- 3.1 The vehicle licence plates, including an internal plate, are to be affixed to the vehicle, with the bracket supplied by the Hackney Carriage Office in a position determined by the Authorised Officer.
- 3.2 The licence plates shall display the number of passengers that the vehicle may carry the vehicle registration number and date of expiry of the Licence.
- 3.3 No plate may be removed from any vehicle, under any circumstances, without the prior permission of the Hackney Carriage Office.

- 3.4 Only an Authorised Officer or any Constable may remove a licence plate from a Hackney Carriage in circumstances where the vehicle licence is suspended, or revoked or withdrawn.
- 3.5 The plate remains the property of the council at all times. It must be returned to the Council on written request within seven days of being given notice to do so.

#### **4 Tyres and Spare Wheel**

- 4.1 Tyres must all be of either radial or cross-ply manufacture, including the spare wheel.
- 4.2 Where the manufacturer supplies a 'space saver' type spare wheel, all guidance to its use must be adhered to. In circumstances where the 'space saver' spare wheel is fitted, the 'normal' tyre must be repaired and refitted as soon as is practical, but in any event before the vehicle is 'hired' again.
- 4.3 All tyres are to be in a state of good repair and comply at all times with the construction and use regulations in force.
- 4.4 If a spare wheel is not carried, as may be the case with a Liquid Petroleum Gas ("LPG") converted vehicle and with the permission of the Authorised Officer, the vehicle must be fitted with 'Run flat' tyres.

#### **5 Age of vehicles**

- 5.1 No Vehicle shall be licensed if it is over four years old from first date of registration.
- 5.2 All vehicles are to be licensed for a period of 1 year. If in that year they attain the age of ten years from first date of registration, they will only be licensed to the date on which the age of 10 years is reached
- 5.3 The Licence fee will be charged pro-rata to the nearest full months if a vehicle is to be licensed less than a year.

#### **6 General Condition of the vehicle**

- 6.1 The interior of the vehicle must remain clean and tidy at all times.
- 6.2 The exterior of the vehicle must remain clean and free of any 'impact' or other damage at all times.

- 6.3 The luggage compartment must be maintained in a clean and tidy condition with no extraneous items, only essential tools as supplied by the manufacturer may be carried.
- 6.4 Where a vehicle is utilised for the carriage of passengers in a wheelchair access to and exit from the wheelchair position must not be obstructed in any manner at any time except by wheelchair loading apparatus.
- 6.4 The carriage within the luggage compartment of lubricants, washing fluids, or other extraneous items is forbidden whilst the vehicle is plying for hire.

## **7 Roof and For Hire Signs**

- 7.1 Roof and 'For Hire' signs must meet the approval of the Council and be capable of being illuminated in conjunction with the taximeter. They are to be integral to the vehicle build and not detachable.

## **8 Inspection of Vehicles**

- 8.1 Vehicles aged below one year do not require a certificate of compliance until one year has elapsed since the first date of registration.
- 8.2 Vehicles aged one year to three years from date of first registration must be tested annually at an authorised testing station.
- 8.3 Vehicles aged three years to ten years must be tested every six months at an authorised testing station.
- 8.4 All vehicles must have a Certificate of Compliance test issued by an authorised testing station within 28 days prior to the date of renewing, granting or transferring of a vehicle Licence.
- 8.5 All fees for vehicles inspections are to be paid direct to the authorised garage at the time of inspection or re-inspection.
- 8.6 Fees may be charged for re-inspections at the discretion of the authorised testing station.

## **9 Taximeters**

- 9.1 Taximeters are to be of a type or model and positioned to the approval of the Hackney Carriage Office.

- 9.2 All taximeters are to be calibrated up to the Council's maximum tariff and a certificate of calibration supplied at the time of sealing the taximeter.
- 9.3 The meter must be used at all times when a journey commences and concludes within the Welwyn Hatfield Borough Council.
- 9.4 An authorised fare card is to be displayed at all times whilst a Hackney Carriage vehicle is plying for hire.
- 9.5 The taximeter must be positioned within the vehicle so as to allow passengers a clear unhindered view.

## **10 Accidents**

- 10.1 All accidents involving a Hackney Carriage, whether on hire or not, must be reported to the Hackney Carriage Office within a maximum of 72 hours from the time of its occurrence. This must be done in writing.

## **11 Advertising**

- 11.1 No more than two external advertisements are to be displayed on a vehicle and must be approved by the Authorised Officer prior to display.
- 11.2 Advertisements must be confined to the rear side passenger doors and must be approved by the Authorised Officer.
- 11.3 No advertisement or other matter whatsoever may be displayed on any windows of the vehicle.

## **12 Fire Extinguisher**

- 12.1 A fire extinguisher with a dry powder capacity of not less than 1kg must be provided within the vehicle at all times and must be within date.
- 12.2 Any extinguisher shall conform in all respects to the British Standards Institute.

## **13 Fees**

- 13.1 Fees, once paid are not refundable.
- 13.2 Fees may be varied from time to time in accordance with statute, to meet the reasonable cost of all matters relating to the licensing of Hackney Carriage.

## **14 Two way Radio and Data Heads**

14.1 All two-way radios and data heads are to be fitted to the fabric of the vehicle in a secure manner. They must not impinge on the safe operation of the vehicle.

14.2 No telecommunication equipment of any kind (excluding 'hands free') is to be used whilst the vehicle is being driven.

## **15 Ramps and Stowage**

15.2 All ramps and accessibility equipment must be carried at all times in a manner that is safe and easily accessible for use.

15.3 It is the driver's responsibility to ensure all passengers are safe throughout their journey, including loading and unloading. All safety equipment must be used.

15.4 All luggage must be safely and securely stowed.

## **16.0 Documentation**

16.1 All vehicle proprietors at the time of applying for a grant, renewal, or transfer of a licence must supply the following documentation;

- (1) Vehicle registration document (VQ5)
- (2) Certificate of Compliance obtained within 28 days of the grant, transfer or renewal of Licence.
- (3) A valid certificate of insurance designated for 'public hire'. Spouses or other unlicensed drivers must not be included on the policy.
- (4) Wheelchair accessible vehicle driver training certificate
- (5) In the case of a transfer, a letter from the current proprietor of the vehicle, authorising the transfer of the vehicle Licence, must be provided to the Authorised Officer.

## **17.0 Certificate of Insurance**

17.1 All insurance certificates must state 'Public Hire and Reward'.

## **Interpretation**

For the purpose of these conditions:

The '**Authorised Officer**' means an officer of the Council of the Welwyn and Hatfield Borough council for the time being authorised in writing by the Council for the purpose of Part II of the Local Government (Miscellaneous Provisions) Act 1976 or the Town Police Clauses Act 1847.

### **Note:-**

The Council being in possession of a certificate of exemption granted by the Secretary of State for Transport is required to issue a certificate of compliance in respect of each licensed Hackney Carriage operating within the Borough.

By virtue of the said certificate of exemption, the council may not accept anything other than a certificate of compliance as evidence of the satisfactory condition of the vehicle, which is to be licensed.

The test may only be carried out at a testing station appointed by the council and authorised by the Department of Transport. The test must be at least to M.O.T. standard before the certificate can be issued. When presenting the vehicle for licensing, re-licensing or transferring you must ensure that the date of issue of the certificate of compliance is not more than 28 days prior to the date of issue of the Licence.

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