

# CONDITIONS OF LICENCE

Hackney Carriage



**PLYMOUTH**  
CITY COUNCIL

## General information

The conditions of licence contained herein are made by virtue of section 4(1) of the Plymouth City Council Act 1975. Failure to comply with a condition of licence is an offence by virtue of section 4(3) of the Plymouth City Council Act 1975 as amended by the Plymouth City Council Act 1987, for which an offender may be fined £1,000 upon conviction.

It is important for hackney carriage proprietors to ensure that they are familiar with these standard conditions of licence and any special conditions that may be attached to the licence once granted. The proprietor of a vehicle is considered to have accepted these conditions of licence when being granted a private hire vehicle licence, unless a condition(s) is withdrawn or varied by a Magistrates court upon appeal by the proprietor.

Hackney carriage licences are granted for 1 year or such lesser period as may be determined by the Council; these conditions shall be applicable for the duration of the vehicle licence.

Any special conditions of licence shall be attached at the time of the grant of the licence by the Council or may be attached to the licence at a subsequent time during the licence period where circumstances require.

## Terms

In these licence conditions:

- 1) **'Authorised Officer'** means any Officer of the Council authorised in writing for the purposes of the Plymouth City Council Act 1975/87
- 2) **'The Council'** means Plymouth City Council.
- 3) **'Vehicle'** means a vehicle licensed by Plymouth City Council for the purposes of providing hackney carriage services.
- 4) **'Licence Plate'** means the plate issued by the Council for the purposes of identifying the vehicle as a hackney carriage duly licensed by the Council.
- 5) **'Proprietor'** means the person or persons or body named on the licence as the proprietor of the vehicle and includes a part proprietor, and in relation to a vehicle object of a hiring agreement or hire purchase agreement means the person in possession of the vehicle under that agreement.

## Licensing section contact information

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## **Conditions of Licence – Hackney Carriage**

### **1. General Conditions**

- 1.1 The Council will only licence a vehicle if it complies with all requirements contained in the Hackney Carriage Vehicle Specifications and Vehicle Compliance Testing Manual.
- 1.2 No person under the age of 18 years will be granted or is entitled to hold a hackney carriage licence issued by the Council.
- 1.3 No animals other than those owned by fare paying passengers shall be carried in any licensed vehicle whilst the vehicle is engaged under the terms of its licence.
- 1.4 The proprietor must ensure that the vehicle carries all attachments, fixtures and fitting as specified by the manufacturer, at all times, to allow the safe transportation of wheelchair users.

### **2. Display of Licence Plate, Drivers Badge and Vehicle Identification**

- 2.1 The proprietor or where appropriate the driver, must ensure that the licence plates, drivers badge and such other signs issued by the Council are displayed, at all times, in the locations specified in the Vehicle Compliance Testing Manual. This condition may be varied in writing by the Council in exceptional circumstances.
- 2.2 The external licence plate must be displayed in the approved bracket, as supplied by the Council and affixed to the vehicle using an approved attachment to the lower rear aspect of the vehicle or in such other location as specified in writing by the Council.
- 2.3 Licence plates are not permitted to be displayed, internally or externally, on any window surface of the vehicle.
- 2.4 The internal ID vehicle notice and additional driver ID badge must be displayed on the bulkhead partition of the hackney carriage using such methods as may be specified by the Council so that they can be readily seen by passengers. The approved method of display is set out in the Vehicle Compliance Testing Manual.
- 2.5 The licence plate and other methods identifying the vehicle as a licensed hackney carriage referred to in these conditions shall remain the property of the Council at all times and must be surrendered upon expiry, or on demand by an Authorised Officer of the Council or Police Officer where the vehicle has been deemed as not fit for purpose.

### **3. Motor Vehicle Insurance**

- 3.1 The vehicle must at all times be insured for the purposes of public hire.
- 3.2 There must be continuity of insurance cover as required by law and the vehicle proprietor and / or driver must be able to evidence such continuity of cover if required by the Council.
- 3.3 The certificate of insurance or cover note or copy of the same must be carried in the vehicle at all times to demonstrate insurance cover to an authorised officer of the Council or any other person having a legitimate reason to inspect it.

### **4. Convictions, Cautions and Fixed Penalty Notices**

- 4.1 The proprietor of any licensed hackney carriage vehicle must report to the Council in writing details of any conviction or caution by the Police in respect of any offence, and any fixed penalty notice (motoring or otherwise) imposed during the period of the hackney carriage vehicle licence.

## **5. Compliance Testing Intervals**

- 5.1 All vehicles being less than 5 years old (the age of the vehicle is taken from the date of first registration with DVSA) shall undergo an MOT and vehicle compliance test at a Council appointed Testing Station every 12 months.
- 5.2 All vehicles over 5 years old shall comply with condition 5.1 and undergo an additional vehicle compliance test at a Council Appointed Testing Station within 6 calendar months of the MOT and vehicle compliance test. The appointed testing station shall provide a copy of the vehicle compliance test pass certificate to the Council as soon as reasonably practicable.
- 5.3 No vehicle is permitted to be used as a hackney carriage without having a valid MOT and compliance documentation.

## **6. Number of Passengers**

- 6.1 A hackney carriage vehicle must not convey a greater number of persons (regardless of the age or size of the passengers) than the number prescribed on the licence for that vehicle.

## **7. Fare Table**

- 7.1 A current fare table must be displayed on the bulkhead partition of the hackney carriage in the location specified in the Vehicle Compliance Testing Manual so that it can be readily seen by passengers occupying the passenger compartment. The table may additionally be displayed in any holder supplied by the manufacturer of the vehicle.

## **8. Tyres and Wheels**

- 8.1 All tyres and wheels must meet legal requirements as to suitability for use on the vehicle.
- 8.2 Tyres must have the minimum tread depth as required by law.
- 8.3 Tyres must be in good condition and inflated to the correct tyre pressures.
- 8.4 The tyre must be of such a size as to ensure the correct operation of the fare meter at the calibrated distances.
- 8.5 Vehicles must be equipped with a fully functional spare wheel, space saver or a tyre puncture repair system as supplied by the vehicle manufacturer.
- 8.6 Space saver spare tyres or tyre repair puncture systems cannot be used for the conveyance of passengers.
- 8.7 A wheel brace and vehicle jack or other suitable equipment as supplied or specified by the vehicle manufacturer must be carried in the vehicle to enable the effective changing of a wheel.

## **9. Maintenance of Vehicle**

- 9.1 The hackney carriage and all its equipment, fixtures and fittings must, when the vehicle is available for hire, or when hired, be kept in good working order, safe, tidy and a clean condition.
- 9.2 A complete set of spare bulbs must be carried in the vehicle to allow for effective replacement. One bulb is required for each of the following types of vehicle lamp: headlamp, brake light, reverse, rear position lamp and directional indicator lamp.
- 9.3 The proprietor or driver must not service or carry out repairs to a vehicle on any roadside where it is likely to cause a nuisance or road safety hazard to other road users or local residents.

## **10. Alteration of Vehicle**

- 10.1 No alteration to the specification, design, condition or appearance of the hackney carriage shall be permitted without the approval of the Council.

## **11. CCTV and radio equipment**

- 11.1 A hackney carriage may be permitted to fit CCTV recording equipment providing that it complies with the Council's CCTV Guidance at the time of installation.
- 11.2 The vehicle must display an approved notice that informs passengers that CCTV recording equipment is installed in the vehicle.

## **12. Advertising**

- 12.1 A hackney carriage may display advertising material in locations, as specified in the Signage and Advertising Guidelines as they relate to hackney carriages.

## **13. Vehicle and Driver Inspection**

- 13.1 An Officer authorised by the Council or Police Officer may detain any licensed hackney carriage for the purposes of inspection to ensure its fitness for use as a hackney carriage, and/or examine the documentation of the driver of the vehicle. An inspection may include the operational condition of any fixtures, fittings or any other equipment installed in the vehicle.
- 13.2 The driver of the vehicle must remain with the vehicle during inspection and not proceed until the authorised officer has given approval.

## **14. Proprietor records**

- 14.1 If the proprietor hires a hackney carriage or operates the vehicle as part of a fleet of vehicles for hire to a number of hackney carriage drivers, he shall:
- (a) Supply the name and address of the hackney carriage driver using this vehicle, to the Council within 7 days of the commencement of any hiring agreement;
  - (b) Inform the Council of any alteration to the information required in condition 14.1(a) within 7 days of such a change;
  - (c) Maintain a record of the periods for which this vehicle was hired to a particular driver
  - (d) Produce on demand to any Authorised Officer of the Council such records relating to the use of the vehicle as may from time to time be required;
  - (e) Obtain and hold for the period of engagement, employment or hiring a copy of the driver's hackney carriage driver licence.

## **15. Transfer of vehicle licence**

- 15.1 The proprietor of a hackney carriage must notify the Council in writing of any transfer in ownership of the hackney carriage as required by law.
- 15.2 The person to whom the licence has been transferred must transfer the licence to their name with the Council upon payment of the relevant fee within 14 days of them acquiring ownership of the vehicle.
- 15.3 The hackney carriage licence is not transferable to another hackney carriage.

**These conditions of licence are made by virtue of Section 4(1) of the Plymouth City Council Act 1975.**

These conditions of licence apply to all hackney carriages licensed on or after the effective date and supersede all previous conditions of licence.