

# HACKNEY CARRIAGE VEHICLE LICENCE

## CONDITIONS OF LICENCE

### 1. Pre Licensing Standards

- 1.1. Satisfy the Hackney Carriage Vehicle Licence Pre Licensing Standards adopted by Thurrock Council at all times.

### 2. Safety Equipment

- 2.1. An efficient and serviceable fire extinguisher marked with the plate number of the vehicle shall be carried at all times. The extinguisher must be located in a secure and easily accessible position, in the boot or front cab of the vehicle. Wheelchair accessible vehicles must carry a fire extinguisher which is at least a 1 litre AFFF extinguisher with a minimum of an 8A to 21B rating.  
NB: In the event of a vehicle fire, the priority is to GET THE PASSENGERS OUT.
- 2.2. Each vehicle shall carry a first aid kit for the use of the driver and shall contain those items laid down by the Health and Safety (First Aid) Regulations 1981.
- 2.3. The proprietor shall have available in the vehicle sufficient high visibility jackets for the seating capacity of the vehicle, and an emergency triangle to use in the event of a breakdown or accident.

### 3. Interior Markings

- 3.1. The proprietor shall ensure that the following are clearly displayed inside the vehicle:
  - 3.1.1. The vehicle window card licence.
  - 3.1.2. The tariff card supplied by the Council shall be displayed on the inside of the vehicle in such a position as to be plainly visible to persons travelling inside the vehicle
  - 3.1.3. "No Smoking" signs shall be displayed on both rear passenger door windows.

### 4. Exterior Signs

- 4.1. The proprietor shall ensure that:
  - 4.1.1. The licence plate issued by Thurrock Council identifying the vehicle as a Hackney Carriage shall be displayed in a vertical position and firmly fixed to the outside of the vehicle at the rear using the fixing bracket supplied. Velcro, cable tie and magnetic fastenings are not be permitted. In any case of doubt about a proper method of fixing the plate, the Licensing Department should be consulted.

- 4.1.2. The Hackney Carriage plate shall not be concealed from public view or defaced in any way.
- 4.1.3. The licence plate shall remain the property of Thurrock Council at all times and must be returned immediately if the vehicle ceases to be a licensed Hackney Carriage vehicle, any detail of the vehicle is changed or if the vehicle licence is suspended or revoked by the Council.
- 4.1.4. Door stickers provided by Thurrock Council shall be permanently displayed on each rear door of the vehicle on the upper panel of the door. Magnetic door signs are not permitted. Any variance to the location of the stickers should be agreed with the Licensing Department.
- 4.1.5. The door stickers shall not be concealed from public view or defaced or altered in any way.
- 4.1.6. A roof sign capable of being illuminated and showing to the front and rear the word "TAXI" the light for which should automatically be extinguished when the taxi meter is engaged. London style and other taxis with signs forming an integral part of the roof are acceptable.

## **5. Trailers and Roof Boxes**

- 5.1. A proprietor of a licensed Hackney Carriage vehicle will be permitted to tow a trailer provided that:
- 5.1.1. The trailer complies with all legal requirements (please see appendix for further guidance).
- 5.1.2. The driver of the vehicle holds the appropriate category on his/her DVLA driving licence, which must be produced to the Council.
- 5.2. A proprietor of a licensed Hackney Carriage vehicle will not be permitted to carry any form of roof box or luggage on the roof of the vehicle.

## **6. CCTV**

- 6.1. A proprietor of a licensed Hackney Carriage vehicle will be permitted to install CCTV provided that:
- 6.1.1. The CCTV complies with all legal requirements (please see appendix for further guidance).

## **7. Advertising**

- 7.1. A proprietor of a Hackney Carriage shall ensure that the display of advertising materials is restricted to the following:

- 7.1.1. Advertising, including product advertising or the trade name, address and telephone number of the circuit may be displayed anywhere on the exterior of the vehicle apart from the rear doors, which show the Thurrock Council stickers and the windows / glazing of the vehicle.
- 7.1.2. Product advertising is subject to the Council giving authority and retaining the right to request the removal of any particular advertisement that is felt to be unsuitable.
- 7.1.3. All product advertising must be professionally applied and no reflective materials may be used.
- 7.1.4. Wheelchair accessible vehicles may display the disability symbol of a maximum of 10" (245mm) square on the wheelchair access door(s) only.
- 7.1.5. Internal advertising is permitted subject to approval by the Council.
- 7.1.6. All advertising must be approved by the Council. The written approval of Thurrock Council shall be obtained as to the content and layout of any advertisement before it is fitted or displayed.

## **8. Vehicle Inspections**

- 8.1. The proprietor shall submit the vehicle for an MOT and compliance inspection and/or other inspections as the Council may require at one of the Council approved garages as follows:
  - 8.1.1. Upon initial application (regardless of the age of the vehicle)
  - 8.1.2. Annually in respect of vehicles up to 5 years old.
  - 8.1.3. Six monthly in respect of vehicles over 5 years old and up to 8 years old.
  - 8.1.4. Four monthly in respect of vehicles over 8 years old
- 8.2. The proprietor should submit the vehicle to the Council after any repair made necessary by an accident affecting the safety, performance or appearance of the vehicle or comfort or convenience of passengers.
- 8.3. Vehicles submitted for inspection shall be in such a condition as to be suitable for inspection: free from oil or any other matter and thoroughly cleaned inside and out. Vehicles not meeting these conditions will not be inspected. These vehicles will be treated as having failed to attend the inspection and be suspended immediately until they pass a re-inspection.
- 8.4. Proprietors of vehicles which fail to attend any notified inspection, or whose vehicles are refused an inspection due to the condition of the vehicle shall be liable to pay a fee for a re-inspection.

8.5. Proprietors of vehicles, which fail to attend for an inspection, during the life of the vehicle licence, may be suspended immediately until such time as they attend and pass an inspection.

## **9. General Conditions**

9.1. Vehicles must be kept clean, tidy, free from damage, well maintained and in every way fit for public service both inside and out.

9.2. Vehicles without alloy wheels should be fitted with all 4 matching hubcaps.

9.3. During the period of the licence the proprietor shall be in direct control of the day-to-day running of the vehicle.

9.4. The vehicle shall not be used to convey a greater number of passengers than shown on the plate and licence, irrespective of the age of the passenger.

9.5. Whilst a vehicle is licensed as a Hackney Carriage vehicle and at all times, whether plying for hire or not shall not be driven by any person other than a driver properly licensed by Thurrock Council.

9.6. If the proprietor permits or employs another person to drive the vehicle, that person must be licensed by Thurrock Council. The proprietor must have a copy of his/her Hackney Carriage driver's licence before he/she commences to drive the vehicle. The proprietor will record the details of the licence in a register for that purpose. The copy of the licence will be retained until such a time as the driver ceases to be permitted or employed to drive the vehicle. It is the responsibility of the driver to notify the proprietor of the vehicle if he/she ceases to be permitted to drive.

## **10. Taximeter**

10.1. The vehicle shall be fitted with an efficient taximeter that is capable of visibly recording fares by measuring distance and time and calculating fares for all lengths and duration of journeys equivalent to the maximum fare tariff set by Thurrock Council. The taximeter shall be calibrated to only allow the use of the aforementioned tariff for the calculation of fares and no others.

NB: Nothing in this condition prevents a driver from charging the customer less than the metered fare.

10.2. The taximeter shall be maintained at all times so that the fare displayed can readily be seen by the passenger(s). There shall be recorded on the face of the taximeter in figures, clearly legible and free from ambiguity a fare not exceeding the scale of fares prescribed by the Council.

10.3. The taximeter and all the fittings shall be so affixed to the vehicle 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 seal or other appliance.

- 10.4. The operation of the taximeter shall accord with any byelaws made by the Council.
- 10.5. The taximeter shall be tested for accuracy on initial application and following any changed to the table of fares or as required. Thurrock Council staff may seal meters after each inspection.

## **11. Animals and the Carriage of Assistance Dogs**

- 11.1. The proprietor shall not allow any driver to convey in a licensed vehicle any animal belonging to or in the custody of himself of the proprietor or operator of the vehicle.
- 11.2. Any animal belonging or in the custody of a passenger may be conveyed at the driver's discretion, however it shall only be conveyed in the rear of the vehicle.
- 11.3. The proprietor shall ensure the driver of the vehicle complies with the requirement to carry guide dogs, Hearing dogs, other assistant dogs, dogs for the disabled, support dogs and canine partners for independence.
- 11.4. A driver of a licensed vehicle is required to carry the following assistant dogs free of charge, unless the driver has a proven medical condition that would preclude such actions:
- 11.4.1. Guide dogs for the blind
  - 11.4.2. Hearing dogs
  - 11.4.3. Dogs for the disabled
  - 11.4.4. Support dogs (e.g. epilepsy)
- 11.5. All assistant dogs can be identified usually by their harness or identification coat. The dog owner should carry an identification card, in the case of those registered as blind, this will include a passport sized photograph and in addition they may also hold an Institute of Environmental Health card confirming no hygiene risk to vehicles or premises.

## **12. Documentation**

- 12.1. A proprietor shall at all times hold a current certificate or cover note of motor insurance and vehicle MOT certificate and ensure copies of the original documents are supplied to the Licensing Department upon first licence and at the time of renewal of the licence and at any other time as may be required. Certificates must run concurrent, without any breaks in date or time and new or replacement copy documentation must be submitted to the Council within 7 days of the expiry of the preceding certificate / cover note.
- 12.1.1. Failure to provide copies of a valid insurance certificate or cover note and or MOT test certificate will lead to immediate suspension for a minimum of 24 hours or until the production of the required documents is

made in person to a Licensing Officer, at which time the suspension will be immediately lifted.

12.2. A proprietor shall produce vehicle registration documents and any other evidence of proprietorship of the vehicle to the Council at the request of the Licensing Department, within a reasonable period of time or a maximum of 7 days from such a request.

12.3. The Council must be notified in writing or by electronic means within 7 days of any change of address. Official documents such as vehicle registration document, insurance certificate and driving licence must be presented to the Licensing Department as soon as reasonably practicable, showing proof of change of address.

### **13. Accidents / Vehicle Damage / Theft**

13.1. The proprietor of any Hackney Carriage vehicle shall report to the Licensing Department as soon as reasonably practicable and in any case, within one working day of the occurrence, thereof any accident causing damage to the said vehicle.

13.2. The proprietor shall report to the Licensing Department in writing, by telephone or by electronic means any vehicle body damage i.e. vandalism. Notification must be reported within 72 hours of such damage.

13.3. The proprietor shall report to the Licensing Department in writing, by telephone or by electronic means any theft of vehicle or licence plate. Notification must be reported as soon as practicable and within 72 hours of such theft.

### **14. Byelaws and Regulations**

14.1. The proprietor shall ensure that any driver complies with the Council's Byelaws and Conditions.

14.2. The proprietor should make themselves familiar with statutory requirements in relation to Hackney Carriage Licensing in the Town Police Clauses Act 1847 (as amended), Public Health Acts 1875 and 1936 and the Local Government (Miscellaneous Provisions) Act 1976. These are available at a public library or via the internet.

### **15. Surrender of Licence**

15.1. If the proprietor ceases to use the vehicle for the purpose for which it is licensed they shall surrender the licence and return the licence plate, which remains the property of Thurrock Council.

15.2. Thurrock Council may, at any time during the period of the licence, revoke the licence should a breach be detected of any terms and conditions of the licence.

## **16. Appeals**

16.1. Statutory rights for appeal against the decisions made by the Licensing Authority in respect of the grant or renewal of a Hackney Carriage licence are to be found in the Local Government (Miscellaneous Provisions) Act 1976:

16.1.1. Appeal against conditions imposed on a Hackney Carriage Proprietor's licence (to the Magistrates Court); and

16.1.2. Appeal against refusal to grant a Hackney Carriage Proprietor's licence (to the Crown Court)