

Cheshire East Council (Congleton)
CONDITIONS ATTACHED TO HACKNEY CARRIAGE PROPRIETOR/VEHICLE LICENCES

These conditions to be read in conjunction with the appropriate provisions of the Town Police Clauses Act, 1847, the Local Government (Miscellaneous Provisions) Act 1976, Part II and the Borough Council Byelaws relating to Hackney Carriages.

1. The vehicle shall be suitable in type and design for use as a Hackney Carriage. In the event of a vehicle being unroadworthy for a period of two days, an alternative vehicle may be used provided the vehicle is hired from a reputable dealer and prior approval has been obtained from the Council. The insurance to be obtained from the proprietor's own insurance.
2. All Hackney Carriages shall be fitted with the roof sign bearing only the word "TAXI" and no other signs or distinguishing marks shall be permitted, unless written approval has first been obtained from the Borough Council, except for the licence plate issued by the Borough Council and a sign painted on or affixed to the driver's door and the front passenger door stating the trading name and telephone number of the firm. The letters of such sign shall not exceed two inches in height and all letters other than capitals shall be of equal dimensions.
Purpose built taxis, e.g. Austin FX4s are exempt from the requirements to display the roof sign.
3. The minimum standard of vehicle to be used for renewal or transfer of vehicle licences for Hackney Carriage/Private Hire purposes shall be a four-door passenger saloon/estate or hatchback with adequate rear seating and a minimum engine capacity of 1600cc.

The minimum standard of vehicle for all new vehicle licenses issued shall be:

- (a) a purpose built wheelchair accessible four door passenger saloon/estate or hatchback with minimum seating space of 16" per person
 - (b) the vehicle must be M1 type approved on manufacture by the Vehicle Certification Agency (VCA) (i.e. have been certified by the VCA as meeting their standard for passenger carrying vehicles, with capacity for up to 8 passengers plus driver).
 - (c) it shall be the responsibility of the Hackney Carriage Proprietor to produce to the Council an application for a vehicle licence either the M1 certificate (or copy thereof) or written confirmation from the vehicle manufacturer that the vehicle is M1 type approved by the VCA.
4. During the hours of darkness, the "TAXI" sign shall be illuminated only when the carriage is standing or plying the hire within the Borough and shall be extinguished as soon as the vehicle is hired. For the purpose of this condition, the "hours of darkness" shall be the hours on which lighting up times operate in the Borough.
 5. Before the vehicle is used as a Hackney Carriage such insurances or securities as are required under Part VI of the Road Traffic Act, 1972, shall be obtained in respect of the vehicle and the certificate in respect of the policy of insurance or security shall be produced to the Council for inspection. An insurance cover note will suffice but on the expiry of 30 days a certificate shall be produced.
 6. The proprietor of a Hackney Carriage/Private Hire vehicle shall submit a copy of his certificate and also policy of insurance when applying for a new/renewal vehicle licence and depending on the insurance this may be a block or individual policy and certificate of insurance. It is the responsibility of the applicant to prove that the policy and certificate(s) cover all Hackney Carriage/Private Hire vehicles licensed in their name and likewise any drivers employed to drive

the said vehicle.

7. Every proprietor of a Hackney Carriage shall provide the carriage with a taximeter so constructed, attached and maintained as to comply with the following requirements, that is to say:
 - (a) the taximeter shall be fitted with a key, flag or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - (b) such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
 - (c) when the machinery of the taximeter is in action, there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate of fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance in pursuance of the byelaw in that behalf;
 - (d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply the fare recorded thereon;
 - (e) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring;
 - (f) the taximeter and all fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals and other appliances.
8. The licence plates must be affixed to the front and rear of the exterior of the vehicle, the plates must display the name of the licensing Authority, licence number, the vehicles registration number, description and number of passengers that is permitted to carry. The plates must be easily removable by any authorised officer of the Council or a Constable.
9. Licensees are required to issue on request, receipts in respect of fares charged for hiring.
10. A copy of the current "Table of Fares" shall be exhibited inside the vehicle in clearly distinguishable letters and figures in such a position that hirers can conveniently see it.
11. Transfer of licences:
 - (a) In the event of a person showing proof of ownership of a Hackney Carriage and the transfer notified to the Council in accordance with Section 49(1) of the Local Government (Miscellaneous Provisions) Act, 1976, the licence in respect of that vehicle will be transferred to that person for the remainder of its validity. Thereafter the licence will not be renewed to the new owner except with the express permission of the Borough Council.
 - (b) Applications from widows for the licences previously held by their husbands will normally be accepted;
 - (c) Applications from other close relatives for the transfer of licences will be dealt with on the merit of each application.
12. The proprietor shall within 7 days disclose to the Council in writing details of any conviction imposed on him (or, if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence.
13. The interior and exterior of all Hackney Carriage/Private Hire vehicles shall be kept in a reasonable condition of cleanliness and safety. This includes all carpets, fire extinguishers, radios and other fixtures within the vehicle, which must be securely fitted so as not to cause

danger to passengers. The opinion of the Council's Inspector as to reasonableness shall be conclusive.

14. An administrative charge of £20.00 will be made in respect of any cancellation of vehicle tests whereby less than 7 days notice has been given.
15. Where an operator fails to present his Hackney Carriage/Private Hire vehicle for inspection as arranged and notice of cancellation is not received, the full fee of £45.00 will be charged.
16. Any damage to a Hackney Carriage/Private Hire vehicle, which in the opinion of the Council's Inspector adversely affects the vehicle's safety or appearance must be suitably repaired before a vehicle can continue to be used for Hackney Carriage/Private Hire purposes. The vehicle will then be subject to an inspection by the Council's Inspector to determine whether or not it is fit to be used for such purposes and the Inspector's decision shall be conclusive. If the vehicle fails to pass the inspection, a prohibition or defect notice may be issued. If a prohibition notice is issued the vehicle shall not be used for Hackney Carriage/Private Hire work until the necessary repairs have been completed and a further inspection has been made. A copy of the prohibition notice may also be forwarded to the local Police for their information.
17. If a hackney carriage/private hire vehicle fails its annual inspection because of more than 2 faults, a full re-test fee of £45 is payable. If the vehicle fails on 1 or 2 faults only no retest fee is payable UNLESS one or more of those faults are of the type which would affect the vehicles safety and attract a Prohibition Notice as in condition 16 above, in which case the retest fee is payable.
18. With effect from the 1st September 1992, all Hackney Carriage and Private Hire vehicles with a disabled access tail life, mobile lift or ramp facility fitted to the vehicle must comply with BS6109 document relating to "The Code of Practice for Passenger Lifts and Ramps" (a copy of this document is available on request from the Council's Transport and Mechanical Services Officer). In accordance with the BS6109 all operators with a tail lift, mobile lift or ramp facility will also be required to produce a current test certificate upon request of the Council's Transport and Mechanical Services Officer.
19. All Hackney Carriage/Private Hire vehicles must carry a fire extinguisher, the minimum size being 1 kilogram and of a dry powder or carbon dioxide nature, which shall be secured by a clip in the front of the vehicle where the extinguisher would be accessible at all times. The fire extinguisher must be serviced and tested on a regular basis by an independent company as agreed by the Council's Transport and Mechanical Services Officer.
20. The proprietor of a Hackney Carriage vehicle shall provide a first aid box containing the following:
 - (i) a card giving general first aid guidance;
 - (ii) 10 individually wrapped sterile adhesive dressings;
 - (iii) 2 sterile eye pads;
 - (iv) 1 triangular bandage;
 - (v) 2 sterile coverings for serious wounds;
 - (vi) 12 safety pins;
 - (vii) 3 medium sized unmedicated dressings;
 - (viii) 1 large sterile unmedicated dressing;
 - (ix) 1 extra large sterile unmedicated dressing;
 - (x) 1 pair rustless blunt-ended scissors;
 - (xi) 10 antiseptic wipes, foil packed.
21. All Hackney Carriage Vehicles shall have a sign painted on or affixed in a conspicuous position in the vehicle stating the under-mentioned, providing the information can be seen from the inside of the vehicle only:
 - (a) The Trading Name of the Proprietor;
 - (b) The Telephone Number;

- (c) The words "HACKNEY CARRIAGE".

These signs are provided by the Council free of charge on first application. However, a fee of £1.50 will be charged for replacement signs.

22. Renewals

All forms required for renewal must be completed and returned, along with any other information required and the renewal fee and be received by the Council AT LEAST 4 WEEKS before the expiry of the current licence.

(NOTE: The licence will not be issued until any cheques for payment have been honoured)

NOTE

1. Appeals

A Licensee who is aggrieved by any of these conditions has a right of appeal to a Magistrates' Court.

2. Offences and Penalties

Contravention of these conditions constitutes an offence under the Town Police Clauses Act 1847, or the Local Government (Miscellaneous Provisions) Act, 1976, in respect of which specific penalties are provided. In addition it is also an offence to obstruct an authorised officer or Police Constable in his duty. There is a general penalty, applicable where specific penalties are not provided with a maximum fine.

3. Special attention is drawn to the following sections of the Local Government (Miscellaneous Provisions) Act, 1976:

Transfer of Hackney Carriage and Private Hire Vehicles

s49 (1) If the proprietor of a Hackney Carriage or of a Private Hire vehicle in respect of which a vehicle licence has been granted by a District Council transfers his interest in the Hackney Carriage or Private Hire vehicle to a person other than the proprietor whose name is specified on the licence, he shall within 14 days after such a transfer give notice in writing thereof to the District Council specifying the name and address of the person to whom the Hackney Carriage or Private Hire vehicle has been transferred.

- (2) If a proprietor without reasonable excuse fails to give notice to a District Council as provided by sub-section (1) of the section he shall be guilty of an offence.

Provisions as to Proprietors

s50 (1) Without prejudice to the provisions of Section 68 of this Act, the proprietor of any Hackney Carriage or of any Private Hire vehicle licensed by a District Council shall present such Hackney Carriage or Private Hire vehicle for inspection and testing by or on behalf of the Council as they may by such period and at such place within the area of the Council as they may by notice reasonably require.

Provided that a District Council shall not under the provisions of this Sub-Section require a proprietor to present the same Hackney

Carriage or Private Hire vehicle for inspection and testing on more than 3 separate occasions during any one period of 12 months.

- (2) The proprietor of any Hackney Carriage or Private Hire vehicle -
- (a) Licensed by a District Council under the Act of 1847 or under this Part of the Act; or
 - (b) In respect of which an application for a license has been made to a District Council under the Act of 1847 or under this Part of the Act;

shall, within such period as the District Council may by notice reasonably require, state in writing the address of every place where such Hackney Carriage or Private Hire Vehicle is kept when not in use and shall if the District Council so require afford to them such facilities as may be reasonably necessary to enable them to cause such Hackney Carriage or Private Hire vehicle to be inspected and tested there.

- (3) Without prejudice to the provisions of Section 25 of the Act, the proprietors of a Hackney Carriage or of a Private Hire vehicle licensed by a District Council shall report to them as soon as reasonably practicable and in any case within 72 hours of the occurrence thereof, any accident to such Hackney Carriage or Private Hire vehicle causing damage materially affecting the safety, performance or appearance of the Hackney Carriage or Private Hire vehicle or the comfort or convenience of persons carried therein.
- (4) The proprietor of any Hackney Carriage or of any Private Hire vehicle licensed by a District Council shall at the request of any authorised officer of the Council produce for inspection the vehicle licence for such Hackney Carriage or Private Hire vehicle and the certificate of the policy of insurance required by Part VI of the Act of 1972 in respect of such Hackney Carriage or Private Hire vehicle.
- (5) If any person without reasonable excuse contravenes the provisions of this Section, he shall be guilty of an offence.

Suspension and Revocation of Vehicle Licences

- s60 (1) Notwithstanding anything in the Act of 1847 or in this part of this Act, a District Council may suspend or revoke or (on application therefore under Section 40 of the Act of 1847 or Section 48 of this Act, as the case may be) refuse to renew a vehicle licence on any of the following grounds:
- (a) That the Hackney Carriage or Private Hire vehicle is unfit for use as a Hackney Carriage or Private Hire vehicle;
 - (b) Any offence under, or non-compliance with, the provisions of the Act of 1847 or of this Part of the Act by the operator or driver; or
 - (c) Any other reasonable cause.
- (2) Where a District Council suspend, revoke or refuse to renew any licence under this Section they shall give to the proprietor

of the vehicle notice of the grounds on which the licence has been suspended or revoked or on which they refused to renew the licence within 14 days of such suspension, revocation or refusal.

- (3) Any proprietor aggrieved by a decision of a District Council under this Section may appeal to a Magistrates' Court.

Hackney Carriage used for Private Hire

- s67 (1) No Hackney Carriage shall be used in the District under a contract or purported contract for Private Hire except at a rate of fares or charges not greater than that fixed by the byelaws or table mentioned in Section 66 of this Act and when any such Hackney Carriage is so used, the fare or charge shall be calculated from the point in the District at which the hirer commences his journey.
- (2) Any person who knowingly contravenes this Section shall be guilty of an offence.
- (3) In Sub-Section (1) of this Section "Contract" means -
- (a) A contract made otherwise than while the relevant Hackney Carriage is plying for hire in the District or waiting at a place in the District which, when the contract is made, is a stand for Hackney Carriage appointed by the District Council under Section 63 of this Act; and
- (b) A contract made, otherwise than with or through the driver of the relevant Hackney Carriage, while it is so plying or waiting.
- s68 Any authorised officer of the Council in question or any Constable shall have the power at all reasonable times to inspect and test, for the purpose of ascertaining its fitness, any Hackney Carriage or Private Hire vehicle licensed by a District Council, or any taximeter affixed to such a vehicle and if he is not satisfied as to the fitness of the Hackney Carriage or Private Hire vehicle or as to the accuracy of its taximeter, he may by notice in writing require of the proprietor of the Hackney Carriage or Private Hire vehicle to make it or its taximeter available for further inspection and testing at such reasonable time and place as may be specified in the notice and suspend the vehicle licence until such time as such authorised officer or Constable is so satisfied.

Provided that, if the authorised officer or Constable is not so satisfied before the expiration of a period of 2 months, the said licence shall, by virtue of this Section, be deemed to have been revoked and Sub-Sections (2) and (3) of Section 60 of this Act shall apply with any necessary modifications.

Crewe and Nantwich

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

CONDITIONS ATTACHED TO HACKNEY CARRIAGE LICENCES

1. Construction and Size

1.1 Type Approval

The vehicle itself or the generic vehicle manufactured by the vehicle manufacturer shall be certified as having one of the following levels of Type Approval;

European Community Whole Vehicle Type Approval (ECWVTA)
UK Low Volume Type Approval (LVTA)
UK Single Vehicle Type Approval (SVA).

1.2 Size

The vehicle shall not exceed 3.5 tonnes (3,500 kilogrammes) gross weight.

1.3 Doors and Seats

The vehicle shall not have less than four doors and not less than four passenger seats. Up to one rear door may be included in the total of four doors provided it is accessible as a means of exit to passengers from within the vehicle. Emergency exit windows, if fitted, shall not count towards the total of four doors.

1.4 Tinted Windows

The vehicle shall comply with the Construction and Use Regulations 1986 (No.1078) with respect to the fitting of tinted (ie; opaque, darkened or privacy glass) windows. For any vehicle which is fitted with windows which are exempt from the provisions of the Construction and Use Regulations, the visual transmission of light through those windows shall be not less than 70% when measured in accordance with the manner prescribed in the Construction and Use Regulations 1986 (No.1078).

2. Maintenance of Vehicle

- 2.1 The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements (including in particular those contained in Motor Vehicles (Construction and Use) Regulations shall be fully complied with.

Without prejudice to the generality of the foregoing, the exterior of the vehicle shall be clean, free from unrepaired damage and finished to match existing paintwork after repair and the interior of the vehicle shall be clean, tidy and free of litter, any rubbish shall be removed after each journey and the upholstery, carpets and fittings be free from rips and tears.

2.2 Damage to Vehicle

The proprietor must report to the Council as soon as reasonably practicable, and in any event within 72 hours, the occurrence of any accident which has caused damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of its passengers.

[Note: failure to do so is also an offence under section 50 of the Act.]

3. Alteration of Vehicle

No alteration or change in the interior or exterior specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force. However, where condition number 10 is applicable, the configuration of the seating may be rearranged as operational circumstances require to allow the carriage of wheelchair bound passenger(s), provided that the seating in the vehicle has been installed in such a manner as to specifically enable its configuration to be rearranged in order to accommodate wheelchair bound passenger(s).

4. Interior Markings

The vehicle shall display at all times the notice supplied by the Council visible to passengers from within showing the licence number, vehicle registration number, seating capacity and telephone number of the Licensing Authority.

5. Safety Equipment

There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a suitable and efficient fire extinguisher, eg, 21B rating (dry powder or foam), to be carried inside the vehicle (but not in the boot) and to be readily accessible and available for immediate use in an emergency. The location of the extinguisher shall be marked if necessary. The extinguisher shall be permanently marked with the Hackney licence plate number.

6. Taxi Roof Sign

Hackney Carriages shall carry an illuminated roof sign bearing the word "TAXI" in letters of not less than 65mm in height and not less than 8mm thickness.

7. Adverts etc

Hackney Carriages may bear the business name, address and telephone number of the proprietor's taxi business on each side of the vehicle. No other advertisements, signs, notices, numbers, marks, plates, emblems, symbols or devices shall be displayed on, in or from the vehicle, without the prior written approval of the Council.

8. Licence Plates

- 8.1 Hackney Carriages shall at all times clearly display two licence plates supplied by the Council, the form and content of which shall also be prescribed by the Council.
- 8.2 One licence plate shall be affixed securely to the front of the vehicle and one licence plate shall be affixed securely to the rear of the vehicle.
- 8.3 The plates shall not be affixed to any vehicle except the vehicle identified in the vehicle licence application form.
- 8.4 The plates shall at all times remain the property of the Council and the Licensee shall not cause or permit the information displayed upon the plates to be altered, removed or obscured in any way.
- 8.5 The Licensee shall at all times ensure so far as is reasonably practical that the information contained on the plates is complete and legible and that the plates are maintained in a clean condition.
- 8.6 The Council shall be entitled to charge and retain a deposit of such sum as may from time to time be deemed reasonable upon the issue of each plate.

9. Taximeter

The taximeter fitted to the vehicle shall be of the calendar type.

10.* Carriage of a Wheelchair User (where the grant of the licence is conditional upon the vehicle being able to carry a passenger in a wheelchair)

- 10.1 The vehicle shall be constructed or adapted so as to be able to accommodate a wheelchair bound passenger.

10.2 Wheelchair accessible vehicles licensed to carry eight passengers

The vehicle shall either be fitted with seven passenger seats and shall have adequate space and fittings to carry one wheelchair bound passenger, or

the vehicle shall be fitted with eight passenger seats provided that the eighth seat can be rendered unusable either by means of being easily and immediately folded down or being moved along on fixed tracking in order to accommodate one wheelchair bound passenger.

A vehicle from which a seat has to be removed in order to accommodate a wheelchair shall be deemed not to comply with this condition.

A vehicle which is fitted with eight passenger seats and also has adequate space to carry a wheelchair bound passenger shall be deemed not to comply with this condition.

10.3 Wheelchair accessible vehicles licensed to carry less than eight passengers

The vehicle shall either be fitted with six or less passenger seats plus have adequate space and fittings to carry one wheelchair bound passenger, or

the vehicle shall be fitted with six or less passenger seats provided that one or more seats can be rendered unusable either by means of being easily and immediately folded down or being moved along on fixed tracking in order to accommodate one wheelchair bound passenger.

A vehicle from which a seat has to be removed in order to accommodate a wheelchair shall be deemed not to comply with this condition.

10.4 All Wheelchair accessible vehicles

The vehicle must be constructed or adapted to allow the entrance and exit of a wheelchair whilst its occupant remains seated in the wheelchair at all times.

- 10.5 Any entrance or exit which is intended to provide access for a wheelchair user shall be not less than 700mm in width.
- 10.6 The space inside the vehicle occupied by a wheelchair user (the wheelchair space) shall be not less than 1300mm in length, not less than 750mm in width and not less than 1350mm in height from the floor to the roof.
- 10.7 The wheelchair space may accommodate the wheelchair facing in either a forward or backward position. The wheelchair user shall not be conveyed facing sideways.
- 10.8 The wheelchair space shall be fitted with a wheelchair tie down system.
- 10.9 The wheelchair space shall be fitted with a three point lap and diagonal wheelchair user restraint system.
- 10.10 For vehicles in which the wheelchair passenger is to be conveyed facing backwards, a head and back restraint shall be fitted at the forward end (relative to the vehicle) of the wheelchair space.
- 10.11 The vehicle shall be equipped with either a ramp (fixed to the vehicle or portable) or a boarding lift. A portable ramp shall be marked by permanent means with the Hackney licence plate number of the vehicle to which it relates.
- 10.12 The incline of the ramp, where provided, shall not be greater than 16 degrees (1 in 3 ½). The incline shall be measured with the lower end of the ramp(s) resting on the same ground level as the wheels of the vehicle.
- 10.13 Where the vehicle is fitted with a boarding lift, it shall be fitted with a device to prevent the wheelchair from rolling off the lift platform. A power operated boarding lift shall be capable of being manually operated.
- 10.14 When not in use, any ramp or boarding lift shall not impede either the use of or access to any door or emergency exit.

* delete if condition no.10 is not applicable to the grant or renewal of the licence.

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NOTE

A Hackney Carriage licence issued by Crewe and Nantwich Borough Council is subject to the above conditions.

Failure to comply with any condition may result in the suspension, revocation or non renewal of the licence.

[These Hackney Carriage licence conditions were revised by the Council on 14th October 2008 and came into effect on 1st January 2009].

MACCLESFIELD - ZONE 3

CONDITIONS FOR HACKNEY CARRIAGE VEHICLES

Definitions

- 1 In this licence 'authorised officer' has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

'The Council' means the Cheshire East Council

'The identification plate' means the plate issued by the Council for the purpose of identifying the vehicle as a Hackney Carriage vehicle

'The proprietor' has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

'The taximeter' has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

'Hackney carriage' has the same meaning as in the Town Police Clauses Act 1847 and the proprietor shall comply with those conditions made in pursuance of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

'Purpose Built Vehicles' mean vehicles which are manufactured exclusively as hackney carriages, commonly known as 'London' or 'black cabs.'

Type of vehicle

- 2 Each vehicle to be licensed, with the exception of Purpose Built Vehicles, shall be:-
- (a) a manufacturers standard right hand drive vehicle with a minimum engine capacity of 1500cc. The colour shall be a manufacturer's standard colour for the particular model, and only additional equipment approved by the Council shall be fitted.
 - (b) fitted with at least four doors, two to the nearside and two to the offside, which may be opened from the inside and the outside;
 - (c) of at least the four-wheel type
 - (d) Passenger seats must be at least 406mm (16") wide per passenger with no significant intrusion by wheel arches, armrests or other parts of the vehicle. There must be a minimum of 850mm/33" headroom for all passengers seats measured from the rear of the seat cushion to the roof lining. There must be a minimum of 150mm/6" legroom for all passenger seats measured from the front edge of the seat, dashboard or internal panel in front.
 - (e) in relation to Hackney Carriage, the vehicle must have a minimum overall length of 450cm (177"); the vehicle must have a maximum overall length of 503cm (198");
 - (f) have an seat configuration approved by the Council for the particular make and model of vehicle;
 - (g) Seats may be mounted on tracking fastened to the floor of the vehicle using Unwin Safety Systems Seat Fixings or similar make approved by the Council. These seats may be

removed as necessary to allow space for one or more wheelchairs. Tracking must be correctly aligned and spaced to allow easy removal of the seat. Fastenings for the track must be to the manufacturer's specification.

- (h) If the vehicle is fitted with an electronic locking system, the proprietor must ensure that the locking system is isolated so that the electronic system may be overridden and all doors are capable of manual operation.

Plates and identification of vehicle

- 3 No person shall use or permit to be used the vehicle as a hackney carriage vehicle unless the plate or disc issued by the Council is exhibited on the vehicle in the manner set out within these conditions.
- 4 The licence plates issued by the Council must at all times whilst the vehicle remains licensed be affixed to the exterior of the Hackney Carriage vehicle between the centre and off side of the vehicle by the proprietor at the cost of the proprietor, with one at the front and one at the rear of the Hackney Carriage in accordance with the reasonable instructions of the authorised officer of the Council. The identification plates shall be fixed to the vehicle in such a manner as to be easily removable by any authorised officer of the Council or a Police Constable.

Identification stickers issued by the Council must be fixed to:

- (i) the inside, lower near-side corner of the windscreen, so that the sticker is visible to passengers within the vehicle;
 - (ii) the top near-side rear window facing outwards; and
 - (iii) the top off-side rear window facing outwards.
- 5 The proprietor of the Hackney Carriage vehicle shall ensure the identification plates are maintained and kept in such condition that the information contained on the identification plates are clearly visible to the public view at all times.
 - 6 The identification plates issued to a licensed Hackney Carriage vehicle remain the property of Macclesfield Borough Council and both the plate and backing plate must be returned to the Council on either the expiry of the Hackney Carriage Vehicle Licence or the sale or transfer of the vehicle.

Vehicle testing

- 7 In relation to each licensed vehicle the age of the vehicle, for licensing purposes, shall be determined by the date of first registration on the V5 document (Log Book). All vehicles will be subject to a yearly test until that vehicle reaches the age of seven years (or ten years old in relation to purpose built vehicles). Thereafter they shall require six monthly mechanical fitness tests.

Condition of vehicle

- 8 The proprietor shall ensure that the Hackney Carriage vehicle shall be maintained in a sound mechanical and structural condition at all times and be capable of satisfying the council's mechanical and structural inspection at any time during the continuance of the vehicle's licence in respect of the vehicle.
- 9 The interior and exterior of the Hackney Carriage vehicle shall be kept in a clean condition and maintained in a safe condition and good state of repair by the proprietor.

- 10 The proprietor shall not allow the mechanical and structural specification of the Hackney Carriage vehicle to be varied without the written consent of the Council and the vehicle shall at all times be as the manufacturers specification.
- 11 Any damage to a Hackney Carriage vehicle materially affecting the safety performance or appearance of the vehicle shall be reported by the proprietor to the Council in accordance with Section 50(3) of the Local Government (Miscellaneous Provisions) Act 1976.
- 12 The proprietor of Hackney Carriage vehicle shall:
 - (a) provide sufficient means by which any person in the carriage may communicate with the driver during the course of hiring.
 - (b) cause the interior of the vehicle to be kept wind and water tight.
 - (c) provide any necessary windows and means of opening and closing with not less than one window on each side of the passenger compartment.
 - (d) cause the seats in the passenger compartment to be properly cushioned and covered.
 - (e) cause the floor in the passenger compartment to be provided with a proper carpet, mat or other suitable covering.
 - (f) cause fitting and furniture of the carriage to be kept in a clean condition and well maintained and in every way fit and safe for public use.
 - (g) provide facilities for the conveyance of luggage safely and protected from inclement weather.

Seat belts and baby seats

- 13 The proprietor of a vehicle shall ensure that the vehicle is fitted with inertia reel seat belts of the three point type for all seats. All seat belts to be to the M1 approved standard.
- 14 The carriage of child passengers must be in accordance with the Motor Vehicles (Wearing of Seat Belts)(Amendment) Regulations 2006. If baby seats or booster cushions are used within a vehicle the proprietor shall ensure that they are fit for their purpose and are appropriately fitted within the vehicle.

Trailers / Roof racks

- 15 The proprietor of a vehicle shall ensure that the vehicle is not fitted with a tow bar. The proprietor of a vehicle shall ensure that any roof rack or roof pod fitted to the vehicle is done so securely and in accordance with the manufacturer's recommendations.

Liquefied Petroleum Gas (LPG)

- 16 A proprietor converting their licensed vehicle to run on Liquid Petroleum Gas (LPG) must notify the Council of such change and comply with the following conditions. These conditions will also apply to proprietors purchasing a new or used vehicle that runs on LPG.

- (a) That the installation of the LPG tank be undertaken by a Liquid Petroleum Association (LPGA) approved installer;
- (b) That the proprietor produces a certificate of compliance by an approved LPGA installer;
- (c) That the LPG tank fitted must be a multi-valve tank and be fitted with a sealed tank box made from aluminium and vented to the atmosphere;
- (d) That the vehicle displays on the front and rear screens, a sticker stating that the vehicle has been fitted with an LPG tank for the purpose of alerting the emergency services in the event of an accident;
- (e) If a doughnut tank is fitted in the spare wheel well of the boot, the spare wheel must be securely fixed in position not obstructing the entire luggage space;
- (f) The proprietor of the vehicle must notify DVLA Swansea of the change in fuel from petrol to both LPG and petrol; and
- (g) The vehicle must be serviced by a person competent in LPG powered vehicles.

Tinted windows

- 17 With the exception of the rear window of a vehicle, heavily tinted glazing and tinted films applied to vehicle windows are not permitted. All glazing shall comply with the Motor Vehicles (Construction and Use) Regulations 1986 (as amended), with regard to the level of tint. A minimum light transmission value of 70% shall be maintained in all side windows; windscreens shall have a minimum light transmission value of 75%.

Wheelchair accessibility

- 18 The proprietor of any vehicles, which has been constructed or adapted to carry passengers in wheelchairs, shall ensure that the vehicle meets the following specifications:
- (a) there must be a minimum gangway width of 300mm to at least two exits from every seat or wheelchair position with any wheelchairs to be carried in a fixed position;
 - (b) where a vehicle has been adapted to carry passengers in wheelchairs, suitable independent restraint systems must be fitted for both wheelchair and passenger. The restraint system (Unwin or equivalent) must be installed and operated in accordance with the manufacturers instructions;
 - (c) the wheelchair and restraint system should be capable of meeting the test criteria set out in Annex A of the Code of Practice VSE87/1 with a combined mass of 180kg for passenger and wheelchair;

- (d) passengers must not be carried in wheelchairs facing sideways;
- (e) vehicles may be fitted with ramps or power operated lifts to facilitate entry and exit for passengers in wheelchairs. This ancillary equipment must be installed, operated and maintained in accordance with the manufacturer's instructions. A certificate of compliance must be supplied on request. All power operated lifts must comply with BS6109 (pt 2) Category A. This certificate must be kept on the vehicle at all times.
- (f) stowed ramps or lifts must not prevent service and emergency doors from being operated from inside and outside the vehicle.
- (g) internally stored lifts must fold down as designed to allow access to the emergency exit when the door is open;
- (h) if a power operated lift is fitted a secondary manual method of lowering the power operated lift must be provided;
- (i) vehicles with a floor height measured from the road of more than 610mm must be fitted with a power operated lift and the use of ramps will not be permitted;
- (j) where ramps are fitted a recognised 'non-slip' material should be used on the ramp and raised edges provided on each side of the ramp;
- (k) doorways which are to be used by passengers in wheelchairs must be at least 800mm wide up to a height of 800mm. The height of the door must be a minimum of 1300mm. There should be a minimum height of 1350mm for any part of the vehicle to be occupied by passengers in wheelchairs.
- (l) if a vehicle has a maximum carrying capacity of one passenger in a wheelchair and up to four seated passengers the minimum door width is 700mm, the minimum door height is 1170mm and the minimum internal height is 1300mm.

Safety Equipment

19 The proprietor of a Hackney Carriage vehicle shall:

- (a) provide and maintained to the satisfaction of the authorised officer an efficient fire extinguisher containing dry powder with a capacity of not less than 1.0kg and manufactured to European Standard BS EN3: 1996 having a fire rating of 5A/34/B or any other form of fire extinguisher required in writing from time to time by the authorised officer which shall be carried in such a position as to be easily available for use, and such apparatus shall be clearly marked with the appropriate European Standard specification number and with the name and address of the manufacturer or vendor thereof together with the date when it was last tested. The licence plate number is to be painted on the extinguisher.

- (b) provide and maintain a first-aid kit containing the following first aid dressing and appliances:

One large sterilised dressing (not less than 3" x 3") (75mm x 75mm)
Three medium sterilised wound dressings (gauze and wool or lint and wool not less than 2" x 2") (50mm x 50mm)
Cotton wool (not less than 2oz) (57 grams)
Three roller bandages (7.5 cm x 5m)

Two triangular bandages

One roll of surgical strapping (not less than 1.25cm x 5m)

One pair of rustless scissors

Licence plate number to be painted on First Aid container

All materials for dressing and bandages including cotton wool shall be those designated in and of a grade or quality not lower than the Standards prescribed by the current British Pharmaceutical Codex, and all instruments and appliances shall be of a reliable quality and suitable design and construction and shall be carried in such a position in the private hire vehicle as to be readily available for use and be prominently marked and the said dressings and appliances shall at all times be maintained in good condition and available for inspection by an authorised officer of the Council from time to time.

Signs and notices

20

- (a) The Proprietor shall not cause or permit any sign, notice or advertisement to be displayed in, on or from the Hackney Carriage unless such sign, notice or advertisement has been approved in writing by the Council.
- (b) The Proprietor shall cause to be fitted to the roof of the Hackney Carriage, a roof sign, not a sign fixed to the gutter of the roof, that the light of which is capable of being extinguished when the meter is switched on.

21 The proprietor shall cause to be affixed and maintained in a conspicuous position in or on the vehicle in accordance with the directions of the Council any sign or notices required from time to time by the Council.

22 Any advertising on the vehicle must be approved by the Council and must be restricted to the following:

- (a) the name (or registered company name) of the owner or operator of the vehicle;
- (b) the logo or insignia of the owner or operator of the vehicle;
- (c) the address, telephone number(s), fax number(s), e-mail address or website of the owner or operator of the vehicle

Advertising of other businesses or products or services is not permitted and no art works, slogans or displays of other kind are permitted without the Council's prior approval.

23 A sign must be affixed to the vehicle indicating that smoking is prohibited in the vehicle in accordance with the requirements of the Health Act 2006 and the Regulations made under that Act.

24 Illuminated signs, with the exception for Hackney Carriage Vehicles of the roof sign, shall not be displayed on the vehicle.

Passengers

- 25 The proprietor shall not permit the Hackney Carriage vehicle to be used to carry a greater number of passengers than the number prescribed in the licence and two children under the age of ten shall be counted as one person for fare purposes only.
- 26 The proprietor shall not allow any child under the age of 10 years to be conveyed in the front seats of the vehicle.

Animals

- 27 The proprietor shall not permit any animal belonging to the proprietor or the driver to ride in the vehicle and any animal of the hirer is to be conveyed in the rear of the vehicle. The proprietor will ensure that no extra charge is made for the carrying of a guide dog or a hearing dog as described in section 37 of the Disability Discrimination Act 1995.

Taximeters

28

- (a) The Proprietor shall cause the Hackney Carriage to be fitted with a taximeter of a type and make approved by the Council before plying for hire and fit it to be located within the vehicle in accordance with reasonable instructions of the authorised officer.
- (b) The Proprietor shall ensure that a copy of the fare table supplied by the Council from to time is exhibited inside the carriage at all times.
- (c) The Proprietor shall ensure that the fare table is not concealed from view or rendered illegible while the vehicle is plying for hire.

29

- (a) The proprietor shall cause the taximeter to be of a type approved by the Council and to be maintained in a sound mechanical condition at all times, and for it to be located within the vehicle in accordance with the reasonable instructions of the authorised officer.
- (b) The proprietor of a Hackney Carriage shall cause the taximeter to be set to display the proprietor's fare table approved by the Council
- (c) The proprietor shall not use or permit to be used a taximeter that the Council has not sealed.
- (d) The proprietor shall not permit the taximeter to be fitted with a second manual tariff.
- (e) The proprietor shall cause the taximeter to be fitted with a key or other device to bring the machinery into action and cause the word 'HIRED' to appear on the face of the meter as soon as the vehicle is on hire.
- (f) The proprietor shall ensure that when the vehicle is not hired the key or other device is to be locked and machinery kept inactive and the meter must show no fare at that time.
- (g) The proprietor shall ensure that when the taximeter is brought into action the fare and permitted extras will be shown legibly on the face of the meter and shall be no more than permitted by the approved tariff.
- (h) The proprietor shall ensure the 'FARE' shall be printed on the face of the meter in clear letters so as to apply the fare recorded thereon.

- (i) The proprietor shall ensure that the taximeter is in such a position in the vehicle that figures recorded thereon are clearly visible to any passenger being carried therein and the driver of the vehicle shall ensure that sight of the taximeter by passengers carried therein is not obstructed at any time.
- (j) The proprietor shall ensure that the taximeter is sufficiently illuminated that when in use it is visible to all passengers.
- (k) The proprietor shall ensure that the taximeter and all its fittings are affixed to the vehicle with seals or by other means so that it shall not be practicable for any person to tamper with the meter except by breaking or damaging or permanently displacing the seals and other fittings.
- (l) The proprietor undertakes to ensure that the taximeter will not be replaced without prior permission of the Council.

Insurance

- 30 The proprietor of the Hackney Carriage vehicle shall keep in force in relation to the user of that vehicle a Policy of Insurance for the use of the vehicle as a hackney carriage or private hire vehicle issued by an approved Insurance Company and comply with the requirements of Part VI of the Road Traffic Act 1988.
- 31 At all times during the currency of the vehicle licence, the proprietor of the vehicle must carry within the vehicle the original Certificate of Insurance or Cover Note relating to that vehicle which shows those persons entitled to drive the vehicle or a Certificate which complies with condition 32 above. The documentation must be available for inspection by an Authorised Officer of the Council or Police Officer at all reasonable times. Failure to hold or produce this documentation will, save in exceptional circumstances, lead to the consideration by the Council of the future of the licence.

Transfer / Change of Address

- 32 If the proprietor of a licensed vehicle transfers his/her interest or part interest in the vehicle to any other person, he/she shall be required to notify the Council in writing within fourteen days of such transfer, specifying the name and address of the person to whom such interest has been transferred. However the proprietor is strictly prohibited from transferring or purporting to transfer the vehicle licence itself.
- 33 If at any time during the period of a vehicle licence the proprietor for any reason does not wish to retain the vehicle licence he must immediately surrender and return the vehicle licence and identification plates (including backing plates) to the Council. If the proprietor surrenders a vehicle licence then the licence shall be treated as if it had expired on the date of surrender and cannot thereafter be re-instated.
- 34 The proprietor of a Hackney Carriage vehicle shall notify the Council in writing of any change in address within seven days of such change taking place.

Radio equipment

- 35 The proprietor shall ensure that no radio equipment is fitted to any of his vehicles without the prior written consent of the Council where that radio equipment will allow the driver to communicate with an operator.
- 36 The proprietor shall ensure that any radio equipment fitted to the vehicle is at all times kept in a safe and sound condition and maintained in proper working order.

Notification of convictions

- 37 The proprietor of a Hackney Carriage vehicle shall immediately disclose to the Council in writing details of any convictions cautions, reprimands or warnings imposed on him during the currency of his/her private hire vehicle licence.

Vehicle Excise Licence

- 38 The proprietor shall ensure, that at all times whilst the vehicle is used on public roads, there is a current vehicle excise licence in force for the vehicle.

Applications and licences

- 39 Each application for a Hackney Carriage vehicle licence must be made on the prescribed forms and be accompanied by the vehicle's registration documents, insurance documentation and the appropriate fee as determined by the Council from time to time. Acceptance of the application forms and fee by the Council does not imply that a licence will be granted
- 40 Before a licence is granted, the applicant shall produce a current Certificate of Insurance or Cover Note showing:
- (a) that there is in force in relation to the use of the Hackney Carriage vehicle to which the application relates a policy of insurance or such security as complies with the requirements of Part VI of the Road Traffic Act 1988. The Certificate of Insurance or Cover Note must clearly state the driver(s) and the vehicle;
 - (b) in the case of a vehicle covered by a block insurance policy, the Certificate or Cover Note must be produced showing that there is in force in relation to the use of the Hackney Carriage vehicle to which the application relates a policy of insurance of such security as complies with the requirements of Part VI of the Road Traffic Act 1988. Either the Certificate or Insurance or Cover Note must state the driver(s) and vehicle or the insurance policy documentation must be produced showing that the vehicle has been added to the insurance schedule.
 - (c) The insurance certificate or cover note should expressly indicate cover for public hire or the carriage of passengers for hire or reward.
- 41 A vehicle licence in respect of which the licence fee has been paid by cheque shall not be effective until the cheque has been cleared.
- 42 Each private hire and hackney carriage vehicle licence shall be valid for a period of one year or such shorter period as the Council may decide.
- 43 A proprietor shall retain the licence of all hackney carriage or private hire drivers driving their vehicle(s) and produce the same to an authorised officer or Constable on request
- 44 All licences in connection with the driving and operating of hackney carriages in accordance with the provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. Drivers and proprietors should be familiar with these provisions.

APPENDIX D

Cheshire East Borough Council ('the Council')

Hackney Carriage Vehicle Licence Conditions (applicable in all of the hackney carriage zones within Cheshire East)

TOWN POLICE CLAUSES ACT 1847; LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

1. Type of vehicle

- 1.1 The vehicle itself or the generic vehicle manufactured by the vehicle manufacturer shall be certified as having one of the following levels of Type Approval;
- EC Whole Vehicle Type Approval
 - UK Low Volume Type Approval
 - UK Single Vehicle Approval.
- 1.2 The vehicle shall not exceed 3.5 tonnes (3500 kilogrammes) gross weight.
- 1.3 *Wheelchair accessibility – see paragraph 10.2.3 of report*
- 1.4 The vehicle shall be a manufacturer's right hand drive model with a minimum of four wheels and a *minimum of four passenger seats* and shall be finished in a production colour of the manufacturer for the model.
- 1.5 The vehicle shall have a minimum of four doors of which either:
- (a) in circumstances where the rear door of the vehicle is not a 'split door,' two doors shall be on the near side and two on the offside or
 - (b) in circumstances where the rear door of the vehicle is a 'split door' at least three doors shall be fitted to the side of the vehicle.
- All of the doors must be capable of use by persons for both access and egress and of being opened from both the inside and outside. If the vehicle is fitted with an electronic locking system it must be capable of being overridden to enable the doors to be opened manually.
- 1.6 The passenger seats shall be a minimum of 406mm (16") in width with no significant intrusion by wheel arches, armrests or other parts of the vehicle.
- 1.7 The vehicle shall be fitted throughout with three point lap and diagonal seat belts; for the avoidance of doubt, lap only type seat belts shall be deemed not to comply with this condition.

- 1.8 The seats shall be permanently fixed in the configuration approved by the Council at the time the vehicle is first licensed.

2. Condition and Maintenance of the Vehicle

- 2.1 The vehicle and all its fittings and equipment shall be maintained in a safe, efficient and clean condition and be capable of satisfying the Council's mechanical inspection at all times that the licence is in force. All relevant statutory requirements including those contained in the Motor Vehicles (Construction and Use) Regulations shall be fully complied with at all times.

- 2.2 Without prejudice to the generality of the foregoing, the exterior of the vehicle shall be clean, free from unrepaired damage and finished to match existing paintwork after repair.

The vehicle shall be deemed incapable of satisfying the Council's mechanical inspection if it requires welding repair to the bodywork, floor panels or door cills.

- 2.3 The interior of the vehicle shall be clean, tidy and free of litter, any rubbish shall be removed after each journey and the upholstery, carpets and fittings free from rips and tears.

- 2.4 No material alteration or change to the mechanical or structural specification of the vehicle or its design, condition or appearance shall be made at any time that the licence is in force without the written consent of the Council.

- 2.5 *Tow bars – see paragraph 10.3.1 of the report.*

- 2.6 Any roof rack or roof pod should be attached securely and fitted in accordance with the manufacturer's instructions.

- 2.7 *Tinted windows – see paragraph 10.3.2 of the report.*

3. Wheelchair accessible vehicles (WAVs)

All WAVs

- 3.1 A vehicle which is constructed or adapted to carry one or more wheelchair bound passengers shall comply with the following conditions.
- 3.2 The wheelchair bound passenger(s) shall not be carried facing sideways.
- 3.3 The wheelchair space shall be not less than:
- i. 1300mm measured in the longitudinal plane of the vehicle;

- ii. 750mm measured in the transverse plane of the vehicle;
 - iii. 1500mm measured vertically from any point in the wheelchair space.
- 3.4 The wheelchair space shall be fitted with a wheelchair tie down system and a three point lap and diagonal wheelchair user restraint system suitable for a wheelchair user situated centrally in the transverse plane of the wheelchair space.
- 3.5 The vehicle shall be equipped with either a ramp (fixed to the vehicle or portable) or a boarding lift or platform.
- 3.6 The incline of the ramp, where provided, shall not be greater than 16 degrees (1 in 3½).
- 3.7 The boarding lift or platform, where fitted, shall be capable of being manually operated.
- 3.8 The ramp or boarding lift or platform shall not impede either the use of or access and egress to any door or emergency exit.

Forward facing wheelchairs

- 3.9 The wheelchair space shall allow the carriage of a wheelchair and a wheelchair user facing the front of the vehicle.

Rear facing wheelchairs

- 3.10 The wheelchair space shall allow the carriage of a wheelchair and a wheelchair user facing the rear of the vehicle.
- 3.11 The wheelchair space shall be fitted with a head and back restraint at the forward end (relative to the vehicle) of the space.

4. Vehicle testing

- 4.1 All vehicles shall be tested by the Council or its agent prior to first licensing and thereafter annually prior to the renewal of the licence.
- 4.2 *See paragraph 10.4 of the report*

5. Vehicles converted to run on Liquefied Petroleum Gas (LPG)

- 5.1 A certificate of compliance of conversion issued by a Liquid Petroleum Gas Association (LPGA) approved installer must be produced to the Council in respect of a vehicle converted to run on liquefied petroleum gas (LPG). The Council must notified immediately and the certificate

produced if the conversion is undertaken whilst the licence is in force.

- 5.2 The spare wheel shall be securely fixed in a suitable position where it does not obstruct the whole of the luggage space on a vehicle fitted with a 'doughnut' tank in the spare wheel well.
- 5.3 The vehicle shall display a warning sticker on the front and rear screens stating that the vehicle is fitted with a LPG tank for the purpose of alerting the emergency services in the event of an accident.

6. Safety Equipment

- 6.1 The vehicle shall be equipped at all times with a fire extinguisher manufactured to BS EN 3 and containing a minimum weight of 1.0 kilogram of dry powder or foam. The extinguisher shall be carried in such a position as to enable it to be readily available for use in an emergency. It shall be marked with the date of its last test and have the hackney carriage licence plate number painted upon it.
- 6.2 The vehicle shall be equipped at all times with a first aid kit kept in a properly designated first aid container. The container shall have the plate number of the vehicle marked up on it. The first aid kit shall contain as a minimum the following items which should be within the manufacturer's expiry date:
a guidance leaflet, 10 x non-alcoholic wipes, 1 x conforming bandage (7.5cm x 4.5m stretched), 2 x non woven triangular bandages (size 96 x 96), 2 x eye pad dressings, 3 x large dressings (size 18 x 18) 12 x safety pins, 1 x pair blunt stainless steel scissors and 30 x plasters (assorted sizes).
- 6.3 The vehicle shall be equipped at all times with a reflective warning triangle.
- 6.4 The vehicle shall be equipped at all times with a high visibility vest for use by the driver in an emergency.

7. Plates and identification of vehicle

- 7.1 The vehicle shall at all times clearly display on the exterior surface of the vehicle two licence plates supplied by the Council, the form and content of which shall also be prescribed by the Council.
- 7.2 One licence plate shall be affixed securely to the front of the vehicle and one licence plate shall be affixed securely to the rear of the vehicle.
- 7.3 The plates shall not be affixed to any vehicle except the vehicle identified in the vehicle licence application form.

- 7.4 The plates (and any backing plates) shall at all times remain the property of the Council and the vehicle proprietor shall not cause or permit the information displayed upon the plates to be altered, removed or obscured in any way.
- 7.5 The vehicle proprietor shall at all times ensure so far as is reasonably practicable that information contained on the plates is complete and legible and that the plates are maintained in a clean condition.
- 7.6 The vehicle shall at all times display identification stickers supplied by the Council. The stickers shall be displayed on:
- i. the inside of the lower near-side of the windscreen, so that the sticker is visible to passengers within the vehicle;
 - ii. the top near-side rear window, facing outwards; and
 - iii. the top off-side rear window, facing outwards.

8. Signs and notices

- 8.1 The roof of the vehicle shall be fitted with an illuminated sign bearing the word "TAXI", the light of which is capable of being extinguished when the taximeter is switched on.
- 8.2 The following information may be displayed on each side of the vehicle (not including any window of the vehicle): the business name and/or logo, address, telephone number(s), fax number(s) and/or e-mail address or website of the proprietor's taxi business. No other advertisements, signs, notices, numbers, marks, plates, emblems, symbols or devices shall be displayed on, in or from the vehicle without the prior written approval of the Council.
- 8.3 The vehicle proprietor shall ensure that a copy of the relevant 'table of fares' is exhibited in the vehicle in clearly distinguishable letters and figures in such a position that hirers can conveniently see it.

9. Taximeters

- 9.1 The vehicle shall be fitted with a taximeter which shall comply with the following requirements:
- i. the taximeter shall be of a calendar type approved by the Council and shall be maintained in a sound condition at all times and shall be located within the vehicle in accordance with the reasonable instructions of an authorised officer;
 - ii. the taximeter shall be set to ensure that, when in operation, there shall

be recorded on the face of the taximeter in clearly legible figures, a fare not exceeding the rate of fare which the proprietor or driver is entitled to demand in accordance with the 'table of fares' determined by the Council;

- iii. the proprietor shall not use or permit to be used a taximeter that has not been sealed;
- iv. the taximeter shall be fitted with a key to bring the machinery into action and cause the word "HIRED" to appear on the face of the meter as soon as the vehicle is on hire;
- v. when the vehicle is not hired the key shall be locked and the machinery kept inactive and the meter shall show no fare at that time;
- vi. the taximeter shall not display a "FOR HIRE" sign at any time;
- vii. the "FARE" shall be printed on the face of the meter in clear letters so as to apply the fare recorded thereon;
- viii. the taximeter shall be in such a position in the vehicle that the figures recorded thereon are clearly visible to any passenger being carried therein;
- ix. the taximeter shall be sufficiently illuminated that when in use it is visible to all passengers;
- x. the taximeter and all its fittings shall be affixed to the vehicle with seals or by other means so that it shall not be practicable for any person to tamper with the meter except by breaking or damaging or permanently displacing the seals or other fittings.

10. Vehicle Proprietor

- 10.1 The vehicle proprietor shall immediately notify the Council in writing of any convictions, cautions, reprimands or warnings incurred by him/ her during the term of the licence.

APPENDIX E

HACKNEY CARRIAGE & PRIVATE HIRE

TRAILER INSPECTION SHEET

Plate Number of towing vehicle:

Registration number of towing vehicle:

Registered owner of vehicle:

Manufacturers plate showing chassis number:

Manufacturers plate showing maximum weight:

Inspection area	Description	Pass (✓)	Fail (x)
Licence plate	Contains details & complies with local licensing authorities format		
Licence plate	Clearly displayed, legible, and securely fixed		
Licence plate	Serviceable – not damaged or defaced		
Trailer couplings	Check condition & operation and presence of a safety <i>breakaway</i> cable.		
Tow bar mounting brackets	Check condition and security		
Trailer body	Check condition of side and rear tailboards		
Trailer chassis	Check condition		
Suspension	Check condition and operation		
Wheel bearings	Check for excessive free play or roughness in bearings		
Tonneau cover & fittings	Check for condition		
Wheels and tyres	Check security, condition and wear		
Braking system	Operates satisfactorily		
Lighting	All obligatory lights work		
Indicators	All indicators work		
Reflective triangle	Check presence and condition		
Number plate	Check condition, security of fitting and displayed clearly		
Speed restriction notice	Check condition and displayed clearly		

I hereby certify that the above trailer has been inspected and has/has not* been found to be roadworthy and suitable to be used as a hackney carriage/private hire* trailer at the time of inspection.

Examined by (name)

Signature Date.....

* Delete as appropriate

HACKNEY CARRIAGE VEHICLE TEST GUIDELINES

The vehicle test comprises a standard MOT and an additional test against all points listed in column 1 below. In deciding whether a vehicle satisfies each point you must have regard to the guidelines in column 2 – “Point for Failure or Comment”.

Any clarification necessary can be obtained from the Council by contacting the Licensing Section.

Section A

THE VEHICLE (Column 1)	POINT FOR FAILURE OR COMMENT (Column 2)
1. Pass MOT style inspection	Fail if vehicle does not pass current MOT test.
INTERIOR	POINT FOR FAILURE OR COMMENT
2. Seating <ul style="list-style-type: none"> - condition (see condition 2.3) - size (see condition 1.6) - seating configuration (see condition 1.8) 	<p>Must be a minimum of four passenger seats</p> <p>All seats, seat coverings (where fitted), upholstery and trims must be free from rips and tears, clean and in a good state of repair. Passenger seats must be properly cushioned, covered, fixed and secured.</p> <p>Passenger seats must be at least 406mm wide per passenger with no significant intrusion by wheel arches, armrests or other parts of the vehicle.</p> <p>Must be permanently fixed in the configuration approved by the Council at the time the vehicle is first licensed</p>
3. Operation of all seat mechanisms	<p>If designed to do so the front passenger/driver seat must slide back and forth without snagging and allow for adequate passenger legroom. Hackney flip up rear facing seats must return to the vertical position when unoccupied</p>
4. Condition of headlining.	Cut, tear etc more than 1cm in width/length unacceptable.

5. Operation/fitting of sunroof.	No leakage or sign of leakage. If retrofit, must have been fitted to a reasonable standard.
6. Condition of carpets (see condition 2.3)/gear lever/handbrake gaiter.	Interior flooring – Must be appropriate covering - fair wear and tear acceptable but should be clean and in good condition with no tears, rips or holes. Gaiter – Fair wear and tear acceptable. Tears or insecurity unacceptable.
7. Condition of trim.	Must not be loose or missing.
8. Windows and operation of window mechanisms	All windows must have handles or switches and all windows must be able to be opened fully
9. Doors (see condition 1.5) and door mechanisms including child locks.	Must have a minimum of four doors of which either (a) where the rear door is 'split' two doors shall be on the near side and two on the offside; or (b) where the rear door is 'split' at least three doors shall be fitted to the side of the vehicle. All doors must be capable of being opened from both the inside and outside. If fitted with an electronic locking system must be capable of being overridden to enable doors to be opened manually.
10. Operation of reversing lights.	Fail if water penetration or wrong bulb has been fitted. Occasional misting acceptable.
11. Operation of spot lights (if fitted).	Fail if water penetration or wrong bulb has been fitted. Must be firmly fixed to vehicle if retrofit. Occasional misting acceptable
12. Operation of heated rear window (if fitted).	Fail if more than one element defective.
13. Operation of heater / demister fan.	Must work on all settings.
14. Operation of courtesy lights.	Must operate automatically on opening and closing any passenger door (if fitted).
15. Operation illuminated 'TAXI' roof sign	Illuminated 'TAXI' roof sign must be fitted to vehicle and must operate in 'for hire' mode and be clearly visible from outside the vehicle.
16. Seat belts (see condition 1.7)	Seat belts must be inertial reel seat belts of the three point type for all seats. All seat belts must be to the M1 approved standard or equivalent.

BOOT / LUGGAGE AREA	POINT FOR FAILURE OR COMMENT
<p>17. Condition of spare tyre.</p> <p>Space Saver tyres</p> <p>Tyre inflation devices</p>	<p>Must have more than 2mm over total width of tyre.</p> <p>Slim/space saver type tyre must be to manufacturer specification.</p> <p>Spare tyre may be replaced by an approved specified inflation system.</p>
<p>18. Condition of spare wheel rim.</p>	<p>Fail if damaged and unsatisfactory for road use.</p>
<p>19. Condition of boot carpet, trim and parcel shelf.</p>	<p>Missing, torn or badly stained carpet/matting unacceptable.</p>
<p>20. Condition of tools (if fitted).</p>	<p>Must carry manufacturer's wheel brace (or acceptable alternative) and jack or B.S. alternative.</p>
<p>21. Tools and spare wheel stowed correctly.</p>	<p>Fail if spare wheel is unable to be secured. Tools/jack to be stowed.</p>
<p>22. Internal boot/hatch and opening mechanism.</p>	<p>Estate cars must be fitted with adequate means of preventing stowed luggage entering passenger compartment (grille or manufacturer's cover). Boot lid/hatch must stay fully open.</p>
<p>23. Signs of water ingress.</p>	<p>Minor ingress to be reported. Major ingress failure.</p>
EXTERIOR	POINT FOR FAILURE OR COMMENT
<p>24. Bodywork, bumpers and damage.</p>	<p>Bumpers: slight dents acceptable. Cracks/holes unacceptable.</p> <p>Unless two tone, must be same colour all over. Paintwork must be clean and not show undue discolouration. Bodywork must not be capable of injuring a passenger or pedestrian. Corrosion at point of fixing of seat to the floor of vehicle unacceptable</p>

25. Paintwork - scratches and rust.	Minor scratches acceptable. Extensive scratches not acceptable or if scored to metal. No extensive rust but minor surface rust acceptable.
26. Evidence of previously repaired bodywork damage (see condition 2.2)	Must be free from unrepaired damage and finished to match existing paintwork after repair. Vehicle will fail if requires welding repair to the bodywork floor panels or door cills.
27. Trim damaged/missing.	Unacceptable if any trim etc. is missing, or if trim has sharp or protruding edges.
28. Condition of front and rear wiper blades.	Must effectively clear screen. Must operate on all settings.
29. Side and rear glass.	Minor chips acceptable but to be clear and free from cracks. Professional repairs to glass acceptable if to standard.
30. Windows/Windscreen general.	All tinted windows and windscreens forward of the must comply to the Construction & Use Regulations. [subject to decision in relation to condition 2.7]
31. Wheel trims.	All wheel trims must match. Fail if damaged or missing.
32. Condition and legality of number plates.	'Fogging' or damage, not acceptable.
33. Trailers/roof racks	[subject to decision in relation to condition 2.5] Any roof rack must be fitted securely and in compliance with manufacturer's specifications.
ENGINE COMPARTMENT	POINT FOR FAILURE OR COMMENT
34. Cam box/rocker cover gasket not leaking.	Any leak is a failure.

35. Radiator for leakage/damage/security.	Excessive leaks fail.
36. Hoses and clips for leakage/damage/security.	Minor leakage to be reported. Major leakage or serious deterioration of hoses etc. failure.
37 Condition of washer bottle.	Pump must be working and bottle not damaged.
38. All engine wiring for wear.	Bare wire(s) unacceptable.
39. Oil leaks from engine.	Excessive leaking unacceptable.
40. Oil leaks from gearbox/axle/final drive assembly (as applicable).	Excessive leaking unacceptable.
UNDER THE VEHICLE	POINT FOR FAILURE OR COMMENT
41. Steering assembly for damage.	Any sign of damage is unacceptable.
42. Steering assembly for wear and leaks.	Steering must be positive and free from wear and leaks.
43. Propshaft / driveshafts and gaiters for security, signs of wear and leaks.	Excessive play or leaks unacceptable.
WHEELS AND TYRES	POINT FOR FAILURE OR COMMENT
44. Tyres for tread depth and pressures.	Must have more than 2 mm over the total width of the tyre on the full circumference. Pressure to be at manufacturer's standard.
45. Sidewalls for cracks/damage and tyre compatibility.	Fail for cracks or damage.
46. Wheels for Damage.	Fail if heavily damaged or warped.
VEHICLE PERFORMANCE CHECK	POINT FOR FAILURE OR COMMENT
47. Clutch slip/drag/judder (or kickdown and change speed operation on automatic).	Must perform to manufacturers guidelines.
48. Gearbox operation. All gears must work/engage.	All gears must be easily selected. Gear stick must be secure.

49. Transmission/axle noise.	Excessive noise unacceptable.
50. Speedometer operation.	Must be working.
51. Odometer / trip-meter operation.	Both must work.
52. Operation of fuel and temperature gauges.	Both gauges must work.
53. Operation of wiper/washer of front and rear.	Must clear screen. If rear wiper/washer fitted by manufacturer, must be in place and working.
54. Door or wing mirrors.	One must be fitted either side of the vehicle No tape or other fastening acceptable. Manufacturer's specification mirrors only acceptable.
55. Operation, security and glass of interior rear view mirror.	Must be fitted and adjustable.
GENERAL	POINT FOR FAILURE OR COMMENT
56. First Aid Kit and Fire Extinguisher (see condition 6.1 & 6.2)	<p>A first aid kit - must be clean, well stocked and must be carried securely within the vehicle (could be carried in the boot area).</p> <p>Fail if missing or if not clean and well stocked.</p> <p>A fire extinguisher - Must be carried securely within the vehicle (could be carried in the boot area). Must comply with British Standards (or equivalent).</p> <p>Disposable - Reject if beyond expiry date or no expiry date visible.</p> <p>Non-Disposable – Reject if not accompanied with stamped service log carried-out within previous 12 months.</p>
57. Tariff card	Tariff card – an up-to-date tariff card must be displayed in the vehicle.

58. Wheelchair accessible vehicles (see condition 3):	
Internal layout	Wheelchair space must not be less than (i) 1,300 mm (in longitudinal plane); (ii) 750mm (in transverse plane); and (iii) 1,500 mm vertically.
Ramps / Boarding lift / Platform	Wheelchair ramps/lifts/platforms must be adequate for the purpose. Incline of ramp shall not be greater than 16 degrees. Boarding lift/platform must be capable of manual operation. Ramps, boarding lifts and platforms must not hinder access to or egress from the vehicle or to the handle or any mechanism used for opening a door.
Straps, belts and anchorage equipment	The wheelchair space shall be fitted with a wheelchair tie down system and a three point lap and diagonal wheelchair user restraint system suitable for a wheelchair user situated centrally in the transverse plane of the wheelchair space. The restraint system must be installed and operated in accordance with the manufacturer's instructions.

Section B

GENERAL	POINT FOR FAILURE OR COMMENT
B1. Vehicle must be right-hand drive.	Fail if left-hand drive.
<p>B2. Liquified Petroleum Gas (LPG) If the vehicle has been constructed or adapted to use LPG the proprietor must produce a certificate of compliance by an approved Liquid Petroleum Association (LPGA) approved installer.</p> <p>A sticker stating that the vehicle has been fitted with an LPG tank must be displayed on the front and rear screens.</p> <p>If a doughnut tank is fitted in the spare wheel well of the boot, the spare wheel must be securely fixed in a position not obstructing the entire boot space.</p>	Failure if no certificate produced.