



Private Hire Vehicle - Conditions of Licence

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1. LEGISLATION

- 1.1. Section 48(2) of the Local Government (Miscellaneous Provisions) Act 1976 states that: "a District Council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary".
- 1.2. Consequently, Private Hire vehicle licences are issued subject to the following conditions.

2. THE LICENCE

- 2.1. The vehicle licence shall remain the property of the Council at all times during its issue.
- 2.2. The vehicle licence will be valid for a period of 12 months.
- 2.3. In the event of the expiry, suspension or revocation of the licence, the licence shall be returned to the Council within seven days of such expiry, suspension or revocation.
- 2.4. The vehicle licence cannot be transferred to another vehicle.
- 2.5. A copy of these conditions shall be retained by the vehicle proprietor.

3. VEHICLE SPECIFICATIONS

3.1. Type

- 3.2. All Private Hire vehicles must meet the standards as specified by the Council. Vehicles shall have:
 - a) a minimum of 4 doors;
 - b) have an engine capacity of more than 1200cc, or equivalent powered electric vehicle. Engines less than 1200cc will be considered provided that they are at least 120bhp/90KW
 - c) be right hand drive only;
 - d) not be a convertible;
 - e) have a seating capacity of between 4 and 8 passengers. Any vehicle constructed or adapted to seat more than 8 passengers cannot be licensed as a Private Hire vehicle;
 - f) have padded seating. No slatted wooden seats will be acceptable. Fixed passenger seats shall be approximately 406mm (approx. 16inches) in width per person (measured along the front edge of the seat cushion). This measurement will also apply where seats in the vehicle are continuous

3.3. **Appearance**

3.4. The exterior of all licensed vehicles shall be maintained in a clean, safe, and proper manner at all times. In particular, the exterior of the vehicle shall:

- a) be free of dents;
- b) be free of visible rust;
- c) be free of any scratches over 10cm in length;
- d) be free of unrepaired accident damage;
- e) have uniform paintwork equivalent to that applied by the manufacturer;
- f) not be missing any exterior trim;
- g) have all 4 hub caps (if part of the original specification) present, matching and scuff free; and
- h) be maintained in an acceptable state of cleanliness

3.5. The interior of all licensed vehicles shall be maintained in a clean, safe and proper manner at all times. In particular, the interior of the vehicle shall:

- a) be free of stains to the upholstery including carpets, and door trim;
- b) be free of splits and tears to the passenger seats;
- c) be maintained in an acceptable state of cleanliness;
- d) have no edges or damaged items likely to cause injury to a passenger;
- e) be free from damp and odour that may cause passenger discomfort; and
- f) provide seats functioning in accordance with the manufacturers' specification.

3.6. **Age**

3.7. The vehicle must conform to any age limit imposed by the Council.

3.8. Vehicles must be less than five years old from the date of first registration on first application and not be over 10 years old at renewal. The age of the vehicle shall be taken from the V5C logbook.

3.9. A licensed vehicle may continue to be licensed until it reaches 10 years of age from the date of first registration if it:

- a) is mechanically tested by an appointed garage every 6 months,
- b) obtains a MOT pass certificate; and
- c) is compliant with the standards of appearance

3.10. Once a licensed vehicle reaches ten years old, the licence will not be renewed.

3.11. Any vehicle of any age may have their renewal application refused, or their vehicle licence suspended or revoked if the vehicle fails it's mechanical test / re-test on any issues which could undermine the public safety objective.

3.12. From 1 September 2025, all licensed vehicles must be fitted with at least a Euro 6 compliant engine or equivalent using retrofit technology (registered since September 2015). Euro 5 compliant engines or older will not be permitted. Any

vehicle with a Euro 5 compliant engine or older will not be licensed at the time of renewal.

- 3.13. Applicants will be required to prove that the engine is suitable. Any vehicle with an engine older than the required euro emissions standard will not be licensed at the time of renewal unless it can be verified that the emissions have been suitably lowered using approved retrofit technology.

4. TESTING AND EXAMINATION OF VEHICLES

- 4.1. Vehicles must be tested in accordance with the Hackney Carriage and Private Hire Licensing Policy.
- 4.2. All vehicles over 3 years of age must have a valid DVSA MOT pass certificate upon first application and annually thereafter.
- 4.3. In addition to the MOT, a vehicle must pass a Certificate of Compliance test (annual) and a further Certificate of Compliance test (interim) must be produced every six months as part of the Council's vehicle test requirements.
- 4.4. A valid MOT certificate and Certificate of Compliance must continuously be in place throughout the course of the licence. Failure to provide an updated MOT certificate or Certificate of Compliance before the expiry of the current documents may result in the licence being suspended until such a time as new satisfactory documents have been received.
- 4.5. Vehicles must be maintained in a condition that would enable them to pass a test at any time. Vehicles may also require testing at the direction of an Authorised Officer.
- 4.6. The vehicle must be mechanically tested and inspected by the Council's appointed testing stations. An updated list of the Council approved garage(s) can be obtained via the Licensing department or via the relevant page on the Council's website.
- 4.7. The licence of any vehicle which fails its inspection requirements (annual or interim) may be suspended until such time as the vehicle has been re-examined and the necessary pass certificate obtained. This is to ensure the vehicles are maintained in the best possible condition and promotes public safety within the District.
- 4.8. If the vehicle is deemed unsafe and not roadworthy following an inspection, then the vehicle licence may be suspended and a notice will be given to the proprietor. The vehicle licence plate must be returned to the Licensing department within seven days of receipt of the suspension notice.
- 4.9. If following a period of 2 months the suspension has not been lifted, the vehicle licence will be deemed to have been revoked.

4.10. In addition to the above testing requirements, all licensed vehicles shall be liable to be randomly inspected and tested by an Authorised Officer. These tests will be undertaken at the Council Offices, or any other location. The tests may be conducted in conjunction with the Police and/or DVSA inspectors.

5. MAINTENANCE AND ALTERATION OF THE VEHICLE

5.1. 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, roadworthy, safe, tidy and clean condition, namely; be kept in the same condition as required in section 3.3 – 3.5 of these conditions. The vehicle shall comply with all relevant statutory requirements at all times.

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

5.3. Where a vehicle has been converted to run on liquid petroleum gas (LPG) a certificate shall be produced from the UKLPG (formally the LPG Association) confirming that the LPG installation conforms to the Associations Code of Practice and is therefore considered safe, prior to a licence being issued.

5.4. The proprietor of the vehicle shall ensure that all drivers carry out a visual inspection of the vehicle prior to use. This shall be carried out on a daily basis when the vehicle is in operation. The check will consist of, as a minimum:

- a) checking that all tyres are roadworthy and at the correct pressure for use;
- b) all lights, indicators and the windscreen wipers are working effectively; and
- c) the screen wash bottle is full.

6. VEHICLE INSURANCE

6.1. The proprietor of a vehicle shall keep in force in relation to the user of that vehicle a policy of Insurance appropriate for a Private Hire Vehicle. The policy shall cover the use of the vehicle for public hire, passenger luggage and comply with the requirements of the Road Traffic Act 1988.

6.2. In the event that short-term cover is in place at the time of grant (cover note), the licence holder must present a further insurance certificate to the licensing team before the expiry of the cover note. Weekly cover notes will only be accepted for a maximum of eight concurrent weeks, after which a cover note only for a longer period will be accepted in the event that a full motor insurance certificate cannot be provided. Failure to present an insurance certificate before the expiry of the cover note will result in the licence being suspended until evidence of insurance is produced.

6.3. The Licensing Authority will undertake periodic audits of licensed vehicles to ensure that the vehicle is insured.

- 6.4. Any person named on an insurance certificate must be a licensed Private Hire driver with this Council. The Council will not accept any insurance certificate that names any person other than a licensed Private Hire driver.

7. PERMITTED DRIVERS

- 7.1. The proprietor of a vehicle shall not employ as a driver any person who does not hold a current Private Hire driver's licence issued by the Council. If the proprietor permits or employs any other person to drive the vehicle as a Private Hire vehicle he/she shall, before that person commences to drive the vehicle, ensure that the driver holds a current licence issued by the Council and that any driver who uses the vehicle continues to hold such a licence.

8. PASSENGERS

- 8.1. No greater number of passengers than that specified in the licence shall be carried in the vehicle.
- 8.2. The number of passengers must not exceed the number of restraints available in the vehicle. It will be the driver's responsibility to ensure that all passengers are using the correct restraint as specified in the Road Traffic Act 1988 Part 15 and 111 of the Motor Vehicle Regulations 1993.

9. TRANSFER OF LICENCE

- 9.1. The proprietor of a vehicle is able to transfer the ownership of a vehicle to another person under Section 49 of the Local Government (Miscellaneous Provisions) Act 1976.
- 9.2. The proprietor shall notify the Council in writing of any transfer relating to the ownership of a vehicle within 14 days of the transfer taking place. The notification shall include the name and address of the person to whom the vehicle will be transferred and upon notification and receipt of the current transfer fee the Council will issue an amended licence to the new proprietor.

10. DISPLAY OF LICENCE PLATE

- 10.1. The external licence plate shall be securely fixed to the rear of the vehicle. No plate shall be placed or displayed in the rear window. The plate shall be clearly visible to following vehicles. It shall be secured by means so as to make the plate removable by an Authorised Officer or Police Officer.
- 10.2. The internal licence plate will be displayed in the top left hand corner of the front windscreen in the display pouch provided. The display pouch will be affixed to the interior of the windscreen and will be clearly visible at all times both inside and outside of the vehicle.

10.3. The plate issued by the Council shall remain the property of the Council and shall be surrendered to an Authorised Officer or a Police Officer on demand and shall be returned within seven days following the expiry date or surrender of the vehicle licence.

10.4. The proprietor shall report the loss of a plate to the Council and the Police as soon as the loss becomes known. A replacement plate may then be issued upon payment of the current fee.

11. EXEMPTION TO DISPLAY A LICENCE PLATE

11.1. Vehicle proprietors may request an exemption to display a licence plate for Private Hire vehicles. Requests must be made to the Licensing department in writing, identifying the reasons for the request. Generally, only the undertaking or corporate, executive, or chauffeur type work will be considered for plate exemption. Evidence of such work will be required.

11.2. If an exemption for displaying the plate has been granted by the Council, the plate and exemption notice must be carried within the vehicle and produced to any person having reason to enquire into the use of the vehicle.

12. SIGNS & NOTICES

12.1. Operator signs shall be displayed at all times when a vehicle is working. The signs shall be displayed on both sides of the vehicle on either the front or back doors and/or a roof sign. The signs must include the words:

- a) "ADVANCE BOOKINGS ONLY";
- b) The name and telephone number of the operator.

12.2. The vehicle will not display signage which includes the display of the words "TAXI" or "CAB" in the singular or plural or the words "FOR HIRE" or any other words of a similar meaning or appearance likely to cause a person to believe the vehicle is a hackney carriage.

12.3. Rear window signs may be fitted measuring a maximum of 16 inches by 4 inches (40.6cm x 10.2cm) and should be sited along the bottom edge of the rear window and/or in the case of an estate type vehicle the rear side windows only.

12.4. Except for the signs detailed in condition 12.1 – 12.3, no other externally visible sign, notice, symbol or third party advertisement shall be displayed on, in or from the vehicle except as may be required by any statutory provision or as may be permitted by these conditions or as maybe approved from time to time by the Council in writing.

12.5. The requirement to display operator signs shall not apply when the proprietor holds an exemption to display the plate issued by the Council.

13. INSPECTION OF VEHICLE AND PRODUCTION OF DOCUMENTS

13.1. The proprietor, on reasonable notice, shall present the vehicle for inspection at any time and at any place required by the Council, provided that such requirements for inspection shall not exceed more than 3 occasions per year. Failure to present a vehicle for inspection is an offence under the Local Government (Miscellaneous Provisions) Act 1976 and will normally lead to the suspension/revocation of the licence.

13.2. The requirement to present the vehicle for inspection is in addition to the powers of an Authorised Officer or Police Constable who may test and inspect a vehicle as to its fitness at any reasonable time (Section 68 of the Local Government (Miscellaneous Provisions) Act 1976).

13.3. The proprietor shall on request from an Authorised Officer produce on demand;

- a) The original policy of motor insurance for the vehicle;
- b) The tax status and/or MOT or equivalent certificate of the vehicle;
- c) The Private Hire vehicle licence for that vehicle

13.4. The above documentation should be kept in the vehicle at all times.

14. REPORTING OF ROAD TRAFFIC COLLISIONS

14.1. The proprietor of any vehicle shall, following an accident or collision, however minor, notify the Council in writing no later than 72 hours giving the full details of the circumstances of the incident, including any damage to the vehicle, and injury to any person. Photographs of any damage must be provided to the Licensing department.

14.2. If so required, the proprietor will produce the vehicle to an Authorised Officer or approved garage for visual and/or mechanical inspection, so as to determine its fitness for use. The vehicle should not be used for hire or reward until an inspection has been undertaken.

14.3. If the vehicle is significantly damaged / not roadworthy, or is being assessed by an insurance company/third party, then the vehicle proprietor must provide photographic or other evidence to justify why the vehicle is unable to be presented for examination.

14.4. If the vehicle is deemed unsafe and not roadworthy following an inspection, then the vehicle licence may be suspended and a notice will be given to the proprietor. If following a period of 2 months the suspension has not been lifted, the vehicle licence will be deemed to have been revoked.

15. APPLICATIONS FROM CAR HIRE / ACCIDENT MANAGEMENT COMPANIES

- 15.1. A car hire or accident management company can only apply to licence a vehicle if the subject vehicle involved in the collision is not roadworthy and has been issued a suspension notice by the Licensing department, or if the vehicle is temporarily off the road due to repair work being carried out. Proof of this will be required.
- 15.2. The vehicle licence application and all necessary documents must be in the name of the vehicle proprietor (the car hire management company). The vehicle licence and plate will only be issued for a maximum period of 2 months.
- 15.3. The replacement vehicle licence may lapse prior to the 2 month period if the subject vehicle has been repaired and the replacement vehicle has been returned to the car hire management company. The suspension notice on the subject vehicle would subsequently be lifted.
- 15.4. A replacement vehicle will only be issued on a like for like basis i.e. a vehicle of similar type and specification.

16. INSURANCE 'WRITE-OFF' VEHICLES AND DAMAGED VEHICLES

- 16.1. Vehicles that have been declared to be an insurance 'write-off' will not normally be licensed. Vehicles that have been written off under Category A and B for insurance purposes will not be considered for licensing.
- 16.2. Vehicles that have been written off under Category S (structural) and Category N (non-structural) would not be considered for Private Hire or Private Hire work unless they have been inspected by a member of the Institute of Automotive Engineer Assessors (IAEA), for which their report (which must accompany the application) indicates that the repairs to the vehicle have been undertaken satisfactorily and that the vehicle is safe and roadworthy. Any inspection and report carried out will be at the proprietor's expense.

17. SAFETY EQUIPMENT

- 17.1. There shall be provided and maintained in the vehicle at all times when it is in use or available for hire:
- a) A suitable and efficient 2kg ABC or dry powder fire extinguisher marked using indelible ink with the vehicle's plate number;
 - b) A first aid kit marked using indelible ink with the vehicle's plate number and which contains:
 - 1 guidance card
 - 5 antiseptic wipes
 - 10 wash proof plasters
 - 3 dressings (one of which should be for large wounds 18 x 18cm)

- 2 triangular bandages
- 2 safety pins
- 1 pair of scissors
- 1 pair of disposable gloves
- 1 clinical waste bag

17.2. The equipment shall be carried in such a position in the vehicle as to be readily available for immediate use in an emergency. Where the first aid box and fire extinguisher is not easily visible a sign shall be displayed on the vehicle dashboard indicating the position of the equipment.

18. WHEELCHAIR ACCESSIBLE VEHICLES

18.1. Proprietors operating wheelchair accessible vehicles shall:

- a) Have properly mounted fittings for the safe securing of a wheelchair and any passenger seated therein;
- b) Be fully conversant with the correct method of operation of all lifts, ramps and wheelchair restraints fitted within the vehicle;
- c) Wheelchair accessible vehicles may display a disability symbol of a maximum of 10" (254cm) square on the wheelchair access door(s) only.
- d) A proprietor or driver of a wheelchair accessible vehicle **MUST** carry the passenger at no extra cost and give mobility assistance to the passenger as reasonably required. A driver who has a proven medical condition that would preclude him/her from giving mobility assistance must apply for and then display an exemption certificate issued by the Council.

19. TINTED WINDOWS

19.1. The vehicle shall comply with the Construction and Use Regulations 1986 (as amended) with respect to the fitting of tinted, opaque, darkened or privacy glass windows.

20. LUGGAGE

20.1. The Proprietor of the vehicle shall:

- a) Have adequate luggage space, if the vehicle is constructed to carry luggage, and ensure protection for the luggage from inclement weather if the vehicle is adapted to carry luggage externally;
- b) Luggage will be secure so as not to become a danger and shall be loaded in accordance with the manufacturer's weight and load specification;

- c) Luggage shall not be carried or stored above the height of the rear seat or on the parcel shelf;
- d) Roof racks fitted to the vehicle shall be of the correct design and specification and shall be loaded in the manufacturer's instructions.

21. TRAILERS

21.1. The vehicle will be permitted to tow a trailer provided that:

- a) He/she holds the appropriate category on his/her DVLA driving licence;
- b) The trailer complies with all aspects of current legislation and is of a type recommended by the vehicle manufacturer as being suitable for the intended towing vehicle;
- c) The proprietor presents the trailer for inspection at an approved testing station prior to its first use;
- d) The trailer shall be plated by the manufacturer specifying the maximum load to be carried and shall comply with current lighting regulations;
- e) The vehicle will be insured to tow the trailer. Proof of insurance cover shall be seen by an officer before use of the trailer commences;
- f) A spare tyre for the trailer will be carried whilst the trailer is in use;
- g) Where the vehicle has its emergency exit through the rear doors, the towing of a trailer shall not impede the use of those doors for the egress of passengers from the vehicle;
- h) A vehicle licence plate issued by the Council upon payment of the relevant fee shall be clearly displayed on the rear of the trailer. This will be in addition to the plate on the rear of the vehicle;
- i) The contents of the trailer shall be secured in a proper manner and will be covered with a securely fastening appropriate cover.

22. ANIMALS

22.1. No animal belonging to the proprietor or driver of the vehicle shall be conveyed in the vehicle.

22.2. The proprietor may carry any animal belonging to or in the care of a passenger at their own discretion. The animal shall only be conveyed in the rear of the vehicle and they shall ensure, where necessary, that such animals are suitably restrained/contained so as not to present a nuisance or hazard to the occupants of the vehicle.

22.3. A proprietor of a vehicle **MUST** carry a guide dog or any other type of assistance dog belonging to a passenger, unless the proprietor has a proven medical condition that would preclude him/her from doing so and holds an exemption certificate issued by the Council.

22.4. There shall be no charge to the passenger for the conveyance of an assistance animal.

23. RADIO EQUIPMENT

23.1. The proprietor shall ensure that any radio or electronic dispatch equipment fitted in the vehicle is at all times kept in a safe and sound condition and maintained in proper working order.

24. CONVICTIONS DURING ANY PERIOD OF LICENCE

24.1. The vehicle proprietor / licence holder shall, within 48 hours, disclose to the Council, in writing or by email:

- a) Details of any interview, arrest, charge, summons, postal requisition notice, caution or conviction, by the Police in respect of any matter.
- b) Details of the offence for which the proprietor has been convicted, including the offence, date and venue of the conviction, and the penalty imposed.
- c) Details of any penalty points gained or the suspension or revocation of their DVLA driving licence as a result of a motoring offence. Any fixed penalty notice should be reported to the Council upon acceptance of the notice as opposed to when the driving licence has been updated.
- d) In the case of a deferred sentence, the penalty must be disclosed to the Council within 7 days of sentencing. Any fixed penalty notice should be reported to the Council upon acceptance of the notice as opposed to when the driving licence has been updated.

25. COMPLIANCE

25.1. The vehicle proprietor / licence holder shall take all reasonable steps to ensure that they observe and adhere to the conditions of their licences and do not commit any offences under the Town Police Clauses Act 1847, Local Government (Miscellaneous Provisions) Act 1976, Equality Act 2010 and any general Road Traffic Laws.

25.2. FAILURE TO COMPLY WITH ANY OF THE CONDITIONS ATTACHED TO THE GRANT OF A LICENCE MAY RESULT IN THE SUSPENSION OR REVOCATION OF THE LICENCE.

26. APPEAL

26.1. The Local Government (Miscellaneous Provisions) Act 1976 details an applicant's right of appeal.

26.2. In general terms, where an applicant is aggrieved by the Council's decision to refuse to grant, or refuse to renew a licence, or the Council's decision to suspend or revoke a licence, the applicant has a right of appeal to the local Magistrates' Court.

26.3. Any appeal must be lodged at the Magistrates' Court within twenty-one days of the applicant receiving written notification of the Council's decision. The appeal must state the grounds upon which the appeal is based.

27. DECLARATION

I confirm that I have read and understood the above conditions. I will comply with the conditions at all times. I understand that any breach of these conditions may result in the suspension or revocation of my Private Hire vehicle licence, and/or prosecution in the Magistrates court.

Signed.....

Print Name.....

Dated.....

Version No	Approved By	Approval Date	Effective from
5	Licensing & Regulatory Committee	28.2.2022	1.4.2022