



St. Helens
Council

HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS

DRAFT JANUARY 2020

HACKNEY CARRIAGE VEHICLE CONDITIONS

January 2020

In accordance with Sections 47 (1) of the Local Government (Miscellaneous Provisions) Act 1976 the Council may attach to the grant of a licence such conditions as they may consider reasonably necessary. Failure to comply with these conditions of your licence may result in the suspension or revocation of your hackney carriage vehicle licence.

If you are aggrieved by any of the requirements contained in these conditions, you have the right of Appeal to the Magistrates Court within 21 days.

Interpretation

'Council' means St Helens Council Licensing Service.

'Officer' means an authorised officer of St Helens Council Licensing Service.

IMPORTANT

St Helens Council needs to be satisfied that hackney carriage vehicles operating in St Helens are safe to do so. The Council may require you to present your vehicle for inspection or test during the period which the vehicle is licensed. The proprietor(s) of the vehicle shall at reasonable times permit an Authorised Officer or Police Constable to inspect the vehicle or any taximeter affixed to it for the purpose of ascertaining its fitness and shall comply with any direction. Should a Hackney carriage vehicle fail to be presented for inspection on request by an Authorised Officer, the vehicle licence may be suspended.

Vehicles must meet the Council's Hackney Carriage Vehicle Licence Criteria

Vehicles must be fitted with at least four doors and four wheels

Right Hand drive vehicles only

Once a vehicle licence has been issued it remains in force at all times until the licence expires or it is surrendered, suspended, or revoked. A licensed vehicle is always a licensed vehicle so even if the vehicle is not working, it is still licensed and all conditions will apply.

Should any of the conditions below not be complied with the hackney carriage vehicle licence may be suspended or revoked and legal action may be taken in accordance with the relevant legislation.

Notwithstanding the conditions below, if there is anything in the construction, form, working or general appearance which in the opinion of the Council, renders a vehicle unfit for use as hackney carriage vehicle, it may be suspended, revoked, or an application to renew a licence may be refused.

Please note where the conditions refer to 'in writing', this includes email. The email address for St Helens Council Licensing Service is taxilicensing@sthelens.gov.uk

If you are aggrieved by any of the requirements contained in the conditions below you have the right of appeal to the Magistrates Court within 21 days of the issue of the licence to which these conditions are attached.

1. MATTERS TO BE REPORTED TO THE COUNCIL

Change of Details

The proprietor(s) of a hackney carriage vehicle must notify the Council in writing of any change of name and/or address within 7 days of such change taking place.

The proprietor(s) of a hackney carriage vehicle must notify the Council of any intention to change the vehicle registration number, prior to any such change taking place.

2. ACCIDENTS AND DAMAGE TO THE VEHICLE

In every case where a hackney carriage vehicle sustains damage the details of the accident and the damage sustained must be reported by the proprietor(s) or driver of the vehicle to the Council within 72 hours of the accident/damage being sustained. The proprietor(s) or driver must complete an incident report form and present the vehicle for inspection.

3. CONVICTIONS, CAUTIONS AND MOTORING OFFENCES

The proprietor(s) of a hackney carriage vehicle must notify the Council within 72 hours detail of any investigation into any criminal or motoring offence: These being:

- a. investigation into any criminal offence
- b. warnings received – this to include any harassment or anti-social behaviour orders
- c. cautions received – issued by the police or any other agency
- d. criminal convictions received
- e. issue of any fixed penalty notice
- f. their arrest for any offence (whether or not charged)

4. TRANSFER OF OWNERSHIP OF THE VEHICLE

If the proprietor(s) of a hackney carriage vehicle wishes to transfer ownership of the vehicle to another person, the proprietor(s) must notify the Council of the name and address of the new proprietor(s) within 14 days of the transfer of ownership. The current proprietor(s) and new proprietor(s) must complete a transfer application form and pay the relevant fee and produce current valid insurance and proof of road tax for the vehicle.

5. SURRENDER OF LICENCE

If at any time during the period of the licence the proprietor(s) for any reason, does not wish to retain the hackney carriage licence, or transfer the vehicle licence to another person the proprietor(s) must immediately surrender and return the hackney carriage vehicle licence, window disc and plate to the Council.

6. GENERAL

Exterior of the vehicle

Vehicles, including all fittings, lights and other mechanical and electrical components must be maintained in a good working order in accordance with the Council's Vehicle Inspection Policy.

The vehicle must be maintained with the paintwork, bodywork, fittings, locks and latches in good working order.

Paintwork must be maintained to a high standard and the colour of all panels must match.

The vehicle must be maintained in a mechanical and structural condition which is roadworthy and capable of satisfying the Council's inspection at all time during the period of the vehicle licence.

The interior and exterior of the vehicle must be maintained in a clean and safe condition.

There must be no visible leaks of fuel, oil, or other fluids from the vehicle.

The vehicle must not emit excessive smoke from the exhaust.

Interior of the vehicle

Hackney carriage vehicles must be wind and water tight when all doors and windows are closed.

There must only be the number of passenger seats fitted in the vehicle for which the vehicle is licensed.

All fittings and furniture inside the vehicle must be in a clean and well maintained condition.

Seats must be secure and covered with an appropriate material which must be properly upholstered and in good and clean condition, free from rips, tears and holes.

If seat covers are used they must be fitted correctly, in a good clean condition and free from rips, tears and holes.

Seat belts and seatbelt mechanisms must be in good working order and free from frays, cuts and other damage. If a seatbelt sustains any frays, cuts or other damage the seatbelt must be replaced not repaired.

The floor of the vehicle must be covered in an appropriate non-slip material which must be free from rips, tears and holes.

The floor of the vehicle must not impede the movement of wheelchairs.

There must be provision of the safe carrying of luggage.

The outer edge of the floor at each entrance must be fitted with non-slip high visibility treads.

A heating and ventilation system must be maintained in working order to allow passengers to travel in comfort.

The driver of the vehicle must ensure that his hackney carriage/private hire driver's licence is displayed in a prominent position so that all details can be read by passengers.

The method of communication between the driver and passenger compartments must be in good working order.

Occasional seats must rise automatically when not in use.

Colour contrasting grab handles must be placed at door entrances to aid passenger access and egress from the vehicle.

Colour contrasting sight patches are required on all passenger seats.

Nothing must be placed in front of or any windows that would obscure the clear vision of the driver or passengers other than those issued by St Helens Council.

7. VEHICLE LICENCE PLATES

The rear vehicle plate identifying the vehicle must at all times be securely fixed externally to the rear of the vehicle in a prominent position ensuring that the whole plate is clearly visible. The plate must be fixed using the bracket provided by the Council.

The details contained on the rear vehicle plate must be clearly readable at all times.

The licence disc must be placed in the nearside of the front windscreen but placed so that it does not obscure the driver's vision.

The hackney carriage plate remains the sole property of St Helens Council.

8. VEHICLE EXCISE LICENCE

The Council will suspend the hackney carriage proprietor's licence or refuse to renew the licence if the vehicle does not hold a valid excise licence.

9. INSURANCE

The Proprietor(s) shall maintain a current public hire insurance policy for the vehicle at all times during the currency of the licence and shall immediately return the plates/licence disc/licence to the Council if the policy lapses or is cancelled/withdrawn by the insurance company.

10. INTERIOR LIGHTING

Lighting must be provided for the driver and passengers

11. ADVERTISEMENTS/EMBELLISHMENTS/GRAPHICS/DESIGNS

The proprietor(s) shall not cause or permit any sign, symbol, graphics, designs or embellishments, notice or advertisement to be displayed in, on or from the vehicle without the prior approval of the Licensing Authority. Where these are displayed without prior approval an Authorised Officer can request they be removed.

Any advertisement/sign/symbol/design/graphic/embellishment promoting alcohol, tobacco, the sex industry, or any matters considered inappropriate or controversial are not permitted.

ALL St Helens licensed vehicles will be provided with a 'gold standard' sign either in magnetic form or vinyl. This must be displayed at all times the vehicle is being used for hire and reward. The signage must be displayed on the bonnet of the vehicle or on each of the rear passenger doors.

12. EXTERIOR ROOF LIGHT.

An illuminated roof-sign displaying the word 'TAXI' must be fitted to the roof of the hackney carriage vehicle in such a position that it is clearly visible from the front of the vehicle by day and night. The roof-sign must be connected to the taxi meter so that when the vehicle is available for hire the sign becomes illuminated and is remains not illuminated when it is hired.

13. CLOSED CIRCUIT TELEVISION (CCTV)

CCTV may be installed and the proprietor(s) must ensure that the system is properly maintained and serviced to ensure clear images are recorded. Warning signs must be clearly and prominently displayed inside the vehicle advising passengers that a CCTV system is in operation in the vehicle. The unit must be sealed and tamper proof and any footage should be made available upon request to the Licensing Authority with 48 hours of a request being made.

The CCTV system must be compliant with the specifications applicable at that time.

CCTV is permissible providing images both of the internal of the vehicle and also road facing.

Proprietors(s) must obtain prior consent from St Helens Council Licensing Service prior to the installation of any CCTV system.

Any CCTV system must provide for images only with any audio being prohibited.

14. CONVEYANCE OF ANIMALS

The Proprietor(s) and drivers of the vehicle must ensure that they are aware of their duty under Section 168 of the Equality Act 2010 to convey as assistance dog, if requested unless the driver is already the holder of and is displaying an exemption certificate.

15. ROOF RACKS, ROOF BOXES AND TRAILERS

Licensed vehicles are not permitted to use roof racks, roof boxes or trailers whilst being used for hire and reward purposes.

16. WHEELS AND TYRES

Where a hackney carriage vehicle is supplied with alloy wheels, all four road wheels must be of the same type and pattern.

Where a hackney carriage vehicle is supplied with wheels intended to be fitted with wheel trims, all four road wheels must be fitted with wheel trims of the same pattern.

Alloy wheels, wheel rims and fitted wheel trims must be free from damage and defects which affect the safety, appearance, or integrity if the wheel.

Part worn and remould tyres must comply with the Motor Vehicle Tyres (Safety) Regulations 1994.

All tyres (including the spare) must be the correct size, and load rating for the vehicle.

All tyres, including the spare must be properly inflated.

All tyres must have a continuous tread depth of at least 1.6mm across the central three quarters of the breadth of the tyre, and visible tread across the remaining breadth of the tyre.

All tyres including the spare must be free from cuts and other defects.

The hackney carriage vehicle must carry a method for dealing with a wheel or tyre should it become defective. This method should be in accordance with the vehicle manufacturer's specification which must be one of the following;

- Full size wheel – which must be the same size and type as the four road wheels and be fitted with a tyre of the same size, with the load rating as the four road wheels. Appropriate tools and equipment for changing the wheel must also be carried.
- Space saver spare wheel – which must be the correct size and type for the vehicle.
- Run flat tyres.
- Emergency tyre sealant and compressor/inflator pack.

If a wheel or tyre becomes defective and one of the above methods is used to rectify the fault this is a temporary measure only. The vehicle must not be used for public hire and reward purposes other than completing the current journey.

18. DOORS

Where hinged doors are fitted:

- An automatic locking device must be fitted to passenger doors
- When the vehicle is stationary, the passenger doors must be capable of being opened from the inside and outside of the vehicle by one operation of the latch mechanism.
- The interior door handle must be clearly visible, of a contrasting colour to the interior of the vehicle, and easily accessible to passengers when the door is in the fully open position.
- A hinged door must be capable of being opened to a minimum angle of 90 degrees.

Where sliding doors are fitted:

- An automatic locking device must be fitted to passenger doors.
- When the vehicle is stationary, the passenger doors must be capable of being opened from the inside and outside of the vehicle by one operation of the latch mechanism.
- The interior door handle must be clearly visible, of a contrasting colour to the interior of the vehicle and easily accessible to passengers when the door is in the fully open or closed position.
- There must be reflective strips on both the front and rear edges of the door.
- There must be an illuminated sign bearing the words "Door Open" clearly visible from the rear of the vehicle. This sign must be automatically linked to the passenger doors in order that when either door handle is activated to open the door, the sign is illuminated.
- There must be a sign within the passenger compartment, clearly visible to all passengers, giving instructions on the correct operation of the passenger door.

19. WINDOWS

All windows must be secure and free from cracks, damage or other defects.

All windows must let at least 75% light through.

Passenger door windows must be capable of being opened by passengers when seated. The control for opening a door window must be clearly identified so as not to be mistaken for any other control.

20. MIRRORS

All mirrors and mirror housing units must be secure and free from cracks, damage or other defects.

21. PASSENGERS

The proprietor(s) must not cause or permit the vehicle to be used to carry a greater number of passengers than prescribed on the hackney carriage licence/plate.

22. NOTICES

Any notices that St Helens Council may require must be clearly displayed inside the vehicle as directed. This will include no smoking and wheelchair stickers.

23. TABLE OF FARES

The table of fares (tariff card) issued by St Helens Council must be clearly displayed in a prominent position where it can be easily read by all passengers. All fares must be calculated in accordance with the rates set by the Council.

24. SMOKING IN A LICENCED VEHICLE

Revisions as per the Health Act 2006 which does not permit anyone to smoke in the licenced vehicle. The use of e-cigarettes is not permitted within the licensed vehicle.

25. TAXIMETERS

The meter must be calendar controlled and must be maintained in good working order. All timings must be correct. The meter must be locked and where appropriate sealed. The meter must be set to reflect the current tariff of fares as approved by the Council.

WHEELCHAIRS AND RAMPS

26. Anchorage provided for the wheelchair and occupants must be secured.

Restraints for wheelchairs must be free from damage which may affect their safe use. If any such devices are damaged they must be replaced and not repaired.

The ramp used must be free from any damage and be in good working order.

27. PLYING AND STANDING FOR HIRE

St Helens licensed hackney carriages may ply for hire on any street within the St Helens Council area. They may stand for hire on any appointed