

## **Local Government ( Miscellaneous Provisions ) Act 1976**

### **Hackney Carriage Vehicle Licences** **Conditions of Licence**

*A District Council may attach to the grant of a hackney carriage vehicle licence, such conditions as it may consider reasonably necessary (Section 47(2) Local Government (Miscellaneous Provisions) Act 1976).*

*All relevant information will be taken into account when consideration is given to an application for a hackney carriage vehicle or driver's licence. Whilst an application for a licence should conform to the licensing conditions and Council policies or guidelines, each application will be considered on its own merits.*

*Should an application be refused, the applicant has a right of appeal, in writing, within 21 days, to the Magistrates' Court. In the case of a refusal to grant a hackney carriage proprietor's licence the appeal is directly to the Crown Court. Wyre Forest District Council may, at its discretion, waive, alter or add to any of the conditions, standards or requirements.*

*A hackney carriage vehicle licence is issued, upon application, on 1 July each year and is valid for one year.*

*A hackney carriage driver's licence is issued, upon application, on 1 April and is valid for two years*

The hackney carriage ("the vehicle") shall at all times be kept and used in compliance with:-

The provisions of all Acts of Parliament and regulations made thereunder relating to the use of vehicles on public highways including in particular those contained in the Motor vehicles (Construction and Use) regulations.

The provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976

All byelaws relating to hackney carriages for the time being in force where the vehicle is kept and used.

## Hackney Carriage Licensing Conditions

- 1 Wyre Forest District Council will only licence new vehicles of a purpose built design for use as Hackney Carriages. The body must be of a fixed head type and have a bulkhead partition. The vehicle must be designed and developed exclusively for use as a wheelchair accessible taxi. Wheelchair access must be from the side and not from the rear. It must be unaltered from the manufacturer's specification and documentation must be produced to show that the vehicle is certified to M1, European Whole Vehicle Approval or Low Volume Type Approval standards.
- 2 Production of the registration document (V5 form) that records when the vehicle was first registered; body type, vehicle type approval will be required to be produced at the time of MOT testing and licensing, together with a certificate provided by the manufacturer, issued by the Vehicle certification Agency (VCA form) and a bill of sale from the vendor that stipulated the vehicle is the standard of the new specification.
- 3 Hackney carriages will be coloured silver, suitably finished to a high quality. The silver colour shall be matching to BS 5252 (reference no. 00A03) or other similar colour as the Council may agree. The identification decal provided by the Council shall be applied to the mid or upper section of the nearside and offside front doors.
- 4 Where rubbing strips are fitted on the doors or panels they should comply with the colour scheme of the relevant door or panel unless they consist of black plastic, rubber or other material as normally supplied by the manufacturer.
- 5 All Vehicles when first submitted for licensing, must be less than two **(2)** years old. The upper age limit for hackney carriage vehicles will be ten **(10)** years unless agreed by the Council who may on a vehicle by vehicle basis extend this period dependent on the condition of the vehicle.
- 6 All vehicles shall have a minimum of four doors, each adjacent to, and allowing direct access to and from the seats.
- 7 Vehicles must be capable of carrying a wheelchair accessed from the side in a secure forward or rear facing position.
- 8 All wheelchair accessible hackney carriages are to permit loading of wheelchairs **ONLY** through the side door(s) of the vehicle. Vehicles, which load wheelchairs through the tailgate, will not be accepted for licensing.

- 9 All wheelchair accessible hackney carriages shall be equipped with properly mounted fittings for the safe securing of a wheelchair and the passenger seated in it, when carried inside the vehicle.
- 10 Anchorage provided for wheelchair access must be either chassis or floor linked. Restraints for wheelchair and occupant must be independent of each other. Anchorage must be provided for the safe stowage of a wheelchair when not in use when folded or otherwise, if carried within the passenger compartment.
- 11 Provisions must be made for the ramps to be stowed safely when not in use.
- 12 Each seat shall have a minimum width of not less than 16 inches per person. The seat width for 3 persons of 48" shall be measured by taking the actual distance between the arm rests.
- 13 The rear seat shall accommodate not less than three persons; unless the safe carriage of a passenger seated in a wheelchair necessitates the removal of any seat.

#### **Maintenance of vehicle**

- 14 The hackney carriage vehicle hereby licensed is to be tested to a Ministry of Transport standard, and the vehicle shall be taken to the appropriate Council testing station. Vehicles will be tested and inspected three times per year.
- 15 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 the Motor vehicles (Construction and Use) Regulations shall be fully complied with.
- 16 Vehicles submitted for test/inspection shall be in such a condition as to be suitable for inspection, free from oil and any other matter, 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 centre and be suspended immediately until they pass a re-examination.
- 17 Proprietors of vehicles, which fail to attend any notified inspection, or whose vehicles are refused an inspection due to their condition, shall be liable to pay a fee for the re-inspection.
- 18 Vehicles that fail to attend for any inspection will be suspended immediately until such time as they attend and pass the inspection.
- 19 Vehicles must have a Department for Transport test certificate where required by the Road Traffic Acts.

NB : UNDER S.47 ROAD TRAFFIC ACT 1988, A HACKNEY CARRIAGE IS REQUIRED TO BE TESTED NOT LESS THAN ONE YEAR FROM ITS FIRST REGISTRATION.

### **Alteration of Vehicle**

20 No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without prior approval of the Council at any time while the licence is in force.

### **CCTV**

21 There may be installed a CCTV camera, providing all image handling and recording equipment complies with the requirements of current and future data protection legislation. There must be signs displayed in and out of all windows of the vehicle informing passengers that the vehicle is fitted with surveillance equipment. The signs shall be not less than 11 x 8cm.

### **Advertising**

22 The Hackney carriage hereby licensed shall display no advertisement unless the Council shall have first approved its size colour and subject matter, and position on the vehicle in writing. A daft copy of the advertisement must be firstly submitted for approval. The letter of approval must be produced to the Council testing station at the time of the vehicle inspection.

### **Safety Equipment**

23 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.

### **Accidents**

24 In the event of the hackney carriage vehicle hereby licensed being involved in any accident to the vehicle causing damage material affecting the safety, performance, or appearance of the vehicle, or comfort or convenience of the passengers, the proprietor shall report such accident to the Council as soon as reasonable practicable, and in any event within 72 hours of the occurrence thereof.

### **Change of address**

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

### **Liquid Petroleum Gas**

26 A hackney carriage 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.

27 That the installation of a LPG tank be fitted by an LPGA approved installer as recommended by the Liquid Petroleum Gas Association.

- 28 That the proprietor produces a certificate of compliance by an approved LPGA installer.
- 29 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.
- 30 That the vehicle displays on the front and rear screens a round sticker stating that the vehicle has been fitted with a LPG tank for the purpose of the emergency services in the event of an accident.
- 31 That 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 luggage space.
- 32 That the proprietor of the vehicle must notify DVLA Swansea, of the change in fuel from petrol to both LPG and petrol.
- 33 The vehicle be serviced by a person competent in LPG powered vehicles.