

NORTH WARWICKSHIRE BOROUGH COUNCIL

HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER/VEHICLE CONDITIONS



North Warwickshire
Borough Council





CONDUCT OF A DRIVER

The driver shall:

- Give all reasonable assistance with passenger's luggage
- Be clean, tidy and dressed in a respectable manner. Clothes that will not be regarded respectable are those which are dirty, cut off jeans or football shorts, hooded tops that conceal the face, baseball caps, football/sports jerseys that may offend other persons, vests etc.
- Take all possible care to make sure passengers are safe when entering, travelling in or leaving the vehicle
- Not smoke at any time in the vehicle
- Not eat or drink whilst passenger is on board unless the passenger is asked and has no objections.
- Not use a personal radio, MP3 player/iPod, DVD player etc. whilst carrying passengers. The relay of video images on a television screen is only permitted in the rear of a vehicle.
- Wear the drivers badge given to them by the Council where it can be prominently seen and clearly visible. Defacing any badge is likely to lead to revocation in front of the Committee.
- To keep records of the journeys he/she makes under the licence.
- Ensure that the vehicle is roadworthy and clean when offered for hire. Persistent failure in either of these regards will on the third warning be reported to the Licensing Committee for a hearing.
- Not unnecessarily prolong either the distance or time taken for any journey.
- Not use mobile phones whilst carrying passengers. The use of a mobile phone is restricted to hands free use but not whilst carrying passengers. The use of radio equipment between vehicle and base is not permitted whilst passengers are on board save for confirmation and in emergency situations.



PASSENGERS

The driver shall not allow more than the number of passengers stated on the licence travel in the vehicle at any one time.

The number of passengers includes children under ten but not babies

The driver shall not allow anyone under ten, or more than one person, to travel in the front of the vehicle.

No other person can be conveyed in the vehicle without the express permission of the hirer. This includes multiple fares, companions etc.

Lost Property

If any property is found or handed to any driver he or she should convey it as soon as possible either to the owner if known, or to the base station where it should be kept in safe custody until claimed.

Written Receipts

Written receipts must be provided for the amount paid if requested by the hirer

Animals

A driver may convey animals accompanying a paying customer if he so wishes but then only in the rear of a vehicle. Companion animals – those animals used by disabled or disadvantaged persons, should not normally be refused. The drivers own animals may not be carried.

Prompt attendance

The driver shall attend the pick up point as directed by the hirer or radio operator at the appointed time. Delayed pick-ups should be only as a result of unavoidable occurrences.

Copy of conditions

A copy of these conditions should be available in the vehicle and produced on request by a passenger.

Drivers licence

The Drivers Badge must be on the person of the driver and clearly visible at all times when he is working.



FARES AND LICENCES

Taximeter

If a vehicle is fitted with a taximeter, the driver shall not hide, conceal or cancel it until the passenger has had the opportunity to examine it. No person, driver proprietor, operator or other must tamper with the seal.

Fare to be demanded

The fare to be paid is either that which has been agreed between the hirer and the operator in the case of private hire, or that which is shown on the taximeter in the case of a Hackney Carriage, unless there has been an agreement on the fare prior to the hiring.

For journeys ending outside the Borough, the fare shall not be greater than that shown on any taximeter - if fitted, or if not fitted - greater than the table of fares would authorise for the journey.

Change of address

The driver shall notify the Authorised Officer of the Council in writing any change of address within seven days of the change. A fee is payable for the replacement licence.

Convictions

The driver shall notify the Authorised Officer of the Council in writing any convictions or endorsements imposed on him address within seven days of the conviction or endorsements.

Return of Licences

The driver must return all licences upon revocation or suspension and on expiry if no contiguous renewal is made. If renewal of a licence is not applied for before the expiry of an existing licence it cannot be re-granted. In these cases a full application will need to be made for a new licence.

Notices

Any notifications, notices or any other requirement of these conditions shall be in writing to; The Licensing Team, North Warwickshire Borough Council, The Council House, South Street, Atherstone CV9 1DE

CONDITIONS COVERING THE USE OF VEHICLES AS HACKNEY CARRIAGES

Type and Maintenance of Vehicle

The vehicle should be of a design suitable to carry passengers for which it is licensed.

The vehicle - if a replacement by an existing proprietor will be no more than 5 years old from the date of first registration.

Additional vehicles to be licensed or in the case of a new proprietor applying for a new vehicle licence, then that vehicle shall be no more than 3 years old from the date of first registration.

All the fitting 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.

All relevant statutory requirements, including those contained in the Motor Vehicle (Construction and Use) Regulations, which shall be fully complied with.

Alteration of Vehicles

No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council in writing.

1. Safety Equipment

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

2. Interior Markings and Fittings

(i) The proprietor shall have clearly displayed within all vehicles being used for hire or reward a copy of the Council's current approved table of fares for hackney carriages.

(ii) The licence number of the vehicle and the number of people licensed to be carried must be clearly displayed in the vehicle at all times

(iii) A taximeter of a prescribed and calibrated make shall be fitted to the vehicle whilst in use as a hackney carriage.

5. Signs, Notices

(i) No signs notices or other advertising material may be displayed on the vehicle other than permitted by the Council in writing.

(ii) A sign bearing the words TAXI showing to the front and back must be fitted to the roof of the car and illuminated with white to the front and red to the rear. The sign shall not be smaller than 9 inches long and 4 inches high.

(iii) On both front doors of the exterior of the vehicle a sign shall be displayed not exceeding 3 feet x 2 feet with the main lettering not exceeding 4 cm high showing the name of the Company or base name and telephone number. All signs must be approved in advance by the Council.

(iv) A maximum sign of 35 square inches may be displayed in the rear window giving the name and telephone number of the Company but must be transparent from inside and out.

(v) A prescribed plate must be displayed on the rear of the vehicle as from the 1st of January 2007, a MOGO style plate, which displays the licence number, date of expiry and vehicle registration number will be issued. Once issued, no other plate configuration will be authorised.

6. Change of Ownership

If the ownership of the vehicle changes then the name and address of the new owner must be given to the Council prior to the exchange of the vehicle.

7. Change of Address

The proprietor must notify the Council in writing of any change of address during the period of licence and within 7 days of any such change-taking place.

8. Convictions

The proprietor shall within 48 hours disclose to the Council in writing, details of any conviction - including fixed penalties imposed on them or the driver of that vehicle or if the Company is a Partnership, by any director or partner responsible for that Company

9. Licensed Driver's

No person must act as a driver of a hackney carriage unless they hold an appropriate Driver's Licence issued by the Council.

CONDITIONS COVERING THE USE OF VEHICLES AS HACKNEY CARRIAGES

10. Driver's Licenses

The driver of the vehicle must at all times wear the badge issued. The badge remains the property of the Council at all times.

11. Insurance

Before using the vehicle as a hackney carriage, such insurance or securities must be in force as required under Part VI of the Road Traffic Act 1972. This will be obtained by the proprietor of the vehicle and then maintained in accordance with the Road Traffic Act regulations. The certificate of Insurance must be produced each year to the Council. Failure to do so will result in the vehicle being suspended from being used as a hackney carriage.

12. Accidents

The occurrence of any accident, which materially affects the safety, performance or appearance of the hackney carriage or the safety of passengers, must be reported to the Council's Authorised Officer immediately or at least within 48 hours of the accident. Failure to do so will result in the vehicle being suspended from being used as a hackney carriage.

13. Records

A proprietor shall keep proper records in a form approved by the Council

- Of all journeys undertaken by driver's engaged by that proprietor
- Of the hours worked by such driver's each day.
- The names and addresses of drivers using the hackney carriage

14. Transfers

The transfer of a vehicle licence to a new or hire vehicle supplied by a Crash Repair Company will require a fee set by the Council for the transfer and the approval of the vehicle by the Council's authorised officers. This prescribed fee is payable every time the licence is transferred.

15. Notices

Any notices or notifications required to be given to the Council, in accordance with these licence conditions, shall be in writing and be sent to the Licensing Team, North Warwickshire Borough Council. The Council House, South Street Atherstone CV9 1DE

All proprietors please note:

In addition to complying with the above conditions, proprietors and driver's of Hackney Carriages are subject to the provisions contained in the Council's Hackney Carriage Bylaws. A copy of which can be obtained from the Licensing Officer at the Council

CONDITIONS TO DEAL WITH THE TYPE, MAINTENANCE AND USE OF PRIVATE HIRE VEHICLES

1. General

The vehicle should be of a design and size suitable to carry the number of passengers for which it is licensed.

The vehicle – if a replacement by an existing Operator, will be no more than 5 years old from the date of first registration.

In the case of an additional vehicle or if a new Operator applies for a vehicle licence, then that vehicle shall be no more than 3 years old from the date of first registration.

All the fittings and equipment shall when the vehicle is in use or available for hire, be kept in an efficient safe, tidy and clean condition. All relevant statutory requirements, including those contained in the Motor Vehicle (Construction and Use) Regulations, which shall be fully complied with.

2. Alteration of Vehicles

No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council in writing. In relation to vehicles known commonly as stretch limousine's and novelty vehicles used for the carriage of fare paying passengers, such vehicles must be licensed as Private Hire and have a valid certificate of import and certified conversion. Separate additional conditions apply to these speciality vehicles.

3. Safety Equipment

A suitable and efficient fire extinguisher and a suitable first aid kit containing appropriate first aid dressings and appliances shall be provided and maintained in the vehicle at all times when it is in use or available for hire. This equipment shall be readily visible and available for use in an emergency.

4. Interior Markings and Fittings

The licence number of the vehicle and the number of people licensed to be carried must be clearly displayed in the vehicle at all times.

5. Signs, Notices

(i) No signs, notices or other advertising material may be displayed on the vehicle other than that prescribed by law, condition or bylaw without prior permission by the Council in writing.

(ii) On both front doors of the exterior of the vehicle there shall be displayed on a sign not exceeding 3 feet x 2 feet with the main lettering not exceeding 4cm high the name of the Company or base name, telephone number and 'Private Hire Advanced Bookings Only'. Only such signs that are approved in advance by the Council are authorised.

(iii) A prescribed plate must be displayed on the rear of the vehicle at all times the vehicle is being used or offered for hire. As from the 1st of January 2007 – a Mogo style plate, which contains the licence number, date of expiry, vehicle registration number and Private Hire will be provided by the Council. There will be no exemptions in respect of the displaying of the Licence Plate whilst the vehicle is being used or offered for hire and no other plate arrangement will be authorised.

6. Change of Ownership

If the ownership of the vehicle changes to another private hire operator during the currency of any licence, the name and address of the new owner must be given to the Council prior to the exchange of the vehicle. If the vehicle is decommissioned from Private Hire the plate and licence must be returned to the Council at that time.

7. Change of Address

The Operator must notify the Council in writing of any change of his/her address during the period of licence and within 7 days of any such change taking place.

8. Convictions

The Operator shall disclose in writing to the Council, details of any conviction including fixed penalties imposed on him/her or any driver of the private hire vehicle. In the case of a company or partnership – any director or partner responsible for that company shall make the declaration. All declarations should be within 48 hours.

CONDITIONS TO DEAL WITH THE TYPE, MAINTENANCE AND USE OF PRIVATE HIRE VEHICLES

9. Licensed Drivers

No person must act as a driver of a Private Hire Vehicle unless they hold a valid Hackney Carriage/Private Hire Drivers Licence issued by the Council.

10. Driver's Licenses

The Operator will hold the driver's paper licence issued by the Council at the Company base for inspection by an Authorised Officer of the Council at any time the Company is open for business. The driver of the vehicle must at all times wear the badge issued. The paper licence and the badge remains the property of the Council at all times.

11. Insurance

Before using the vehicle as a Private Hire Vehicle, such insurance or securities must be in force as required under Part VI of the Road Traffic Act 1972. This will be obtained by the Operator of the vehicle and then maintained in accordance with the Road Traffic Act Regulations. A valid Certificate of Insurance must be produced each year to the Council. Failure to do so will result in the vehicle being suspended from being used as a Private Hire Vehicle.

12. Accidents

The occurrence of any accident that materially affects the safety, performance or appearance of the private hire vehicle or the safety of passengers must be reported to the Council's Authorised Officer as soon as possible or at least within 48 hours. Failure to do so may result in the vehicle being suspended from being used as a Private Hire Vehicle.

13. Records

An Operator shall keep proper records in a form approved by the Council of

All journeys undertaken by the driver's engaged by that Operator

Of the hours worked by such driver's each day

The name of drivers engaged by the operator

14. Transfers

Licences may only be transferred onto any vehicle – including those provided by a crash repair company – on payment of the relevant fee and with the approval of the Council's Authorised Officer. The replacement vehicle must comply with the conditions and be tested by the Council's approved test station. This occurs each time the licence is transferred.

15. Notices

Any notices or notifications required to be given to the Council, in accordance with these licence conditions, shall be in writing and be sent to the Assistant Director (Regulatory) Licensing Team North Warwickshire Borough Council, The Council House, South Street, Atherstone, CV9 1BD.

All Operators Please Note:

In addition to complying with the above conditions, Operators and Drivers of Hackney Carriages are subject to the provisions contained in the Council's Hackney Carriage Bylaws. A copy of which can be obtained from the Licensing Officer at the Council.

ADDITIONAL CONDITIONS APPLIED TO STRETCHED LIMOUSINES USED AS PRIVATE HIRE VEHICLES

These conditions made under the Local Government (Miscellaneous Provisions) Act 1976 are specific to a vehicle adapted by lengthening the wheelbase of a standard, factory built vehicle. The purpose of these conditions is to protect public safety. They apply in addition to the Authority's standard conditions for private hire vehicles and take account of the fact that stretched limousines will:

- i) travel generally at slower speeds than normal taxis
- ii) not normally overtake other vehicles
- iii) be easily recognisable by the hirer
- iv) be heavier and considerably longer than standard cars
- v) be adapted or converted by someone other than the original manufacturer

1 GENERAL

1.1. These conditions apply to stretched limousines as defined in paragraphs 1.2 and 1.3 below, where the vehicle is constructed or adapted to seat up to 8 passengers.

1.2. A "stretched limousine", is a saloon type vehicle that has undergone an increase in length by extending the wheelbase after manufacture.

1.3. An "American stretched limousine" is a stretched limousine imported from the USA and typically will have been manufactured originally by Lincoln (Ford) or Cadillac.

1.4. For the purposes of calculating the seating capacity of a vehicle the minimum width of a passenger seat is 400mm (16 inches). In the case of an 'L' shaped seat, sufficient space must be made available in the corner to prevent the passenger on one side of the corner encroaching on the passenger on the other side.

2 CONDITIONS

2.1 In the case of a stretched limousine, or American stretched limousine, originals of the following documentation will be required by the Council before an initial application for a vehicle licence can be considered:

- (a) Completed importation documentation where applicable and single vehicle approval (SVA) certificate. Please note a Minister's Approval Certificate is not acceptable.

- (b) DVLA Registration Document (V5).

- (c) Valid Certificate of Insurance, with cover for hire and reward.

- (d) Current MOT certificate issued by an approved Testing Station.

- (e) Where applicable, an installation certificate from a Liquefied Petroleum Gas Association (LPGA) Approved UK Vehicle Conversion Company, in the case of vehicles converted to run on LPG.

- (f) Valid Road Vehicle Excise licence disc.

2.2 The Vehicle shall comply with the following:

- (a) Be equipped with a minimum of four road wheels and a full sized spare wheel.

- (b) Be equipped with tyres designed and manufactured to support the maximum permitted axle weight for the axle when the vehicle is driven at the maximum speed.

- (c) Seat belts, where fitted, must be fitted in accordance with the current Road Vehicle (Construction and Use) Regulations.

- (d) The maximum length of the stretch conversion (measured between the rear edge of the front door and the front edge of the rear door) shall not exceed 3048mm/120".

- (e) Display the Council issued 'Private Hire' plate at all times when the vehicle is being used for hire or reward.

2.3 Where alcoholic drink is supplied in the vehicle, the proprietor shall deposit a copy of his or her premises licence with the Local Authority. No person, under the age of 18 years, being conveyed in a stretched limousine shall be allowed to consume alcohol.

2.4 Tinted glass shall conform to the legal requirements of the current Road Vehicle (Construction and Use) Regulations.

2.5 Children under the age of 16 years shall not be carried in a stretched limousine unless accompanied by the parent or guardian of at least one of the children.

CONTACT US

**Should you have any queries/questions
please contact:**

Licensing Administration - 01827 719217

licensing@northwarks.gov.uk

**Licensing Enforcement - 01827 719482 / 01827
719305**

environmentalhealth@northwarks.gov.uk