

LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Wednesday, 26th June 2013 at 6.00 pm in the Wrekin Room, The Business Development Centre, Stafford Park 4, Telford

PRESENT

Councillors: C Mason (Chair), T Hope, J Seymour, R Sloan, M Smith, J Thompson and K Tomlinson.

Officers in attendance: Jonathan Eatough – Assistant Director: Law, Democracy and Public Protection, Tina Street – Solicitor, Suzanne Fisher – Public Protection Team Leader, Carl Phillips – Licensing Technical Officer and Wendy Buckley - Democratic Services Support Officer.

LC - 01 MINUTES

RESOLVED – that the minutes of the Licensing Committee meetings held on 26th March 2013 be confirmed and signed by the Chair.

LC - 02 APOLOGIES FOR ABSENCE

Councillors – A Mackenzie, R Scammell and C Turley.

LC - 03 DECLARATIONS OF INTEREST

None.

LC - 04 AMENDMENTS TO THE COUNCIL'S POLICY ON TESTS FOR LICENSED DRIVERS

The Licensing Technical Officer advised Members of the proposal to alter the current Driving Test, which was an amended condition of licence in September 2011, and to consult with the trade over a four week period. The Chair of the Licensing Committee and the Principal Licensing Officer would then consider and determine the results of the consultation. If it was determined that changes would be required to the proposed condition of licence, the matter would be brought back to the Licensing Committee for further consideration.

Members were also advised that all existing private hire drivers must take the Driving Standards Agency (DSA) tests before 31st October 2013. The test would be taken at Hortonwood at a cost of either £80 or £96 depending of which day of the week the test was taken. Complaints had been received from drivers which included delays in taking the tests of up to 10 weeks and the cost of the test involved. Appendix A attached to the agenda includes the current test, with Appendix C, D and E showing what the new test would involve.

It was proposed that a driving assessment test would be carried out by Telford & Wrekin Council Road Safety & Sustainable Transport Team, thereby conducting the test 'in-house' and at a cheaper cost to the driver. The testers would be available 2 days per week and could go to the operator's bases rather than drivers travelling to a testing site.

The Licensing Technical Officer confirmed to Members that there would be no diminution of testing as public safety was the major concern but that a change from the DSA was needed now in view of the number of drivers required to take the test and the time scale in which to do this.

RESOLVED – by unanimous vote – that:

- (a) The current condition in respect of the Driving Standards Agency (DSA) Test be referred now as Road Safety & Sustainable Transport Team Assessment.**
- (b) The current condition relating to driving tests from 31 October 2013 be removed.**
- (c) The current policy to state that all drivers will be subject to the new Road Safety & Sustainable Transport Assessment. This assessment must be completed on all initial applications and for all existing drivers this must be completed prior to the renewal of Drivers Licence.**
- (d) Members approved a four week consultation for the Chair of the Licensing Committee and the Principal Licensing Officer to consider and determine the results of the consultation.**

Meeting closed at 6.20pm.

Chairman:

Dated:

Telford & Wrekin Council

Licensing Committee – 18th September 2013

Review of the Council's Hackney Carriage and Private Hire Conditions and Policies

Report of the Service Delivery Manager, Public Protection

1. PURPOSE

- 1.1 For Members to approve the contents of the report and to agree to a two month consultation with the trade and associated bodies.

2. RECOMMENDATIONS

- 2.1 Having considered all relevant information, for Members to approve an eight week consultation upon a revised set of conditions for the following Licences:-:

- 2.1.1 Hackney Carriages
- 2.1.2 Private Hire Operators
- 2.1.3 Private Hire Vehicles.
- 2.1.4 Dual Drivers

and for the Chair of the Licensing Committee and the Principal Licensing Officer to consider and determine the results of the consultation. However, if there are any adverse comments as a result of the consultation a further report will be brought before Members for determination

- 2.2 To approve amendments to the current Licensing Policy as detailed in Appendix B.
- 2.3 To approve minor amendments to the current Criminal Convictions Policy as detailed in Appendix C.

3. SUMMARY

- 3.1 Sections 47(1), 48(2), 51(2) and 55(3) of the Local Government (Miscellaneous Provisions) Act 1976 [LG(MP)A 1976] allows licensing authorities to attach to the grant of Private Hire and Hackney Carriage Licences certain conditions that they consider reasonably necessary.
- 3.2 A comprehensive review of Telford & Wrekin Council's conditions of licence for Private Hire and Hackney Carriages has been undertaken, arising from discussions with the licensed trade.

4. PREVIOUS MINUTES

- 4.1 LC-38 26th March 2013
LC-04 26th June 2013

5. INFORMATION

5.1 Background

- 5.1.1 Telford & Wrekin Council has responsibility for licensing Hackney Carriage and Private Hire Vehicles, Drivers and Operators within the borough of Telford & Wrekin.
- 5.1.2 The purpose of licensing Hackney Carriages and Private Hire Vehicles, Drivers and Operators is for the provision of a safe and accessible service to the public.
- 5.1.3 Section 47 (1) of the Local Government (Miscellaneous Provisions) Act 1976 [LG(MP)A 1976] allows licensing authorities to attach to the grant of Hackney Carriage licences conditions that it considers reasonably necessary.
- 5.1.4 Section 48(2) of LG(MP)A 1976 allows licensing authorities to attach to the grant of Private Hire Vehicle Licences conditions that they consider reasonably necessary.
- 5.1.5 Section 51(2) of LG(MPA)A 1976 allows licensing authorities to attach to the grant of Private Hire Driver Licences conditions that they consider reasonably necessary.
- 5.1.6 Section 55(3) of LG(MP)A 1976 allows a local authority to impose any conditions that it considers reasonably necessary on a Private Hire Operator's Licence.
- 5.1.7 Telford & Wrekin Council has traditionally, in accordance with the above, attached conditions to Hackney Carriage and Private Hire Licences.

- 5.1.8 A comprehensive review of the Conditions and Policies has been instigated as a result of a significant loss in licensing income and we have attempted to identify areas where there could be changes.
- 5.1.9 A series of meetings were arranged with the trade. All persons present were invited to state what changes they would wish to see made to the Council's Policies and Conditions.
- 5.1.10 The Licensing Service felt it important to be able to come to some sort of consensus with the trade regarding what matters needed to be reviewed.
- 5.1.11 On 26th March 2013, a meeting was undertaken with representatives of the Private Hire Trade. During the meeting, a number of issues were discussed including:-
- Age Criteria – general consensus was to remove the current age limit of 5 years for entry of Private Hire Vehicles into the trade.
 - Advertising on Private Hire Vehicles – operators would like to be able to advertise their own business on the vehicles.
 - Removal of two compliance checks for vehicle over 5 years old and instead for the Licensing Authority to approve 1 compliance check and 1 MOT check every year.
 - Examination of the current Driving Standards Agency (DSA) Test (Members should note that since the meeting changes to the format of the driving test have been implemented. See Previous Minutes.)
 - Roof signs – most operators felt it important to maintain a roof sign as it clearly distinguishes Private Hire Vehicles from those of our neighbouring authority.
 - To include the necessity for all drivers to report cautions and charges to the Licensing Service within 7 days of being imposed (currently drivers report convictions only).
- 5.1.12 On 27th March 2013, a meeting was undertaken with the Hackney Carriage Association. During this meeting, a number of issues were discussed including:-
- Age Criteria – unanimous consensus with the trade to extend the current age limit of hackney carriages from 10 years to 12.
 - 'Exceptional Condition Criteria' – to amend this condition that if the proprietor of a Hackney Carriage applies for exceptional condition criteria and the vehicle upon test fails with a major fault, the driver will be allowed one opportunity to rectify the fault. If after a further compliance check, the vehicle still fails, then the hackney carriage vehicle will not be relicensed.

To support their request, the trade have provided the Licensing Service with a signed petition. A copy of this is attached as **Appendix A**.

- To include the necessity for all drivers to report cautions and charges to the Licensing Service within 7 days of being imposed (currently drivers report convictions only).

- 5.1.13 Continuous dialogue has been maintained with the trade and representatives have been asked to email the Licensing Service with any further thoughts. Members should note that no additional correspondence has been received.
- 5.1.14 The Licensing Service has taken into consideration all the opinions expressed. It has now formulated a revised set of conditions and has made amendments to the Policy. Again, Members should note that the changes to the current Licensing Policy are purely administrative and reflect the recent changes to the Driving Standards Assessment and the move towards the issuing of three yearly Driver Badges. See Previous Minutes.
- 5.1.15 In addition, Members should note that changes to the current Criminal Convictions Policy are predominantly administrative and reflect the changes in the Criminal Records Bureau (now the Disclosure & Barring Service).
- 5.1.16 To assist Members, the report has attached the current Licensing Policy and conditions applicable to all vehicles, drivers and operators. The report contains all 'tracked changes' which will highlight to Members all amendments that will form part of the consultation. Copies are attached as **Appendix B-H**
- 5.1.17 It is generally accepted that both the current Policy and Conditions are extremely wordy. An effort has been made to address this and remove obsolete conditions.
- 5.1.18 As well as reviewing the current Policy and Conditions, the Licensing Service felt it an opportune time to look at rewriting the conditions applicable to limousines. Currently, Telford & Wrekin Council does not have any such vehicles licensed with the Council. However, the Service feels that it is necessary to have a set of new conditions ready in case any applications are received to license limousines. A set of model conditions are attached at **Appendix J** which has been drawn up with assistance from the National Association of Limousine and Chauffeur Drivers.
- 5.1.19 This may appear to be a complex report with a number of issues for Members to digest. To assist, the following itemises what the Licensing Service wishes to consult upon:-

Hackney Carriage Conditions

- **Condition 2.6 To increase the age limit for Hackney Carriages to 12 years.**

- To amend the condition in respect of the ‘exceptional condition criteria’ and allow drivers one opportunity to rectify a major fault. If however, after a further compliance check the Hackney Carriage fails, then the vehicle will not be licensed any further.

Private Hire Vehicle Conditions

- **Condition 3.5** To remove the current age entry limit of five years.
- **Condition 8.1** To amend the current condition and to allow Private Hire Vehicles to advertise details of their operator, which will include business name, address & telephone number.
- **Condition 3.3** To create a new set of conditions applicable to limousines.

Dual Driver Conditions

- **Condition 4.1** To amend this condition to state that the Licence holder shall notify the Council in writing of any conviction, caution or charge recorded against him/her by any authority within 7 days of such a conviction, caution or charge being imposed

5.1.19 Finally Members should note that in all its deliberations, the main consideration of the Licensing Service has been to ensure that public safety remains paramount. It is the opinion of the Service that the matters requiring consultation will not undermine this important objective.

5.2 Equal Opportunities

5.2.2 Every effort will be made to ensure that the consultation engages the whole community, including user groups.

5.2.3 An equality impact assessment will be carried out on the new set of Hackney Carriage and Private Hire Conditions.

5.3 Environmental Impact

5.3.1 There is no environmental impact arising from this report.

5.4 Legal Comment

5.4.1 The legislative provisions are set out in the report. Any decision to amend a policy must be a reasonable one when considered in light of general public law considerations. That is, Members should take into account all relevant considerations and disregard irrelevant matters.

Members should be satisfied they are in receipt of all necessary information and make a decision based on that information.

5.5 Links with Corporate Priorities

5.5.1 This report has links to the following Corporate Priorities:

2. protect and create jobs as a 'Business Supporting, Business Winning Council'
3. improve local people's prospects through education and skills training
4. protect and support our vulnerable children and adults

5.6 Opportunities and Risks

5.6.1 .In proposing this action the Corporate Risk Management Methodology has been complied with. This approach is not intended to eliminate risks but to identify the risks and manage them. However not all risks can be managed all of the time and some risks may not have been identified.

5.6.2 The following key risks and opportunities associated with this action have been identified and assessed and arrangements will be put in place to manage them.

- (i) The Financial risks to the Council in the event of a legal challenge to the change in Policy and or Conditions.

5.7 Financial Implications

5.7.1 In 2012/13 £58k income was received in respect of licenses for Hackney Carriages and Private Hire Vehicles. This has reduced from £134k received in 2010/11. Whilst there are no issues arising from the amendments to the licensing policy there remains a significant budgetary pressure as a result of operators applying for taxi licenses through Shropshire Council. The budget shortfall for 2013/14 is projected to be in the region of £168k. This has been identified as a pressure through the Council's financial monitoring process.
MLB 09.09.13

6. WARD IMPLICATIONS

6.1.1 This report has implications for all wards in the District.

7. BACKGROUND PAPERS

7.1.1 Local Government (Miscellaneous Provisions) Act 1976.

7.1.2 Town Police Clauses Act 1847

- 7.1.3 T&WC Conditions of Licence for Hackney Carriages.
- 7.1.4 T&WC Conditions of Licence for Private Hire Operators
- 7.1.5 T&WC Conditions of Licence for Private Hire Vehicles
- 7.1.6 T&WC Conditions for Dual Driver Licences
- 7.1.7 T&WC Hackney Carriage & Private Hire Policy
- 7.1.8 T&WC Convictions Policy
- 7.1.9 T&WC Manual of Vehicle Inspections
- 7.1.10 Model Conditions as approved by the National Association of Limousine and Chauffeur Drivers

Report prepared by Carl Phillips, Licensing Technical Officer - For further information please telephone 01952-383267 or email licensing@telford.gov.uk.

Telford Hackney Carriage Association

Honorary Vice President: Late Malcolm John Hayward

Chairman: Brian Smith

Vice Chairman: Mukhtar Singh

Secretary: Abid Tawasin

Dear Respected colleagues and members, on the 27th of March we had a meeting with Carl Philips in regards to the age limit of Hackney Carriage vehicles.

We applied for a 12 year age limit for the Hackney Carriage Vehicle, after 12 years, every 6 months there will be a Council compliance test. If the tester identifies a major fault within the vehicle then the driver will be given a chance to fix this major fault, if the driver fails to fix this fault then the vehicle will be deemed as not road worthy.

We are asking for the support and backing of the trade, for this we will be giving a form in which you will either show your support for this or otherwise.

Thanks.

Brian Smith



(Chairman)

Telford Hackney Carriage Association

Below are the names of the Telford Hackney Carriage Association members who are either in support or against of the 12 year age limit for the Hackney Carriage Vehicle, after 12 years, every 6 months there will be a Council compliance test. If the tester identifies a major fault within the vehicle then the driver will be given a chance to fix this major fault, if the driver fails to fix this fault then the vehicle will be deemed as not road worthy.

Drivers in support of the above will tick YES and those who are not in support will tick NO.

| Names | Badge Number | Yes (Tick) | No(Tick) |
|--------------------|------------------------|------------|----------|
| Abid Jawasin | 021 | ✓ | |
| B. Singh | 054 | ✓ | |
| M. Khan | 065 | ✓ | |
| AMIR AFZAL | 002 | ✓ | |
| B.S. DHALIWAL | 020 | ✓ | |
| S. SINGH | 092 | ✓ | |
| M. E. HOUDHREK | 087 | ✓ | |
| K. Khan | | | |
| KULWINDER | HCD 015 | ✓ | |
| Angy CONNAUGHTON | 004 | ✓ | |
| John MARTIN | 028 | ✓ | |
| S. KHAN | 004 HCD 019 | ✓ | |
| T.S. DHALIWAL | 009 | ✓ | |
| M. SHABAN | 0022 | ✓ | |
| M. SULTAN | 018 | ✓ | |
| D. SIMMONS | HCD 035 | ✓ | |
| M. KHAN | HCD 027 | ✓ | |
| David Wynne | HCD 006 | ✓ | |
| S. SINGH | HCD 017 | ✓ | |
| Abdul Rashid | 023 | ✓ | |
| Mukhtar Singh | HCD 005 | ✓ | |

| Names | Badge Number | Yes (Tick) | No(Tick) |
|------------------|--------------|------------|----------|
| Wenlock Margaret | 030 | ✓ | |
| Ansar Mahmood | 025 / HCV021 | ✓ | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |



Licensing Policy

Hackney Carriage and Private Hire

Contents

| Part | Subject | Page |
|------|------------------------------------|------|
| 1 | Introduction | - 3 |
| 2 | Licensing Principles and Processes | - 4 |
| 3 | Licensable Activities | - 10 |
| 4 | Compliance and Enforcement | - 21 |

Part 1 - Introduction

1 General Information

- (1) A hackney carriage is a taxi with a meter which is licensed for up to 8 passengers. It can be hired from a taxi rank or is available to be hailed in the street within the district where it is licensed.

A private hire vehicle is licensed for up to 8 passengers. It is not licensed to collect passengers from ranks or to be hailed in the street, but is licensed only to be hired by prior arrangement through a licensed Private Hire Operator.

- (2) The primary legislation relating to Hackney Carriage and Private Hire Licensing is contained in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.
- (3) The aim of this policy is to ensure the safety and welfare of the public who live, work and visit in Telford & Wrekin, while recognising the importance of thriving Hackney Carriage and Private Hire businesses to the local economy.
- (4) This policy will provide guidance to the licensing authority when considering licence applications and to persons who wish to apply for the following licences:

- ~~Hackney Carriage Drivers~~
- ~~Private Hire Vehicle Drivers~~
- Dual Drivers
- Hackney Carriages
- Private Hire Vehicles
- Private Hire Operators

- (5) This policy should be read in conjunction with Telford & Wrekin Council conditions of licence for Hackney Carriage Drivers and Vehicles and Private Hire Drivers, Vehicles and Operators.

2 Consultation

- (1) In determining this Licensing Policy, Telford & Wrekin Council has consulted widely as set out in **Appendix H**.
- (2) The views of all the appropriate bodies and organisations have been taken into consideration.

3 Review of the Licensing Policy

- (1) This policy will be subject to continuous evaluation and may be reviewed at anytime. At the time of the review all interested parties, partners and stakeholders will again be consulted.

Formatted: Indent: Left: 3.17 cm,
No bullets or numbering, Tab stops:
Not at 3.17 cm

Part 2 – Licensing Principles, Process and Delegation

4. Introduction

- (1) Telford & Wrekin Council (the Council) has adopted Part II of the Local Government (Miscellaneous Provisions) Act 1976 as amended. Together with the provisions contained in the Town Police Clauses Act 1847, the Council carries out the licensing of hackney carriage drivers and vehicles and private hire drivers, vehicles and operators.
- (2) This part of the policy will focus on the principles the Council will follow when administering licence applications, reviewing conditions, setting fees and setting the table of fares. It explains the roles and duties of the Licensing Committee and officers.

5 Licensing Principles

- (1) The Licensing Authority aims to provide a clear consistent service to Licence Holders, Members of the Public and other Stakeholders. We will look to balance the needs of the applicant against the need to ensure the safety of the public.
- (2) All licence applications will be considered and determined on their own merits.

6 Licensing Committee

- (1) Telford & Wrekin Council's Licensing Committee is made up of 10 members of the council. The Licensing Committee will deal with policy issues, conditions of licence, the setting of fees and charges, hackney carriage fares and applications for and reviews of licences.
- (2) The public must be able to see that the Licensing Committee acts in a fair and reasonable manner at all times.
- (3) Members when determining applications for a licence, renewals or reviews of a licence, will have regard to the Council's Taxi and Private Hire Licensing Criminal Convictions Policy, this Licensing Policy, the Council's Manual of Inspection Standards for Licensed Vehicle Testing and Compliance Standards, the Department for Transport Taxi and Private Hire Vehicle Licensing Best Practice Guidance, Road Traffic Act 1988, the Human Rights Act 1998, the Equality Act 2010 and relevant Case Law .

7 The Licensing Process & Delegation of Functions

- (1) The Council has delegated its licensing function to the Council's Licensing Committee who in turn has delegated authority to the Council's Principal Licensing Officer. The Principal Licensing Officer will determine all applications in accordance with the Council's licensing policies and each application will be determined on its own merit.
- (2) Where an application is referred to the Licensing Committee by the Principal Licensing Officer, the application will be determined at the earliest convenience on its own merits. Members of the Committee will take into consideration the facts of the application and hear the representations of the Applicant.

8 Decisions

- (1) Following the determination of an application by the Council the applicant will receive a copy of the decision in writing. This written decision will be delivered as soon as possible after the decision has been made. This will include information on the right of appeal where appropriate.

9 Appeals

- (1) Parties aggrieved by a decision of the Licensing Authority have a right of appeal. This should be lodged with the relevant Court in accordance with the statutory provisions.

10 Working in Partnership

- (1) The Council aims to work in partnership when dealing with Hackney Carriage and Private Hire Licensing issues. Such partnerships will include (but are not restricted to) West Mercia Police, Vehicle and Operator Services Agency (VOSA) Safer Communities, Telford Hackney Carriage Association, Telford Private Hire Operators Association, Telford Private Hire Drivers Association, other consumer groups and all licence holders.

Part 3 – Licensable Activities

11 Introduction

- (1) This part of the Policy will focus on the licensable activities and the necessary steps required to obtain and hold such a licence. These steps will include the standards required and the conditions that applicants and licence holders will be required to attain. The scope of this policy covers Hackney Carriage and Private Hire Drivers and Vehicles, and Private Hire Operators.

12 Appointments

- (1) Telford & Wrekin Council runs an appointment system. Applicants and licence holders will not be seen without an appointment and there is an administration fee for any missed appointments.

13 Criminal Record Disclosures

- (1) All criminal record disclosures will be required at the maximum level set by legislation.. This is currently a basic disclosure for Private Hire Operators and an enhanced disclosure for Private Hire and Hackney Carriage Drivers. Drivers who undertake work on Telford & Wrekin transport contracts are advised to contact the department of the Council which provides the contracts in order to ascertain what standard of criminal record disclosure is required.

14 ~~Hackney Carriage and Private Hire Vehicle Drivers~~ Dual Drivers

14.1 Summary

- (1) Any person who drives a Hackney Carriage must hold the appropriate vehicle driver's licence. Hackney Carriage Vehicle drivers licences are issued in accordance with section 46 of the Town Police Clauses Act 1847.
- (2) Any person who drives a Private Hire Vehicle must hold the appropriate vehicle driver's licence. Private Hire Vehicle drivers licences are issued in accordance with section 51 of the Local Government (Miscellaneous Provisions) Act 1976.
- (3) ~~A person can apply for a licence to drive either a Hackney Carriage or Private Hire Vehicle or they can apply for both types of licence. (This is known as a Dual Driver Licence).~~

14.2 Fit and Proper Person

- (1) Licensed drivers provide a public service. The Council will not licence anyone to drive a Hackney Carriage or Private Hire vehicle unless it is satisfied that they are a "fit and proper" person. In considering the fit and proper test, all drivers must complete a Disclosure and Barring Service check and satisfactory medical examination upon initial application and on renewal

at three yearly intervals thereafter. Further checks may be carried out if the Council has reason to believe that a person's medical circumstances have changed or if the person has been convicted of an offence since they were last licensed.

- (2) New applicants will be required to satisfy the application process outlined below.

14.3 New Applications

- (1) On initial application, before a licence is granted, applicants are required to:
 - Submit a completed application form
 - Receive a satisfactory enhanced ~~Criminal Records Bureau (CRB)~~ Disclosure & Barring Service check
 - Attend the Council's driver awareness training including disability awareness training (responsibilities under the provisions of the Equality Act 2010.)
 - Pass the Council's knowledge test
 - Have two satisfactory references
 - Pass the ~~Driver Standards Agency (DSA) Driver Test~~ Road Safety Driver Assessment for ~~Hackney Carriage/Private Hire~~ Dual Drivers
 - Pass a Group 2 medical examination
 - Hold a DVLA/EC/EEA full category B driving Licence and must have held such a licence for not less than three years prior to applying for the licence.
 - Complete a DVLA data protection mandate
 - Pay the Council's licence fee

Telford & Wrekin Council are mindful that a number of drivers have licensed with a neighbouring authority and have relinquished their driver badges. In order to possibly encourage drivers to be licensed with this authority, we will introduce a 'fast-track' application process for such drivers. The process for such individuals previously licensed with Telford & Wrekin Council will be as follows:-

- Submit a completed application form
- Receive a satisfactory enhanced Disclosure & Barring Service (DBS) Check. If drivers can submit a DBS certificate less than 3 months old, the Licensing Service will accept the certificate. DBS certificates older than 3 months will require a new certificate
- No street knowledge test will be required as previously licensed drivers will have undertaken such a test
- Pass a Group 2 medical examination. However, all medicals have a three year expiry date. Providing that driver's medical held on file has not expired, we will not require a medical until such time that the 3 years has lapsed.
- Complete a DVLA data protection mandate
- Pay the Council's licence fee.

14.4 Period of Licence

- (1) Driver licences (Dual) will be issued for a period of ~~6 months on initial application, and thereafter for 12 months.~~ 3 years.
- (2) ~~Licences may be issued at the request of a driver for a period of 3 years for drivers who have been compliant with legislation and the Council's conditions of licence for the duration of their expiring licence period. If substantiated complaints are received about a driver during their 3 year licence, or they are not compliant with legislation and/or the Council's conditions of Licence, the licence may be reviewed and upon renewal reduced to 1 year.~~

14.5 Application Process

- (1) The application form must be fully completed and include all relevant information. If any part of the application form is not complete, the applicant will be required to provide all the required information before the application can be accepted for processing.
- (2) An appointment must be made with the Council's Licensing Service to complete a CRB DBS disclosure application form. The application process will be explained at this time. A photograph of the applicant will be taken at the Council offices and this photograph will appear on the driver's badge upon grant of the licence. The fee for the first 6 months' licence and the CRBDBS check will be payable at the initial appointment. The applicant must also produce their original DVLA/EC/EEA driving licence.
- (3) Upon completion of a satisfactory Knowledge Test, and receipt of a satisfactory ~~Criminal Record Check Disclosure & Barring Service Check~~, medical certificate and a DSA certificate, an appointment can be made with the Licensing Service to collect and sign for your licence.
- (4) Where an applicant is found to have provided false information or knowingly omitted to declare information, the application may be refused.
- (5) The applicant should complete the application process within 3 months. If the applicant fails to do so, the application process must be started again.

14.6 Criminal History

- (1) Due to the nature of the occupation, Hackney Carriage and Private Hire Vehicle Drivers are an exempt occupation under the provisions of the Rehabilitation of Offenders Act 1974. As a result, convictions are deemed never to be spent. When considering convictions and endorsements, the council will only take into consideration such convictions deemed to be relevant.
- (2) A criminal record does not automatically bar an applicant from holding a ~~Hackney Carriage or Private Hire Vehicle~~ Dual Driver Licence.

Criminal convictions will be considered in light of the Council's
Taxi and Private Hire Licensing Criminal Convictions Policy.

- (3) On the return of a [CRB DBS](#) check where convictions have been disclosed, the Principal Licensing Officer will consider the convictions and either determine the application under delegated authority or may refer the application to the Council's Licensing Committee for determination.
- (4) Persons who have not been resident within the United Kingdom for the five years prior to submitting an application, will be required to produce a certificate of good conduct or equivalent document issued by the relevant Embassy or High Commission. The certificate should be authenticated, translated and sealed by the embassy/consulate. The Council may contact the relevant Embassy or appropriate body to verify any documents provided. Proof of a right to work in the United Kingdom will also be required. Find contact details for embassies and High Commissions in the UK on the Foreign & Commonwealth Office (FCO) website. You can also contact the FCO Response Centre Helpline on Tel 020 7008 1500.

14.7 Street Knowledge Test

- (1) Applicants for a licence to drive a Hackney Carriage or Private Hire Vehicle will be required to pass the Council's Knowledge Test. Details of what is required in the Knowledge Test are included in the driver application pack.
- (2) Normal examination conditions will apply during the Knowledge Test. Any person found to be using unfair means during the test will be excluded from the test and will be required to take a fresh test and pay the appropriate fee. This may also affect their fitness and propriety to be granted a licence.
- (3) There is no charge for the initial Knowledge Test. If an applicant fails the Knowledge Test, there will be a £10 charge for every subsequent test and every missed test.
- (4) If an applicant fails the Knowledge Test 3 times, they must wait 3 months before being able to start the application process again.

14.8 Medical Requirements

- (1) All applicants for a Hackney Carriage or Private Hire Vehicle Drivers Licence are required to undertake a Group 2 medical examination. This medical examination should be carried out by the applicant's registered General Practitioner (GP) or any registered GP who has seen the applicant's medical records.
- (2) Should an authorised officer have reason to believe that a licensed Hackney Carriage or Private Hire Vehicle Driver has a medical

condition which renders them unfit to drive, a further medical examination will be requested. This medical examination should again be carried out by the driver's GP or any registered GP who has seen the applicant's medical records. If it is deemed necessary to do so, the licence may be suspended in the interests of protecting the public until the further medical examination has been carried out.

14.9 DVLA and Other Relevant Driving Licences

- (1) A person applying for a ~~Hackney Carriage or Private Hire Vehicle Drivers Dual~~ licence must have a minimum of three years' driving experience on a full UK/EC/EEA licence.
- (2) Applicants will be required to produce the original of their DVLA driving licence. Copies will not be accepted. Where a driving licence has a photo card and counter-part paper licence, applicants will be required to produce both parts and they must be of the same issue number.

14.10 English Speaking

- (1) Applicants will need to be able to converse in English to a standard that would be reasonably expected of a person undertaking a role as a private hire or a hackney carriage driver.

14.11 Renewal of licence

- (1) A licence must be renewed before it reaches its expiry date to allow continued driving of a licensed vehicle. Once a licence expires, is revoked or surrendered, it ceases to exist. Only in exceptional circumstances would an application for renewal be entertained ~~after expiry after a delay of two to three days~~, otherwise a new application will be required. If a licence lapses due to exceptional circumstances for longer than two to three days, a new licence may be applied for within 1 year of the expiry date, upon completion of a satisfactory criminal record check. If it has lapsed for medical reasons, a new medical examination may be required. If the licence has lapsed for more than 1 year, the application process as outlined at 14.5 must be completed in full.
- (2) If a licence has been surrendered or revoked, then in all cases a new application must be completed in full as outlined in 14.5 above before the applicant will be re-licensed.

14.12 Licence Conditions

- (1) When a driver is issued with a licence the driver will be asked to sign for his licence and the attached conditions.
- ~~(2) A copy of the Council's Hackney Carriage Driver Licence conditions is attached at Appendix B.~~

~~(3) A copy of the Council's Private Hire Vehicle Driver Licence conditions is attached at Appendix C.~~

~~(4)~~(2) A copy of the Council's Dual Driver Licence conditions is attached at Appendix DA.

15 Hackney Carriages

15.1 Summary

- (1) Hackney Carriage or Public Hire Vehicles are licensed in accordance with the provisions contained in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.
- (2) Commonly known as Taxis, Hackney Carriages are licensed to stand for hire at a taxi rank or can be hailed in the street in the area of the council with which it is licensed and may also undertake pre-booked journeys anywhere in the country.

15.2 Use of Vehicles

- (1) A person applying for a licence for a Hackney Carriage Vehicle should do so with the intention of using the vehicle in the controlled district of Telford & Wrekin. Where the intention is to use a licensed vehicle in another district for private hire, then the applicant should apply to the said district for an appropriate licence.
- (2) In accordance with section 57 of the Local Government (Miscellaneous Provisions) Act 1976 a person applying for a licence will need to indicate whether the vehicle will be used primarily within the Borough of Telford and Wrekin or outside the Borough. Details will be required as to the proportion of business to be carried out both within the Borough and outside it. In addition details of the location of business carried on outside the Borough will be required. Applications received where the primary use of the vehicle is outside the Borough will be referred to the Licensing Committee.

15.3 Period of Licence

- (1) Vehicle licences will be issued for ~~either a period of 6 or 12 months~~ only 12 months.

15.4 Application Process

- (1) The application process is the same for a new or renewal application. In addition to completing an application form, a person wishing to license a hackney carriage vehicle will need to submit a valid certificate of insurance for public hire, the V5 registration form, a Telford & Wrekin Council compliance certificate and the licence fee.
- (2) The Council accepts that a full V5 registration form in the new owner's name is not always available upon first licence, however, the V5/2 green section of the V5 form must be produced. Where the green

section has been produced on first licensing the vehicle, a full V5 form in the new owner's name must be produced at the earliest opportunity and in any case upon renewal of a licence. A V5 form or proof of purchase must be produced upon transfer of a vehicle licence.

15.5 Testing of Vehicles

- (1) Vehicles licensed to carry persons for hire and reward must be fit, safe, comfortable and suitable for the purpose for which they are licensed. Vehicles will be tested and inspected at the council's approved testing station by a VOSA authorised MOT examiner. On satisfactory completion of the test, a Certificate of Compliance will be issued. The test and inspection includes a number of items in addition to the normal MoT test. These elements have been deemed reasonable and necessary in order to protect the public using licensed vehicles. The Council's Manual of Inspection Standards for Licensed Vehicle Testing provides a guide for those who prepare vehicles for/or carry out the statutory tests on Hackney Carriages and Private Hire Vehicles. It also provides vehicle owners with the compulsory requirements that enable a vehicle to be licensed.
- (2) To ensure that vehicles licensed within the controlled district of Telford & Wrekin meet these criteria, the Council has determined that vehicles will be subjected to a test to a frequency specified in the Council's conditions of licence.
- (3) If the Council's Authorised Officer or Police Constable when inspecting a vehicle is not satisfied as to the fitness of the vehicle or the accuracy of the meter, he may give written notice to the Proprietor to make the Hackney Carriage and/ taxi meter available for further inspection and testing at such reasonable time and place as may be specified and the vehicle licence may be suspended until the Authorised Officer or Police Constable is satisfied as to the vehicle's fitness or as to the accuracy of the taxi meter.
- (4) The Certificate of Compliance once issued is only valid in conjunction with a valid Hackney Carriage Licence.
- (5) If a vehicle has been off the road for more than a month it must undergo a compliance test before it can return to work in the controlled district of Telford & Wrekin.

15.6 Roof Signs

- (1) All Hackney Carriages shall be fitted with a roof sign. The roof sign shall display the wording "TAXI" or "For Hire" on the front of the sign. The rear of the sign can be used to display the company or telephone number of the business, or the wording "TAXI" or "For Hire". Roof signs shall not be blank.

15.7 Advertising

- (1) Proprietors may advertise on Hackney Carriages in accordance with the conditions of licence and subject to written approval from the Licensing Authority.

15.8 Closed Circuit Television (CCTV)

- (1) Hackney Carriage Vehicles may be fitted with closed circuit television (CCTV) systems in accordance with the council's CCTV policy.

15.9 Ranks

- (1) Hackney Carriage Ranks/Stands are provided in accordance with the Local Government (Miscellaneous Provisions) Act 1976. The Council will work with the Taxi trade, Highways and West Mercia Police to determine where ranks/stands should be situated.
- (2) Drivers should use the ranks available to them. Where a driver is standing plying for hire and is illegally parked if, in the opinion of an Authorised Officer of the council or police constable, the driver is plying for hire in a dangerous location the said driver's licence may be reviewed and such conduct may be deemed reasonable cause to revoke or suspend the licence under section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976 or any other appropriate action.

15.10 Disabled Access

- (1) Drivers of vehicles adapted to carry disabled passengers must be trained in the use of equipment necessary to convey the passenger safely.
- (2) Assistance dogs shall be conveyed in the vehicle with the passenger in accordance with statutory requirements (unless an exemption applies).

15.11 Internal Plates

- (1) Internal plates shall be securely fixed in the front windscreen on the passenger side of the vehicle or on the partition for purpose built vehicles where a partition is fitted.
- (2) Tactile Braille plates shall be fixed to the recess on the inside of the rear passenger door.

15.12 Renewal of a Licence

- (1) A licence must be renewed before it reaches its expiry date to allow the vehicle to continue to be used for hire and reward. Once a licence expires, is revoked (subject to a statutory appeal process) or surrendered, it ceases to exist. Only in exceptional circumstances would an application for renewal be entertained after a delay ~~of two to three days and for grandfather rights to be retained where applicable,~~ otherwise a new application will be required.

15.13 Licence Conditions

- (1) Conditions attached to Hackney Carriage licences will be regularly reviewed to ensure that they are reasonable and fit for purpose. A copy of the conditions attached to Hackney Carriage Licences is attached as **Appendix E**.

16 Private Hire Vehicles

16.1 Summary

- (1) Private Hire Vehicles are licensed in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1976. Private Hire Vehicles must not have the appearance of a Hackney Carriage Vehicle.
- (2) When considering whether a vehicle is a Private Hire Vehicle by the nature of the work it does, Telford & Wrekin Council shall have regard to the document Private Hire Vehicle Licensing - A note for guidance from the Department for Transport <http://assets.dft.gov.uk/publications/phv-licensing-guidance-note/phv-licensing-guidance.pdf>

16.2 Period of Licence

- (1) Vehicle licences will be issued for ~~either a period of 6 or 12 months~~ only 12 months

16.3 Application Process

- (1) The application process is the same for a new or renewal application. In addition to completing an application form, a person wishing to licence a Private Hire Vehicle will need to submit a valid certificate of insurance for private hire, the registration certificate, a Telford & Wrekin Council's compliance certificate and the licence fee.
- (2) The Council accepts that a full V5 registration form in the new owner's name is not always available upon first licence, however, the V5/2 green section of the V5 form must be produced. Where the green section has been produced on first licensing the vehicle, a full V5 form in the new owner's name must be produced at the earliest opportunity and upon renewal of a licence. A V5 form or proof of purchase must be produced upon transfer of a vehicle licence.

16.4 Testing of Vehicles

- (1) Vehicles licensed to carry persons for hire and reward must be fit, safe, comfortable and suitable for the purpose for which they are licensed. Vehicles will be inspected and tested at the council's approved testing station by a VOSA authorised MOT examiner. On satisfactory completion of the test, a Certificate of Compliance will be issued. The test and inspection includes a number of items in addition to the normal

MOT test. These elements have been deemed reasonable and necessary in order to protect the public using licensed vehicles. The Council's Manual of Inspection Standards for Licensed Vehicle Testing provides a guide for those who prepare vehicles for/or carry out the statutory tests on Hackney Carriages and Private Hire Vehicles. It also provides vehicle owners with the compulsory requirements that enable a vehicle to be licensed.

- (2) To ensure that vehicles within the controlled district of Telford & Wrekin meet these criteria, the Council has determined that vehicles will be subjected to a test to a frequency specified in the Council's conditions of licence.
- (3) The Certificate of Compliance once issued is only valid in conjunction with a valid Private Hire Vehicle Licence.
- (4) If a vehicle has been off the road for more than a month it must undergo a compliance test before it can return to work in the Telford & Wrekin area.

16.5 Novelty Vehicles, Stretched Limousines and Vintage Vehicles

- (1) Vehicles such as stretched limousines and fire engines will be licensed by the Council, however such types of vehicle would only be licensed as a Private Hire Vehicle.
- (2) In addition to the vehicles mentioned in **paragraph 16.5 (1)**, vehicles such as vintage vehicles will also be considered for licensing.

16.6 Closed Circuit Television (CCTV)

- (1) Private Hire Vehicles may be fitted with closed circuit television (CCTV) systems in accordance with the Council's CCTV policy.

16.7 Disabled Access and Assistance Dogs

- (1) Where a vehicle is adapted to carry disabled passengers, then the driver of the said vehicle should have appropriate training to ensure that the passengers are conveyed safely.
- (2) Assistance dogs shall be conveyed in the vehicle with the passenger in accordance with statutory requirements (unless an exemption applies).

16.8 Internal Plates

- (1) Internal plates shall be securely fixed in the front windscreen on the passenger side of the vehicle: just above the tax disc in saloon type vehicles, and on the partition for purpose built vehicles where a partition is fitted.

16.9 Magnetic Plates

- (1) Magnetic plates will only be fitted to vehicles with reversing sensors or with a bumper of a style where the Council approved fixing kit cannot be used.

16.10 Renewal of a Licence

- (1) A licence must be renewed before its expiry date to allow the vehicle to continue to be used for hire and reward and to retain grandfather rights where applicable. Once a licence expires, is revoked (subject to a statutory appeal process) ~~or surrendered~~, it ceases to exist. Only in exceptional circumstances would an application for renewal be entertained ~~after expiry after a delay of two to three days~~, otherwise a new application will be required.

16.11 Licence Conditions

- (1) Conditions attached to Private Hire Vehicle licences will be regularly reviewed to ensure that they are reasonable and fit for purpose. A copy of the conditions attached to a Private Hire Vehicle Licence is attached to this policy as **Appendix F**.

17 Private Hire Operators

17.1 Summary

- (1) Private Hire Operators are licensed in accordance with the Local Government (Miscellaneous Provisions) Act 1976. Any person who wishes to take bookings, in the course of a business for a Private Hire Vehicle must hold a Private Hire Operator Licence.

17.2 Application Process

- (1) In addition to completing an application form, an operator must produce a list of the vehicles and drivers which they operate and any fleet insurance they hold with an accompanying schedule of vehicles and named drivers disclosed to the insurance company.

17.3 Criminal Record Disclosure

- (1) All applicants for a Private Hire Operators Licence must prove that they are a fit and proper person to hold a licence. Telford & Wrekin Council requires an applicant to provide a Basic Criminal Record Disclosure from Disclosure Scotland. If the Private Hire Operator is an individual, they must provide the Criminal Record Disclosure. If the Private Hire Operator is a company, then the company Director(s) named on the application form must provide the basic Criminal Record Disclosure.

You can apply to Disclosure Scotland online, by telephone or in writing:

Telephone: 0870 609 6006

Website: www.disclosurescotland.co.uk.

Disclosure Scotland

PO Box 250

Glasgow

G51 1YU

17.4 Record Keeping

- (1) Operators shall keep records in accordance with the conditions attached to their licence. Such records should be available upon request from a Police Constable or Authorised Officer.

17.5 Planning Consent

- (1) Operators are advised that they should ensure that they have any appropriate planning consent required to operate their business.

17.6 Licence Conditions

- (1) Conditions attached to Private Hire Operator licences will be regularly reviewed to ensure that they are reasonable and fit for purpose. A copy of the conditions attached to a Private Hire Operator Licence is attached to this policy as **Appendix G**.

18 Compliance and Enforcement

18.1 Summary

- (1) The Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847 contain a number of offences. Many of these offences relate to the protection of the public.
- (2) The Council's Compliance and Licensing Officers will work closely with the Hackney Carriage and Private Hire trades to achieve compliance with the legislation and the Council's conditions of licence and will do so in accordance with the Council's Public Protection Enforcement Policy.
- (3) The Licensing Service will also look to work closely with other enforcement authorities when dealing with licensed and or unlicensed vehicles and drivers, especially concerning cross boundary related issues.
- (4) The Local Government (Miscellaneous Provisions) Act 1976 also gives the authority powers to serve notice on proprietors of Hackney Carriage and Private Hire Vehicles to produce their vehicle for inspection to ascertain its fitness. Where a vehicle is deemed unfit for its intended purpose the proprietor will be issued with a suspension notice in accordance with section 68 of the Local Government (Miscellaneous Provisions) Act 1976. Where the vehicle defects are not rectified within two months from the date of the notice, the licence will automatically be deemed to be revoked.
- (5) Where the vehicle has defects which are in breach of licence conditions, a Breach of Conditions Notice will be issued. If the fault is not rectified within the time specified in the Notice, the licence will be suspended under section 68.

18.2 Complaints

- (1) The Licensing Service will investigate all complaints reported to the Service. Where appropriate, complainants will be encouraged to raise the complaint with the licence holder or business concerned in the first instance. .

Contact Details

For information, advice and guidance relating to licensing and the application process please contact;

Licensing Service
Telford & Wrekin Council
Darby House
Lawn Central
Telford
TF3 4JA

Telephone: 01952 383264
Fax: 01952 381993
Email: licensing@telford.gov.uk



Taxi and PHV Licensing Criminal Convictions' Policy

Introduction

The purpose of this policy is to provide guidance on the criteria taken into account by the Council when determining whether or not an applicant or an existing licence holder is a fit and proper person to hold a hackney carriage and/or private hire vehicle driver and/or operator licence.

The overriding consideration when having regard to this policy is to protect the safety of the public. The Licensing Authority is concerned to ensure:

- That a person is a fit and proper person.
- That the person does not pose a threat to the public.
- That the public are safeguarded from dishonest person.
- The safeguarding of children and young persons.

This policy provides guidance to any person with an interest in taxi and private hire licensing. In particular, but not exclusively:

- Applicants for driver/operator licences
- Existing licensed drivers/operators whose licences are being reviewed
- Licensing Officers
- Members of the Licensing Committee/ Panel (or other relevant decision making body)
- Magistrates hearing appeals against local authority decisions

Where licensing officers have delegated powers to grant licences, they will utilise these guidelines when making a decision to grant a licence. In all other cases applications for licences will be referred to the licensing committee. Whilst officers and the committee/panel will have regard to the guidelines contained in the policy, **each case will be considered on its individual merits and, where the circumstances demand, the committee/officer may depart from the guidelines.**

General Policy

Applicants for a Private Hire/Hackney Carriage Driver Licence must have held a full UK/EC/EEA driving licence for at least three years. Such period to be calculated from the date of issue of a full driving licence.

There may be occasions where it is appropriate to depart from the guidelines, for example where the offence is a one-off occasion or there are mitigating circumstances or alternatively where there are many or continuous offences which may show a pattern of offending and unfitness.

A person with a conviction for a serious offence need not be automatically barred from obtaining a licence, but would normally be expected to:

- a. Remain free of conviction for an appropriate period; and
- b. Show adequate evidence that he or she is a fit and proper person to hold a licence (the onus is on the applicant to produce such evidence).
(Simply remaining free of conviction will not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence).

Where an applicant has been convicted of a criminal offence, the council cannot review the merits of the conviction [Nottingham City Council v. Mohammed Farooq (1998)]

Appeals

Any applicant refused a driver's licence on the grounds that the council is not satisfied he is a fit and proper person to hold such a licence has a right to appeal to the Magistrates' Court within 21 days of the notice of refusal.

Powers

Section 61 and Section 62 of the Local Government (Miscellaneous Provisions) Act 1976 allow the Licensing Authority to suspend, revoke or refuse to renew a driver licence if the application/licence holder has been convicted of an offence involving dishonesty, indecency, violence; failure to comply with the provisions of the Town Police Clauses Act 1847; failure to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976; or any other reasonable cause.

The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, allows the council to take into account all convictions recorded against an applicant or the holder of a private hire vehicle or hackney carriage driver's licence, whether spent or not. Therefore the Licensing Authority will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending.

In this policy the term "disqualification" refers to the period served, in order to take account of the fact that a court may reduce the period of disqualification from driving. An applicant must provide evidence in advance to prove that the court agreed a reduction in the period of disqualification.

Consideration of Disclosed Criminal History

Under the provisions of Sections 51, 55, and 59, Local Government (Miscellaneous Provisions) Act 1976, the council is required to ensure that an applicant for the grant or renewal of a hackney carriage and/or a private hire vehicle drivers' licence and/or private hire vehicle operators licence is a 'fit and proper' person to hold such a licence. However, if an applicant has any convictions, warnings, cautions or charges awaiting trial, the Council will look into:

- How relevant the offence(s) are to the licence being applied for.
- How serious the offence(s) were.
- When the offence(s) were committed.
- The date of conviction.
- Circumstances of the individual concerned
- Sentence imposed by the court.
- Whether they form part of a pattern of offending.
- Any other character check considered reasonable (e.g. personal references)
- Any other factors that might be relevant.

In considering whether to revoke a hackney carriage or private hire driver or operator licence in accordance with s61 of the Local Government (Miscellaneous Provisions) Act 1976, the decision will be made by the Public Protection Team Leader following consultation with the Chair of the Council's Licensing Committee or the Public Protection Team Leader may choose to defer the decision to the Licensing Committee. Further in considering whether to suspend or revoke a Private Hire or Hackney Carriage Driver licence, if it appears that the interests of public safety require the suspension or revocation to have immediate effect, the decision will be made in accordance with section 61 of the Local Government (Miscellaneous Provisions) Act, 1976 as amended by s52 of the the Road Safety Act 2006.

Applicants can discuss further what effect a caution/conviction may have on any application by contacting the Principal Licensing Officer in confidence for advice.

The licensing authority conducts disclosures from the [Criminal Records Bureau \(CRB\) Disclosure & Barring Service \(DBS\)](#) of any applicant for a driver licence. The licensing authority follows the [CRB's DBS Code of Practice](#) on the fair use of disclosure information. A copy is available on request.

Applicants applying for the grant or a renewal of a drivers' licence will be required to obtain a disclosure at their expense. The licensing authority abides by the [CRB's DBS Policy](#) on the secure storage, handling, use, retention and disposal of disclosure information, which is available on request.

More information about the [CRB DBS](#) can be found on their website at www.disclosure.gov.uk.

The licensing authority is also entitled to use other records and information that may be available to it in determining applications or an entitlement to continue holding a licence. This may include information held by the licensing authority or other licensing authorities, and information disclosed by the police under the Home Office scheme for reporting offences committed by notifiable occupations.

It is an offence for any person knowingly or recklessly to make a false declaration or to omit any material particular in giving information required by the application for a licence.

Where an applicant has made a false statement or a false declaration on their application for the grant or renewal of a licence. The licence will normally be refused.

Outstanding Charges or Summonses

If the individual is the subject of an outstanding charge or summons their application can continue to be processed, but the application will need to be reviewed at the conclusion of proceedings.

If the outstanding charge or summons involves a serious offence and the individual's conviction history (including 'spent' convictions) indicates a possible pattern of unlawful behaviour or character trait, then in the interests of public safety the application may be put on hold until proceedings are concluded or the application may be refused.

Non-conviction Information

If an applicant has, on more than one occasion, been arrested or charged, but not convicted, for a serious offence which suggests he could be a danger to the public, consideration should be given to refusing the application. Such offences would include violent offences and sex offences.

In assessing the action to take, the safety of the travelling public must be the paramount concern.

Cautions

Admission of guilt is required before a caution can be issued. Every case will be considered on its own merits including the details and nature of the offence.

Licensing Offences

Certain offences under taxi legislation such as plying for hire, overcharging and refusing to carry disabled persons would normally prevent a licence being granted or renewed until a period of 3 years has passed since.

Licences Issued By Other Licensing Authorities

Where an application for a taxi and/or private hire vehicle driver's licence/private hire operator's licence has been referred to the licensing committee for determination with regard to this policy, and the applicant already holds such a licence granted by another licensing authority, the guidance in this policy shall take precedence over any decision of another licensing authority.

Summary

To summarise, a criminal history in itself may not automatically result in refusal and a current conviction for a serious crime need not bar an applicant permanently from becoming licenced. As the preceding paragraphs indicate, in most cases, an applicant would be expected to remain free from conviction for 3 to 5 years, according to circumstances, before an application can be considered. However, there may be occasions when an application can be allowed before 3 years free from conviction have elapsed.

While it is possible that an applicant may have a number of convictions that, individually, meet the above guidelines, the overall offending history must be considered when period of time is more likely to give cause for concern than an isolated minor conviction. Obviously some discretion can be afforded if an offence disclosed is isolated and there are mitigating circumstances, but the overriding consideration is the protection of the public.

Overseas Residents

Where the ~~Criminal Records Bureau~~[Disclosure & Barring Service](#) is unlikely to have any information on a person, due to a short period of residence in the UK, applicants must obtain (at the cost of the applicant) a certificate of good conduct from their embassy or consulate. The certificate should be authenticated, translated and sealed by the embassy/consulate. The ~~Criminal Records Bureau~~[Disclosure & Barring Service](#) provides information on most relevant embassies/consulates. Means of obtaining a certificate can be found on the ~~CRB~~[DBS](#) website www.gov.uk/government/organisations/disclosure-and-barring-service.

The following examples afford a general guide on the action to be taken where convictions are admitted.

Minor Traffic Offences

Convictions for minor traffic offences, eg obstruction, waiting in a restricted street, speeding, etc, should not prevent a person from proceeding with an application for a private hire/hackney carriage driver licence, however, the application may be referred to the Council's Licensing Committee for determination.

If sufficient points have been accrued to require a period of disqualification of the applicant's driving licence then a hackney carriage or private hire driver's licence may be reviewed by the Council's Licensing Committee.

~~Further, in determination of the renewal of a Private Hire Driver Licence, condition 7.2 of the Council's Private Hire Driver Licence states that a DSA Driving Test shall be taken by Private Hire Drivers where the driver has been disqualified from driving by the DVLA or with endorsements on their driving licences or for serious driving offences.~~

Offences in this category include but are not limited to:-

| | |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AC10 | Failing to stop after an accident |
| AC20 | Failing to give particulars or report an accident within 24 hours. |
| AC30 | Undefined accident offence |
| | |
| CU10 | Using vehicle with defective brakes |
| CU20 | Causing or likely to cause danger by reason of use of unsuitable vehicle or using a vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition |
| CU30 | Using a vehicle with defective tyres |
| CU40 | Using a vehicle with defective steering |
| CU50 | Causing or likely to cause danger by reason of load or passengers |
| CU80 | Using a mobile phone while driving a motor vehicle |
| | |
| LC20 | Driving otherwise than in accordance with a licence |
| LC30 | Driving after making a false declaration about fitness when applying for a licence |
| LC40 | Driving a vehicle having failed to notify a disability |
| LC50 | Driving after a licence has been revoked or refused on medical grounds |
| | |
| MS10 | Leaving a vehicle in a dangerous position |
| MS20 | Unlawful pillion riding |
| MS30 | Playstreet offences |
| MS60 | Offences not covered by other codes |
| MS70 | Driving with uncorrected defective eyesight |
| MS80 | Refusing to submit to an eyesight test |
| MS90 | Failure to give information as to identity of driver etc |
| MW10 | Contravention of Special Road Regulations (excluding speed limits) |
| | |
| PC10 | Undefined Contravention of Pedestrian Crossing Regulations |
| PC20 | Contravention of Pedestrian Crossing Regulations with moving vehicle |
| PC30 | Contravention of Pedestrian Crossing Regulations with stationary vehicle |
| | |
| PL10 | Driving without 'L' plates |
| PL20 | Not accompanied by a qualified person |
| PL30 | Carrying a person not qualified |
| PL40 | Drawing an unauthorised trailer |
| PL50 | Undefined failure to comply with conditions of a Provisional Licence |
| | |
| SP10 | Exceeding goods vehicle speed limit |
| SP20 | Exceeding speed limit for type of vehicle (excluding goods or passenger vehicles) |
| SP30 | Exceeding statutory speed limit on a public road |
| SP40 | Exceeding passenger vehicle speed limit |
| SP50 | Exceeding speed limit on a motorway |
| | |
| TS10 | Failing to comply with traffic light signals |
| TS20 | Failing to comply with double white lines |
| TS30 | Failing to comply with a 'Stop' sign |
| TS40 | Failing to comply with direction of a constable or traffic warden |
| TS50 | Failing to comply with traffic sign (excluding 'Stop' sign, traffic lights or double white lines) |
| TS60 | Failing to comply with school crossing patrol sign |

| | |
|------|-----------------------------------------------------------|
| TS70 | Undefined failure to comply with a traffic direction sign |
|------|-----------------------------------------------------------|

Serious Road Traffic Offences

A serious view will be taken of convictions of driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily stop a private hire or hackney carriage driver licence being granted provided he/she has been free of conviction for 3 years, however strict warning should be given as to future behaviour. More than one conviction for these offences would normally prevent a licence being granted or renewed.

At least three years should elapse (after the restoration of the DVLA driving licence), before a licence would normally be granted for a hackney carriage or private hire drivers licence. An operator found guilty of aiding and abetting the driving passengers for hire and reward whilst without insurance will have his operators' licence revoked immediately and prevented from holding a licence for three years.

An isolated conviction for driving without due care and attention etc, should normally merit a warning as to future driving and advice on the standard expected of hackney carriage and private hire vehicle drivers. More than one conviction for this type of offence within the last two years may be referred to Licensing Committee.

~~Further, in determination of the renewal of a Private Hire Driver Licence, condition 7.2 of the Council's Private Hire Driver Licence states that a DSA Driving Test shall be taken by Private Hire Drivers where the driver has been disqualified from driving by the DVLA or with endorsements on their driving licences or for serious driving offences.~~

Offences in this category include but are not limited to :-

| | |
|------|-------------------------------------------------------------------------------------------------|
| CD10 | Driving without due care and attention |
| CD20 | Driving without reasonable consideration for other road users |
| CD30 | Driving without due care and attention or without reasonable consideration for other road users |
| IN10 | Using a vehicle uninsured against third party risks |
| BA10 | Driving while disqualified by order of Court |
| BA30 | Attempting to drive while disqualified by order of Court |

An application received which details one of the following offences on the DVLA driving licence (DD40; DD60; DD80; MS50) will automatically be referred to the Council's Licensing Committee for determination.

A very serious view is to be taken of any applicant who has been convicted of a driving offence that resulted in the loss of life. A licence will not normally be granted unless the applicant is free of conviction for 7 years or (or at least 3 years must have passed since the completion of the sentence, whichever is longer) if he has a conviction for:

| | |
|------|-----------------------------------------------------------|
| DD40 | Dangerous Driving |
| DD60 | Manslaughter or culpable homicide while driving a vehicle |
| DD80 | Causing death by dangerous driving |
| DD90 | Furious driving |
| MS50 | Motor racing on the highway |

Drink driving/driving under the influence of drugs

As licensees are professional vocational drivers, a serious view is taken of convictions for driving, or being in charge of a vehicle while under the influence of drink or drugs. An isolated incident would not necessarily debar an applicant from proceeding on the restoration of his DVLA driving licence but he should be warned as to the significant risk to his licence status in the event of re-offending. More than one conviction for these offences raises significant doubts as to the applicant's fitness to drive the public. At least 3 years, after the restoration of the driving licence following a drink drive conviction should elapse before an application will be considered. If there is any suggestion that the applicant is alcohol or drug dependent, a satisfactory special medical report must be provided before the application can be allowed to proceed.

~~Further, in determination of the renewal of a Private Hire Driver Licence, condition 7.2 of the Council's Private Hire Driver Licence states that a DSA Driving Test shall be taken by Private Hire Drivers where the driver has been disqualified from driving by the DVLA or with endorsements on their driving licences or for serious driving offences.~~

Offences in this category include but are not limited to :-

| | |
|------|-------------------------------------------------------------------------------------------------------|
| DR10 | Driving or attempting to drive with alcohol level above limit |
| DR20 | Driving or attempting to drive while unfit through drink |
| DR30 | Driving or attempting to drive then refusing to supply a specimen for analysis |
| DR40 | In charge of a vehicle while alcohol level above limit |
| DR50 | In charge of a vehicle while unfit through drink or drugs |
| DR60 | Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive |
| DR70 | Failing to provide a specimen for breath test |
| DR80 | Driving or attempting to drive when unfit through drugs |

An application with details of a conviction for an offence in this category may be put before the Council's Licensing Committee for determination.

Drunkenness

An isolated conviction for drunkenness need not debar an applicant from gaining a licence. However a number of convictions for drunkenness could indicate a medical problem necessitating critical examinations (see (1.) above). In some cases, a warning may be sufficient.

Drugs

A serious view shall be taken of convictions of this nature. An isolated incident should not necessarily debar an applicant but strict warnings should be given as to future behaviour. More than one conviction for these offences should raise grave doubts as to the applicant's fitness to hold a licence. An application with a conviction for a drug related offence should be required to show a period of at least 3 years free of convictions before an application is entertained.

If there is evidence of persistent drugs use, misuse or dependency a specialist medical examination (in accordance with DVLA Group 2 medical standards) may be required before the licence is granted. If the applicant was an addict then they would normally be required to show evidence of 5 years free from drug taking after detoxification treatment. .

Offences in this category includes but is not limited to :-

| | |
|----|--------------------------------------------------|
| 1. | Possessing Controlled Drug |
| 2. | Possessing Controlled Drug with Intent to Supply |
| 3. | Producing Controlled Drug |
| 4. | Import Drugs |

An application with details of a conviction for an offence in this category may be put before the Council’s Licensing Committee for determination.

Indecency Offences

As hackney carriage and private hire vehicle drivers often carry unaccompanied passengers including schoolchildren and vulnerable adults, applicants with convictions for indecent exposure, indecent assault, importuning, or any of the more serious sexual offences, should be refused until they can show a substantial period (at least 3 to 5 years) free of such offences. More than one conviction of this kind should preclude consideration for at least 5 years. In either case if a licence is granted a strict warning as to future conduct should be issued.

Unless there are exceptional circumstances, an application will normally be refused where the applicant has a conviction for an offence such as rape, assault by penetration, offences involving children or vulnerable adults or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

In addition to the above the licensing authority will not normally grant a licence to any applicant who is currently on the Sex Offenders Register.

A licence will not normally be granted if an applicant has more than one conviction for a sex or indecency offence.

Offences in this category include but are not limited to:-

| | |
|-----|--------------------------------------------------------------------------------------|
| 1. | rape |
| 2. | assault by penetration |
| 3. | sexual assault |
| 4. | causing a person to engage in sexual activity without consent |
| 5. | rape of a child under 13 |
| 6. | assault of a child under 13 by penetration |
| 7. | sexual assault of a child under 13 |
| 8. | causing or inciting a child under 13 to engage in sexual activity |
| 9. | sexual activity with a child |
| 10. | causing or inciting a child to engage in sexual activity |
| 11. | engaging in sexual activity in the presence of a child |
| 12. | causing a child to watch a sexual act |
| 13. | arranging or facilitating commission of a child sex offence |
| 14. | meeting a child for sexual grooming etc |
| 15. | abuse of position of trust: sexual activity with a child |
| 16. | abuse of position of trust: causing or inciting a child to engage in sexual activity |
| 17. | abuse of position of trust: sexual activity in the presence of a child |
| 18. | abuse of a position of trust: causing a child to watch a sexual act |
| 19. | sexual activity with a child family member |

| | |
|-----|----------------------------------------------------------------------------------------------------------------------------------|
| 20. | inciting a child family member to engage in sexual activity |
| 21. | sexual activity with a person with a mental disorder impeding choice |
| 22. | causing or inciting a person with a mental disorder impeding choice, to engage in sexual activity |
| 23. | engaging in sexual activity in the presence of a person with a mental disorder impeding choice |
| 24. | causing a person with a mental disorder impeding choice, to watch a sexual act |
| 25. | inducement, threat or deception to procure sexual activity with a person with a mental disorder. |
| 26. | causing a person with a mental disorder to engage or agree to engage in sexual activity by inducement, threat or deception |
| 27. | engaging in the sexual activity in the presence, procured by inducement, threat or deception, of a person with a mental disorder |
| 28. | causing a person with a mental disorder to watch a sexual act by inducement, threat or deception |
| 29. | care workers: sexual activity with a person with a mental disorder |
| 30. | care workers: causing or inciting sexual activity |
| 31. | care workers: sexual activity in the presence of a person with a mental disorder |
| 32. | care workers: causing a person with a mental disorder to watch a sexual act |
| 33. | indecent photographs of persons aged 16 or 17 |
| 34. | paying for sexual services of a child |
| 35. | causing or inciting child prostitution or pornography |
| 36. | controlling a child prostitute or a child involved in pornography |
| 37. | arranging or facilitating child prostitution or pornography |
| 38. | causing or inciting prostitution for gain |
| 39. | controlling prostitution for gain |
| 40. | Living off immoral earnings |
| 41. | Prostitution |
| 42. | Possessing or distributing obscene material |
| 43. | Indecent or nuisance telephone calls |
| 44. | trafficking into the UK for sexual exploitation |
| 45. | trafficking within the UK for sexual exploitation |
| 46. | trafficking out of the UK for sexual exploitation |
| 47. | administering a substance with intent |
| 48. | committing an offence with intent to commit a sexual offence |
| 49. | trespass with intent to commit a sexual offence |
| 50. | sex with an adult relative: penetration |
| 51. | sex with an adult relative: consenting penetration |
| 52. | exposure |
| 53. | voyeurism |
| 54. | intercourse with an animal |
| 55. | sexual penetration of a corpse |

Any application with a conviction within this category will automatically be put before the Council's Licensing Committee for determination.

Violence

As hackney carriage and private hire vehicle drivers maintain close contact with the public, a firm line should be taken with applicants who have convictions for grievous bodily harm, wounding or assault. At least 3 years free of such convictions should be shown before an application is entertained and even then a strict warning should be administered.

Offences in this category include but are not limited to :-

| | |
|----|---------------------------|
| 1. | Battery/Common Assault |
| 2. | Aggravated Common Assault |

| | |
|-----|-------------------------------------------------------------------------------|
| 3. | Assault - Section 47 |
| 4. | Wounding - Section 20 |
| 5. | Grievous Bodily Harm - Section 18 |
| 6. | Resist Arrest/Obstruct/Assault Police |
| 7. | Riot |
| 8. | Violent Disorder |
| 9. | Affray |
| 10. | Using Threatening, Abusive Words or Behaviour |
| 11. | Intentional harassment alarm or distress |
| 12. | Harassment alarm or distress |
| 13. | Drunk and Disorderly |
| 14. | Robbery |
| 15. | Possession of bladed article or point in a public place or on school premises |
| 16. | Possess Offensive Weapon |
| 17. | Possession offensive weapon on school premises |
| 18. | Possess Firearm |
| 19. | Possess Firearm with Intent |
| 20. | Criminal Damage |
| 21. | Arson |
| 22. | Kidnapping |
| 23. | False Imprisonment |
| 24. | Manslaughter |
| 25. | Murder |

An application with a conviction within this category may be put before the Council's Licensing Committee for determination.

Unless there are exceptional circumstances a licence will not normally be granted where the applicant has a conviction for an offence such as murder, manslaughter or culpable homicide while driving, terrorism offences, or any similar offences (including attempted or conspiracy to commit) offences which replace the above

Dishonesty

Hackney carriage and private hire vehicle drivers are expected to be persons of trust. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare, etc. Overseas visitors can be confused by the change in currency and become 'fair game' for an unscrupulous driver. For these reasons a serious view should be taken of any conviction involving dishonesty. In general, a period of 3 to 5 years free of conviction should be required before entertaining an application.

Offences in this category include but are not limited to :-

| | |
|----|---------------------------------|
| 1. | Theft |
| 2. | Theft - Shoplifting |
| 3. | Theft - Employee |
| 4. | Theft - From Vehicle |
| 5. | Bilking |
| 6. | Burglary & Theft - Dwelling |
| 7. | Burglary & Theft - Non Dwelling |
| 8. | Burglary - Aggravated |

| | |
|------|--------------------------------------------|
| 9. | Fraudulent Use |
| 10. | Handling |
| 11. | Receiving |
| 12. | Forgery |
| 13. | Conspiracy to Defraud |
| 14. | Obtain Money by Deception |
| 15. | Obtain Money by Forged Instrument |
| 16. | Obtain Goods or Services by Deception |
| 17. | False Accounting |
| 18. | False Statement to Obtain Benefit |
| 19. | Going Equipped |
| 20.. | Taking/Driving or attempt to Steal Vehicle |
| 21. | Allow to be Carried in Stolen Vehicle |
| 22. | Perverting the Course of Justice |
| 23. | Aggravated taking of a vehicle |

An application with a conviction within this category may be put before the Council's Licensing Committee for determination.

Nothing in this criteria will remove an applicant's right to appeal to a Magistrates Court against the Council's refusal to grant or renew a licence, or decision to suspend or revoke a licence, or against any conditions which may have been imposed on any such licence by the local authority. Such appeal to be made within 21 days of the refusal or decision.



Telford & Wrekin
C O U N C I L

**Manual of Inspection Standards for
Licensed Vehicle Testing
and
Compliance Standards**

Telford & Wrekin Council
Licensing
Darby House
Lawn Central
Telford
TF3 4JA

Telephone : 01952-383264/383267
Email : licensing@telford.gov.uk

Contents

| | |
|----------------|----------------------------------------------|
| Page 3 | Preface |
| Page 4 | Compliance Standards – Hackney Carriages |
| Page 8 | Compliance Standards – Private Hire Vehicles |
| Page 12 | Wheelchair Facilities |
| Page 13 | Summary of Vehicle Test |
| Page 14 | Licence Conditions - Hackney Carriages |
| Page 20 | Licence Conditions – Private Hire Vehicles |

**Preface to Telford & Wrekin Council's
Manual of Inspection Standards**

This manual provides a guide for those who prepare vehicles for/or carry out the statutory tests on Hackney Carriage and Private Hire Vehicles. It also provides vehicle owners with the compulsory requirements that enable a vehicle to be licensed.

The vehicle must comply with the requirements of any Legislation or Regulations relating to motor vehicles in force at the time of licensing. The contents of the manual should not be regarded as a substitute for the relevant statutory provisions and regulations.

The vehicle will be tested in accordance with the current Vehicle & Operator Services Agency MOT Inspection Manual for Car & Light Commercial Vehicle Testing including Notes on the Statutory Provisions and Regulations for testing vehicles, under section 45 of the Road Traffic Act 1988 and also in accordance with Telford & Wrekin Council's Policy and Conditions of Licence.

Any owner wishing to alter or modify his Hackney Carriage or Private Hire Vehicle including the fitting of extras or alternative parts to those supplied by the manufacturer must consult the Licensing Team at Telford & Wrekin Council before incurring any expense. Only approved fittings may be attached to or carried upon the inside or outside of the vehicle and a Certificate of Vehicle Type Approval from the VCA must be submitted to the Licensing Service.

If any unsuitable features arise following the period of any licence issued and, if any defects are found, the owner will be issued with a notice prohibiting the use of the vehicle for hire and reward until the effect has been rectified.

Telford & Wrekin Council
Compliance Standards for Hackney Carriages

Type of Vehicle

All vehicles submitted to the council for licensing as Hackney Carriages shall meet the safety standards of M1 Category European Whole Vehicle Type Approval. The Hackney Carriage shall only be of the type approved for public hire as used by the Commissioner of Police of the London Metropolitan area, namely a purpose built vehicle designed to carry up to seven passengers.

All vehicles shall be under ~~ten~~ twelve-years of age.

Condition of Vehicle

There shall be no non-standard unauthorised alterations or modifications carried out to the vehicle or to the engine.

The exterior colour of the taxi shall be black, or one of the manufacturer's colours, the use of which has been approved by the Council.

The Hackney Carriage shall be maintained in a sound mechanical and structural condition at all times and be capable of satisfying the Councils mechanical and structural inspection at any time during the continuance of the vehicle's licence.

The interior and exterior of the Hackney Carriage shall be maintained in a clean, safe condition.

Wheel Chair Accessibility

The vehicle must have provision for a minimum of at least one wheelchair.

A certificate should be produced showing all of the fittings used to secure wheelchairs to the floor of the vehicle are to Department of Transport specifications.

The appropriate ramps and associated equipment for loading wheelchairs into the vehicle in the approved manner must be carried and used at all times.

Wheels

~~Vehicles equipped with Space Saver/Skinny/ Get you home tyres will not be licensed by the Council.~~ All Hackney Carriages must be fitted with manufacturers approved tyres of the same size and type including the spare wheel.

Privacy Windows

The Council shall refuse any vehicle submitted for licensing which is fitted with tinted windows to the rear of the driver which are not factory fitted options at the time of the manufacture of the vehicle. ~~has been equipped with manufactured or retro-fitted blacked out windscreens and/or windows. Standard tinted windscreens and windows are acceptable providing all occupants in the vehicle can be clearly seen from the outside with the doors closed and the windows up. In any case proprietors are advised to consult the Council if in any doubt before purchasing such type of vehicle.~~

Fire Extinguisher - Road Vehicle (Construction & Use) Regs. 1986 – Schedule 7

A fire extinguisher shall be carried on the vehicle at all times. The fire extinguisher must be suitable to the risk and is to be carried in the vehicle at all times and securely fixed in the approved manner and in such a position as to be readily available in any emergency.

~~It must be a fire extinguisher no smaller than 1.8kgs in weight incorporating a built in pressure display gauge and to contain dry powder or water or other chemical re-agent recommended for use in vehicle fires. The extinguisher shall comply with BS EN3-7 2004.~~

First Aid Kit - Road Vehicle (Construction & Use) Regs. 1986 – Schedule 7

A standard size and type of first aid equipment which complies with the requirements laid down by the Department of Transport for taxis and minibuses in accordance with regulation 43 and must be carried on the vehicle at all times.

Other Equipment

All Hackney Carriages being compliance tested for a new licence must carry a warning triangle and a set of spare bulbs.

Identification Plates

Once the vehicle is licensed, the external identification plate issued by the Council shall at all times be fixed to the outside rear of the Hackney Carriage to the place provided by the manufacturer or in accordance with reasonable instructions of an Authorised Officer of the Council.

Hackney Carriage Vehicles should display a replica Hackney Carriage Licence plate issued by the Council, affixed to the inside of the vehicle, in the prescribed manner, so as to be plainly visible to fare paying passengers.

Signage

Once a vehicle is licensed, a copy of the approved table of fares shall be displayed in a clearly visible position.

The following signs and notices will be displayed on licensed Hackney Carriages during the currency of the Licence:

- A sign stating 'Seat Belt Regulations – Seat Belts must be worn'.
- A sign bearing the words 'First Aid Kit Carried' fixed to the rear bodywork of the vehicle.
- A sign on both rear doors of the vehicle regarding No Smoking.
- A sign (the nationally recognised symbol) confirming that the taxi is wheelchair accessible and caters for the needs of the disabled.
- A sign (if applicable) confirming that the driver of the vehicle accepts travel tokens

Taximeters

The vehicle shall to be fitted with a taximeter approved by the Council and it shall be located within the vehicle in accordance with the reasonable instructions of an Authorised Officer of the Council.

Any meter fitted shall be technically capable of accepting any restrictions or fare scales that the Council wishes to programme into that meter.

The meter shall be tested and sealed by an Authorised Officer of the Council. Any Hackney Carriage fitted with a meter must be equipped with the standard size tyres as approved by the manufacturer of the vehicle.

Retro-fitted low profile tyres which will affect the performance and accuracy of a meter are not acceptable if fitted after the meter has been tested and sealed. Any such tyres of a low profile type must be fitted before the meter is tested. Any contravention of this condition will result in the immediate suspension of a Hackney Carriage Licence.

Light Trailers

All trailers will be subject to a Compliance Standards check and if found to be satisfactory, issued with a one year certificate.

If the unladen weight of any trailer submitted for testing exceeds 200kgs, a prescribed Ministry Plate must be fitted to the nearside of the trailer except where said trailer is fitted with parking brakes and brakes that act

automatically on the overrun of the trailer. In any case all trailers shall meet the braking requirements in accordance with the type and size of said trailer.

All such trailers shall not exceed the gross weight limit of 3,500kgs but in all cases the proprietor should consult the vehicle handbook regarding manufacturer's recommendations particularly where unbraked trailers may be in use.

The trailer shall be fitted with a rigid hard top and shall be sealed against rain and water to protect luggage and goods.

Telford & Wrekin Council Compliance Standards for Private Hire Vehicles

Type of Vehicle

All vehicles submitted for licensing shall hold M1 Category European Whole Vehicle Type Approval.

Private Hire Vehicles shall only be of the type approved for Private Hire by the Council. This is detailed by a list specifying as many different types of vehicle as possible or a range of general criteria which allow the trade to put forward vehicles of choice that meet the criteria and by way of a list of designated vehicles that will specify as many different types of vehicle as possible which allow the trade to put forward vehicles of choice that meet the criteria for wheelchair accessibility. The vehicle shall be a motor car or a multi-purpose vehicle built to carry up to eight passengers with factory fitted seatbelts and an engine capacity not less than 1600cc, or a Mini-Bus or similar purpose built vehicle designed to carry up to eight passengers.

The Council will only license suitable vehicles which do not exceed the age limit for motor cars, multi purpose vehicles and purpose built or adapted minibuses of ten years.

Vehicles are to be tested every 6 months from 5 years of age to 10 years.

~~However no vehicle is to be over 5 years of age when first licensed.~~

All vehicles will be considered on their own merits so long as they comply with all current and statutory requirements, inc Road Vehicles (Construction and Use) Regulations 1986, the Motor Vehicle (Wearing of Seatbelts) Regulations 1993 & Motor Vehicle (Wearing of Seatbelts by Children in Front Seats) Regulations 1993.

Condition of Vehicle

The Private Hire vehicle should be maintained in a sound mechanical electrical and structural condition at all times and be capable of satisfying the council's mechanical electrical and structural inspection at any time during the duration of the vehicle licence.

The interior and exterior of the vehicle shall be maintained in a clean safe condition by the proprietor.

~~The interior of the vehicle to be kept wind and water tight.~~

~~The seats in the passenger compartment shall be cushioned and covered.~~

~~The floor in the passenger compartment to be covered with a proper carpet, mat or other suitable covering.~~

Privacy Windows

The Council shall refuse any vehicle submitted for licence which is fitted with tinted windows to the rear of the driver which are not factory fitted options at the time of the manufacture of the vehicle.

Roof Signs

Roof signs shall be of a type and size approved by the Council and shall at all times be affixed to the roof of the Private Hire vehicle to the place recommended by the manufacturer or in accordance with reasonable instructions of an Authorised Officer of the Council. The roof sign should be fitted in such a manner as to be easily removable by such Officer or Police Constable.

All roof signs on Private Hire Vehicles shall be connected to the vehicle electrical wiring system and will be illuminated when the vehicle is in service during lighting up times and /or adverse weather conditions.

Roof signs must be maintained and kept in such a condition that the information contained is clearly visible to public view at all times.

For whatever reason, when a Private Hire Vehicle licence is suspended the licence plate and the roof sign shall be removed by an authorised officer of the Council. The roof sign shall be kept in the custody of the Operator until such time as the vehicle is made fit again for service and the suspension lifted by the Council. Only at that point will the roof sign be returned to the vehicle proprietor/driver by the Operator.

Identification Plates

Once licensed, the external identification plate issued by the Council should be fixed to the outside front and rear of the Private Hire Vehicle to the place provided by the manufacturer or in accordance with reasonable instructions of an Authorised Officer of the Council

Private Hire Vehicles should display a replica Private Hire Vehicles Licence plate issued by the Council, affixed to the inside of the vehicle, in the prescribed manner, so as to be plainly visible to fare paying passengers.

The internal identification plates (two in number) for Executive Vehicle licences issued by the Council shall be affixed by the proprietor of the vehicle one on the nearside/left hand side of the front windscreen and one on the nearside/left hand side of the rear windscreen in a distinctly visible position that does not interfere with the drivers view of the road.

Tyres

Restrictions as per Manufacturers' standards.

Fire Extinguisher Construction & Use Regulations – Schedule 7

All Private Hire Vehicles must carry a fire extinguisher. The fire extinguisher must be suitable to the risk and should be carried in the vehicle at all times.

~~It must be a fire extinguisher no smaller than 1.8kg incorporating a built in pressure gauge and to contain dry powder or water or other chemical reagent recommended for use in vehicle fires.~~

~~The extinguisher should be securely fitted to the vehicle in such position as to be easily accessible, readily available and must comply with BS EN3-7 2004 Standard.~~

First Aid Kit–Road Vehicles Construction & Use Regulations 1986 Schedule 7

A standard size and type of first aid equipment, which complies with the requirements, laid down by the Department of Transport for mini-buses, in accordance with regulation 43 must be carried on the vehicle.

Other Equipment

All Private Hire Vehicles must carry at all times a warning triangle and an appropriate set of vehicle spares (e.g. spare bulbs etc).

Signage

The following signs and notices will be displayed on licensed Private Hire Vehicles during the currency of the Licence:

A sign stating 'Seat Belt Regulations – Seat Belts must be worn'.

A sign bearing the words 'First Aid Kit Carried' fixed to the rear bodywork of the vehicle.

A sign on both rear passenger windows of the vehicle regarding No Smoking.

Meters

Where meters are fitted to a Private Hire Vehicle, the meter shall be maintained in a sound electrical and mechanical condition at all times.

Any meter affixed to the vehicle may be inspected and tested by an Authorised Officer of the Council.

Any Private Hire vehicle so fitted with a meter must be equipped with the standard size tyres as approved by the manufacturer of the vehicle. Retrofitted low profile tyres which will affect the performance and accuracy of a meter are not acceptable if fitted after the meter has been tested and sealed. Any such tyres of a low profile type must be fitted before the meter is tested

Light Trailers

All trailers will be subjected to a Compliance Standards check and if found to be satisfactory, issued with a one-year certificate.

All trailers must be of a design such that when close coupled to the prime mover (the vehicle towing it) it does not interfere in any way whatsoever with the operation of any rear door, emergency exits or wheelchair access ramps etc.

If the unladen weight of any Trailer submitted for testing exceeds 1,200kgs, a prescribed Ministry Plate must be fitted to the nearside of the Trailer except where said Trailer is fitted with parking brakes and brakes that act automatically on the overrun of the Trailer. In any case all Trailers shall meet the braking requirements in accordance with the type and size of said Trailer.

All such trailers shall not exceed the gross weight limit of 3,500kgs but in all cases the proprietor should consult the vehicle handbook regarding manufacturer's recommendations particularly where unbraked trailers may be in use.

The trailer shall be fitted with a rigid hard top and shall be sealed against rain and water to protect luggage and goods.

**Wheel Chair facilities for
Licensed Hackney Carriages and Private Hire Vehicles**

1. Where a vehicle has been converted it must be approved by the Council.
2. Approved ramps must be securely installed.
3. The ramps must be free from damage, sharp edges or corners.
4. Check, as applicable, the non-slip provision and locating dowel pins.
5. Check condition and operation of wheelchair restraints.
6. Check disabled person's seat belt.

Summary of Items to be tested

This is a summary of testable items, but the list is not exhaustive.

Front & Rear Lamps

- Headlamps
- Headlamp Aim
- Stop Lamps
- Rear Reflections
- Direction Indicators
- Hazard Lamps

Steering & Suspension

- Steering control
- Steering mechanism/System
- Power steering
- Transmission shafts
- Wheel bearings front and rear
- Front suspension
- Rear suspension
- Shock absorbers

Brakes

- Controls ABS warning system
- Condition of service brake system
- Condition of parking brake system
- Service brake performance
- Parking brake performance

Tyres & Wheels

- Tyre type
- Tyre condition
- Road wheels

Seat Belts

- Mountings
- Condition

Windscreen Wipers & Washers

- Horn
- Exhaust system
- Exhaust emissions
- Vehicle structure
- First aid kit
- Fire extinguisher
- Internal lights
- Information/warning markings
- Exterior body condition
- Luggage compartment
- Meter calibration
- Meter seal
- Oil leaks

Seating

Taxi Buses

Fuel cut off device

Grab rails & vanity covers

Access to exits

Rear seat belts

Telford & Wrekin Council
Private Hire Vehicle Conditions of Licence – 6th September 2012

| | |
|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.. Identification Plates | |
| 1.1 | The external identification plate issued by the Council shall at all times be fixed to the outside front and rear of the Private Hire Vehicle by means of an approved fixing kit, by the proprietor to the place provided by the manufacturer or in accordance with reasonable instructions of an Authorised Officer of the Council. The plate should be fitted in such a manner as to be easily removable by such officer or Police Constable. |
| 1.2 | On the suspension of a vehicle licence and where a "Licence Expired" plate has been fitted to the vehicle that plate may only be removed by an Authorised officer of the Council. |
| 1.3 | The internal identification plates (two in number) for Executive Vehicle licences issued by the Council shall be affixed by the proprietor of the vehicle one on the nearside/left hand side of the front windscreen and one on the nearside/left hand side of the rear windscreen in a distinctly visible position that does not interfere with the drivers view of the road. Said plates will be displayed at all times in accordance with Council instructions. |
| 1.4 | The fare card where when issued by the Council shall at all times be kept and maintained inside the vehicle in accordance with the reasonable instructions of an Authorised Officer of the Council. |
| 1.5 | The proprietor of the vehicle shall ensure the identification plates are maintained and kept in such a condition that the information contained on the plate is clearly visible to public view at all times. The identification plate remains the property of the Council and must be returned to the Council within 7 days of expiry of the vehicles licence if not renewed. Plates are not transferable except on application. |
| 1.6 | No vehicle which is licensed by another Local Authority or bears a licence plate issued by another Local Authority will be licensed by the Council |
| 2.. Roof Signs | |
| 2.1 | External roof signs shall be the responsibility of the Operator of the company and must be kept to an approved standard. The roof signs shall be of a type and size approved by the Council and shall at all times be affixed to the roof of the Private Hire vehicle by the proprietor to the place recommended by the manufacturer or in accordance with reasonable instructions of an Authorised Officer of the Council. The roof sign should be fitted in such a manner as to be easily removable by such Officer or Police Constable. |
| 2.2 | All roof signs on Private Hire vehicles shall be connected to the vehicle electrical wiring system and will be illuminated when the vehicle is in service during lighting up times and/or adverse weather conditions. |
| 2.3 | The proprietor of the vehicle shall ensure the roof signs are maintained and kept in such a condition that the information contained is clearly visible to public view at all times. |
| 2.4 | For whatever reason, when a Private Hire vehicle licence is suspended the licence plate and the roof sign shall be removed by an Authorised Officer of the Council. The roof sign shall be kept in the custody of the Operator until such time as the vehicle is made fit again for service and the suspension lifted by the Council. Only at that point will the roof sign be returned to the vehicle proprietor/driver by the Operator. |
| 3. Types of Vehicle | |
| 3.1 | The proprietor shall ensure that the Private Hire vehicle shall only be of the type approved for Private Hire by the Council, namely a motor car or a multi- purpose vehicle built to carry up to eight passengers with factory fitted seatbelts and an engine capacity not less than 1600cc. subject to the following: |
| 3.1.1 | By way of a list that will specify as many different types of vehicle as possible or a range of general criteria which allow the trade to put forward vehicles of choice that meet the criteria. Will provide greater flexibility for new vehicle types. |
| 3.1.2 | A list of designated vehicles shall be maintained that will specify as many different types of vehicle as possible which allow the trade to put forward vehicles of choice that meet the criteria for wheelchair accessibility. |
| 3.1.3 | That all vehicles submitted to the Council for licensing as Private Hire Vehicles shall meet the safety standards of M1 Category European Whole vehicle Type Approval will be considered on their own merits so long as they and will comply with all current and statutory requirements, inc Road Vehicles (Construction and Use) Regulations 1986, the Motor Vehicle (Wearing of Seatbelts) Regulations 1993 & Motor Vehicle (Wearing of Seatbelts by Children in Front Seats) Regulations 1993. |
| 3.2 | The Council shall refuse any vehicle submitted for licence which is fitted with tinted windows to the rear of the driver which are not factory fitted options at the time of the manufacture of the vehicle. |
| 3.3 | <u>Limousines</u> Insert information detailed in Appendix J. In the absence of any national standards set to help Local Authorities deal with the licensing of stretched limousines the Council will regard such vehicles as in the Special Types Category and upon application will licence them until further notice as standard Private Hire vehicles. The need for legislation to cover the operation of this type of vehicle is being considered by D. o .T. In the interim any vehicle that is licensed shall comply to the Councils five year age limit and shall be subjected to Compliance Standard testing under the Road Vehicles (Construction & Use) Regulations 1986 and all existing conditions relating to licensed Private Hire vehicles. The Council reserves the right to amend conditions relating to these vehicles as and when required. |
| 3.3.1 | For reasons of safety Proprietors of such vehicles shall simultaneously engage, the services of two licensed Private Hire drivers at any time that the vehicle is used for hire and reward and it shall only be licensed by the Council for seven fare paying passengers. As and when new legislation, directives and/or new conditions are |

Telford & Wrekin Council

Private Hire Vehicle Conditions of Licence – 6th September 2012

| | |
|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | introduced the Council reserves the right to adopt any such measures without further notice. |
| 3.4 | All vehicle proprietors must obtain written consent from the Council prior to licensing Mini-Bus derivatives, Limousines or any other vehicle (converted or adapted) which may or may not fall into the Special Types Category. Such vehicles must not be purchased until it is clear, in writing that the council is prepared to licence them for hire and reward. |
| 3.5 | Vehicle Tyres - restrictions as per Manufacturers' standards. |
| 3.6 | The Council will only licence suitable vehicles which do not exceed that age limit for motor cars and Multi Purpose Vehicles (or for purpose built or adapted minibuses) of ten years. Vehicles to be tested every six months from five years of age in line with best practice guidance. However no vehicle to be over 5 years of age when first licensed. |
| 3.7 | The vehicle must not be of a type approved by the Council for Public Hire. (Hackney Carriage). |
| 3.8 | The current Telford & Wrekin guidance on executive vehicles provides a list of vehicles and trim levels as a guide to what vehicles are considered appropriate to be licensed as executive vehicles. The list is not exhaustive and each vehicle will be judged on its merits. If an operator is thinking of asking the Licensing Team to licence another type of vehicle they are advised to speak to a member of the Licensing Team in advance of purchasing the vehicle. The current guidance also states that: <ul style="list-style-type: none"> • a) The vehicle must be immaculate condition. • b) The vehicle needs to be large enough to carry at least three passengers and their luggage. • c) The vehicle will have air conditioning or climate control and alloy wheels. • d) The vehicle may have tinted windows but not so strong that you cannot see into the vehicle. • e) The vehicle must be maintained to a very high standard. • f) The passenger capacity will be restricted to the number of seats for adults. |
| 3.9 | It shall be a condition that vehicles which are licensed as Executive vehicles will only be permitted to undertake executive work and not for general Private Hire usage. It will also be a condition that Executive vehicle owners should produce to the Council written confirmation from their Private Hire Operator that the vehicle will only undertake Executive work. |
| 4. Condition of Vehicle | |
| | The proprietor shall ensure that:- |
| 4.1 | The Private Hire vehicle shall be maintained in a sound mechanical electrical and structural condition at all times and be capable of satisfying the council's mechanical electrical and structural inspection at any time during the continuance of the vehicles licence. |
| 4.2 | The interior and exterior of the vehicle shall be maintained in a clean safe condition by the proprietor. |
| 4.3 | Provide sufficient means by which any person in a Private Hire vehicle may communicate with the driver during the course of the hiring. |
| 4.4 | Cause the interior of the vehicle to be kept wind and water tight. |
| 4.5 | Provide any necessary window and means of opening and closing the same with not less than one window on each side of the passenger compartment. |
| 4.6 | Cause the seats in the passenger compartment to be cushioned and covered. |
| 4.7 | Cause the floor in the passenger compartment to be covered with a proper carpet, mat or other suitable covering. |
| 5. Fire Extinguisher & First Aid Kit | |
| 5.1 | Fire Extinguisher –Construction & Use Regulations – Schedule 7 Must be suitable to the risk and is to be carried in the vehicle at all times. It must be a fire extinguisher no smaller than 1.0kg incorporating a built in pressure gauge and to contain dry powder or water or other chemical reagent recommended for use in vehicle fires. The extinguisher should be securely fitted to the vehicle in such position as to be, easily accessible, readily available and must comply with BS 5423 and/or EN3 Standard. The extinguisher shall be a testable item on the Compliance Standards Testing of licensed Private Hire vehicles. |
| 5.2 | First Aid Kit – Road Vehicles Construction & Use Regulations 1986 Schedule 7 A standard size and type of first aid equipment which complies with the requirements laid down by the Department of Transport for mini-buses, in accordance with regulation 43. This is a testable item for the purposes of Compliance Standard Testing of licensed Private Hire vehicles. |
| 6. Light Trailers | |
| 6.1 | All Trailers must be of a design such that when close coupled to the prime mover (the vehicle towing it) it does not interfere in any way whatsoever with the operation of any rear door, emergency exits or wheelchair access ramps etc. |
| 6.2 | If the unladen weight of any Trailer submitted for testing exceeds 1,200 kgs, a prescribed Ministry Plate must be fitted to the nearside of the Trailer except where said Trailer is fitted with parking brakes and brakes that act automatically on the overrun of the Trailer. |
| 6.2.1 | In any case all Trailers shall meet the braking requirements in accordance with the type and size of said Trailer. |
| 6.3 | All such Trailers shall not exceed the gross weight limit of 3,500 kgs but in all cases the proprietor should consult the vehicle handbook regarding manufacturer's recommendations particularly where unbraked trailers |

Telford & Wrekin Council

Private Hire Vehicle Conditions of Licence – 6th September 2012

| | |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | may be in use. |
| 6.4 | All Trailers will be subjected to a Compliance Standards check and if found to be satisfactory, issued with a one year certificate. |
| 6.5 | The Trailer shall be fitted with a rigid hard top and shall be sealed against rain and water to protect luggage and goods. |
| 6.6 | The owner/operator of the Trailer shall ensure that the material facts are disclosed to the Insurer and that adequate insurance cover is arranged for the carriage of luggage and/or goods and proof of such cover is to be provided to the Council. |
| 7. | Signage |
| 7.1 | The following signs and notices will be displayed on licensed Private Hire vehicles during the currency of the Licence:- |
| 7.1.1 | Notices issued from time to time by Telford & Wrekin Council for the information of the travelling public. |
| 7.1.2 | A copy of the approved table of fares displayed in a clearly visible position (if required). |
| 7.1.3 | A sign stating 'Seat Belt Regulations – Seat Belts must be worn'. |
| 7.1.4 | A sign bearing the words 'First Aid Kit Carried' fixed to the rear body work of the vehicle. |
| 7.1.5 | A sign on both rear doors of the vehicle as issued by the Council regarding No Smoking. |
| 7.1.6 | Private Hire Vehicles should display a replica Private Hire Vehicles Licence plate issued by the Council, affixed to the inside of the vehicle, in the prescribed manner, so as to be plainly visible to fare paying passengers. |
| 8. | Advertisements |
| 8.1 | No form of advertising is permissible on any licensed Private Hire vehicle. HOWEVER, VEHICLE WILL BE ALLOWED TO DISPLAY THE NAME OF THE OPERATOR, TOGETHER WITH ADDRESS AND TELEPHONE NUMBER- |
| 8.2 | The proprietor shall not display or suffer or permit to be displayed on or from his/her premises or from any other place or from any licensed Private Hire vehicle, any sign or notice which consists of or includes the word Taxi or Cab whether in the singular or plural or any word of similar meaning or appearance to any of those words, whether alone or as part of another word, except where the Operator also makes Hackney Carriages available for hire and on such sign or notice must indicate that he/she also operates Private Hire vehicles (with letters of a size not less than those used for the word or words aforementioned.) |
| 8.3 | The Proprietor shall ensure that any roof sign attached to any licensed Private Hire vehicle owned or operated by them displays the company name and telephone contact number and nothing else save for "Advance Bookings Only" which shall be clearly visible and legible at all times on the front of the roof sign. |
| 8.4 | The Proprietor shall ensure that no Executive vehicle owned or operated by them bears any form of advertising whatsoever. |
| 9. | Passengers |
| 9.1 | The Licence holder shall at all times when a vehicle is hired take all reasonable steps to ensure the safety of passengers conveyed therein and persons entering and alighting from the vehicle. |
| 10. | Meters |
| 10.1 | If a proprietor wishes to fit a meter to a Private Hire vehicle the proprietor shall follow the procedures approved by the Council relating to the type of meter and the calibration and testing of such a meter. |
| 10.1.2 | The proprietor shall, if the vehicle is fitted with a meter, cause it to be installed and calibrated in the approved manner prior to testing by the Council and for it to be located within the vehicle in accordance with the reasonable instructions of an Authorised Officer of the Council. |
| 10.1.3 | The licence holder shall ensure that the meter is sufficiently illuminated and that when in use it is visible to all passengers. |
| 10.1.4 | The proprietor shall cause the meter to be maintained in a sound electrical and mechanical condition at all times. |
| 10.1.5 | The proprietor shall not use or permit to be used a meter that the Council has not sealed to prevent unauthorised adjustment of the meter. |
| 10.1.6 | The proprietor undertakes to ensure that the meter will not be replaced without written prior permission of an Authorised Officer of the Council and that any replacement meter conforms to all other conditions and be tested and sealed at the earliest opportunity. |
| 10.1.7 | The proprietor shall notify the Council prior to any proposed fare scale changes and shall cause the meter to be altered accordingly and retested before recommencing service for hire and reward. |
| 10.1.8 | Any Private Hire vehicle so fitted with a meter must be equipped with the standard size tyres as approved by the manufacturer of the vehicle. Retrofitted low profile tyres which will affect the performance and accuracy of a meter are not acceptable if fitted <u>after the meter has been tested and sealed</u> . Any such tyres of a low profile type must be fitted <u>before</u> the meter is tested. Any contravention of this condition will result in the immediate suspension of a Private Hire Vehicle licence. |
| 11. | Inspection of Vehicle and Meter |
| 11.1 | A licensed Private Hire vehicle and any meter affixed to the vehicle may be inspected and tested by an Authorised Officer of the Council or by a Police Officer at all reasonable times. |
| 11.2 | If the Authorised Officer of the Council or Police Constable inspecting the vehicle is not satisfied as to the fitness of the vehicle or the accuracy of the meter, he may give written notice to the Proprietor to make the Private Hire vehicle and/or meter available for further inspection and testing at such reasonable time and place as may be specified, and the vehicle licence may be suspended until the Authorised Officer of the |

Telford & Wrekin Council

Private Hire Vehicle Conditions of Licence – 6th September 2012

| | |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | Council or Police Constable is satisfied as to the vehicle's fitness or as to the accuracy of the meter. |
| 12. | Insurance |
| 12.1 | During the currency of the vehicle licence, the Proprietor shall keep in force, in relation to the use of the vehicle as a Private Hire vehicle, a policy for Private Hire insurance and security complying with the provisions of Section 145 of Part VI Road Traffic Act 1988 which covers third party liability both in respect of physical injury or death AND in respect of damage to personal belongings. The certificate of insurance shall be produced to an Authorised Officer of the Council for inspection whenever required. |
| 12.2 | If the Proprietor fails to produce a certificate of insurance cover on request he shall produce it forthwith, or within 7 clear days of the request to any Authorised Officer of the Council. Failure to comply with these provisions shall result in automatic suspension of the vehicle licence (and may lead to the ultimate revocation of the Licence, if a certificate is unable to be produced which confirmed that insurance cover was in place at the date of the original request). |
| 12.3 | Insurance certificates or cover notes issued to cover "any vehicle" or "any driver" must be accompanied by "any vehicle and/or any driver" schedule(s) together with a signed statement of undertaking by the insurance policy holder that the said schedule(s) does not contain information or details relating to vehicles and drivers which would fall into exemptions stipulated by the Insurance Company when the policy was issued. |
| 12.4 | The proprietor shall provide proof of Public Liability Insurance to the Council to the value of £5,000,000. |
| 13. | Convictions |
| 13.1 | The proprietor of the vehicle shall notify the Council of any conviction recorded against him or her by any court within 7 days of such a conviction being imposed. |
| 14. | Transfer of a Licence |
| 14.1 | The Proprietor of a Licensed Private Hire vehicle wishing to replace a licensed vehicle with another vehicle must apply for a new Private Hire vehicle licence. The Proprietor will be required to supply to the Council all relevant information relating to the new vehicle. |
| 14.2 | An appointment to test the new vehicle will not be made by the Council unless the vehicle is available for immediate inspection and in any case no more than 48 hours in advance. The proprietor must also undertake to licence the vehicle immediately after testing. |
| 14.3 | A fee will be paid at the Council approved Testing Station for the mechanical and electrical inspection of the replacement vehicle before the licence is transferred. |
| 14.4 | It must be noted by all vehicle proprietors that under no circumstances will vehicle licences be transferred unless the transfer relates to a permanently replaced vehicle such as one to replace another vehicle taken out of service due to age limits or written off or for similar reasons. Licences of vehicles that are temporarily off the road (with mechanical defects or awaiting spares etc) and can be brought back into service at a later date will not qualify for such licence transfers. |
| 15. | Customer Feedback Cards |
| 15.1 | The proprietor shall ensure that customer feedback cards should be installed in all Private Hire Vehicles asking for feedback on customer service with the results of the customer feedback being shared with operators, the Council and the Chairman of the Council's Licensing Committee. |
| 16. | Equipment |
| 16.1 | The proprietor shall ensure that all Private Hire Vehicles must carry at all times a warning triangle and an appropriate set of vehicle spares (e.g. spare bulbs etc). |

| | |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| N.B. | Additional Notes |
| 1. | This list of conditions is not finite and additional information regarding all aspects of Private Hire Vehicle licensing in detail can be found in Telford & Wrekin Council's Hackney Carriage & Private Hire Policy document , the official handbook issued by Telford & Wrekin Council. |
| 2. | Any requirements of legislation which effect the operations being carried out under the terms of this licence shall be regarded as if they are conditions of this licence. Wherever there appears in the licence Conditions, Guides or Handbook or Policy , a summary of any statutory provision you are advised that such summary is not exhaustive. If you are in any doubt about any information contained in this document please contact the Licensing Service for advice on 01952 – 383262.4 |

List of Private Hire Vehicles

Vehicle (Numbers of Passengers)

Skoda - Octavia (4) Roomster (4) Superb (4)

Kia - Magentis (4) Sedona (6) Carens (4)

Renault - Scenic (4) Laguna (4) Espace (6) Master (8)

Vauxhall -Vectra (4) Astra Estate (4) Zafira (6) Meriva (4) Mivano (4)
Insignia (4) Vivaro (8) TS Shuttle (8)

Citroen - Berlingo (4) Picasso C4 (4) Zsara (4) C8 (4,6 & 7) C6 (4)
C5 (4) C4 Grand Picasso 1.6hdi vtr + (6)

Volkswagen - Passat (4) Golf plus (4) Golf Estate (4) Touran (6) Sharan (6)
Transporte (8) Shuttle (8) Jetta Sports TDI 2 litre (4)

Peugeot - 407 (4) 307 Estate (4) 807 (4) Peugeot Boxer (mid-wheelbase,
wheelchair accessible to carry two W/C+FOUR passengers)

Ford - Cmax (4) Mondeo (4) Mondeo 5 Door Hatch (4) Focus Estate (4) Focus
Zetec (4) Galaxy (6) Torneo (7) Ford Transit T280 (8)

Mazda - 6 series (4)

Toyota -Avensis (4) Corolla (4)

Fiat -Doblo (4) Chroma (4) Multipla (5) Ulysses (7) Ducato (8) Scudo (8)

BMW -3 Series Estate (4)

Nissan - Primera (4) Almera Tino SD Hatchback (4) (Rear seats to be removed)

Hyundai - T-Jet (6) i800 (7)

Audi – A4 (4)

Honda – Accord (4)

Chrysler - Grand Voyager (6)

Saab – 93 (4)

Mitsubishi - Grandis Classic (6)

Designated List of Wheelchair Accessible Vehicles

The vehicles listed below meet the criteria for wheelchair accessibility.

Private Hire Vehicles

Vauxhall

Vivaro

Ford

Torneo

Transit

Volkswagon

Shuttle

Transporter

Fiat

Scudo

Ducato

Mercedes

Vito Traveliner

Renault

Master

Executive Car Status - Guidance.

Following a meeting with members of Telford Operators and Drivers Associations the following list has been drawn up in relation to the licensing of Executive vehicles.

The list of vehicles and trim levels are to be seen as a guide as to what vehicles are appropriate to be licensed as Executive vehicles by Telford & Wrekin Council. If an operator is thinking of asking the Licensing Team to licence another type of vehicle they are advised to speak to a member of the Licensing Team in advance of purchasing the vehicle.

The following are general guidelines as to what is required in terms of condition and equipment:

- a. the vehicle must be immaculate condition.
- b. the vehicle needs to be large enough to carry at least three passengers and their luggage.
- c. the vehicle will have air conditioning or climate control and alloy wheels.
- d. the vehicle may have tinted windows but not so strong that you cannot see into the vehicle.
- e. the vehicle must be maintained to a very high standard.
- f. the passenger capacity will be restricted to the number of seats for adults.

It is agreed that the following types and makes of vehicle will normally be licensed as executive vehicles if they comply with the above criteria:-

List of Executive Vehicles

Vehicle

Volkswagen - Phaeton

BMW - 5 Series, 7 Series.

Jaguar - XJ, XF and S Type

Mercedes - E and S Class

Audi - A6 and A8

Lexus - 300 and 400

Volvo - S80

Chrysler - 300

Peugeot –807 (Executive Model only)

Ford – Galaxy GHIA TDCI only (6 pax)

Telford & Wrekin Council

Private Hire Operator Conditions of Licence – 1st December 2008

| | |
|-------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. GENERAL REQUIREMENTS | |
| 1.1 | Throughout the currency of his/her Licence, the holder of a Private Hire Operators Licence shall be a fit and proper person to hold such a licence. New applicants will be subject to a satisfactory Criminal Records Bureau check and all licence holders will be subject to a check every three years. |
| 1.2 | The total number of vehicles operated from any given licensed base, or bases, shall not be more than three times the total number of authorised car parking spaces available to the operator at that base. In any case the Operator shall not allow any driver in his/her employment to park on any road, street, car park or private ground either with the intention of plying for hire or for taking rest breaks or for any other reason and shall instruct said drivers to proceed to council approved parking areas (as set out in Section 11 (1) of these conditions of licence) |
| 1.3 | The Operator shall be required to display his/hers Operators licence in a prominent position at the premises and have available a copy of these conditions for public scrutiny if requested. |
| 2. LG(MP) ACT 1976 – CONDITIONS ATTACHED TO LICENCES | |
| 2.1 | The Operator shall make available, on any premises from which he /she operates, for inspection by members of the public, a copy of the Local Government (Miscellaneous Provisions) Act 1976, these conditions and the conditions of Private Hire and Hackney Carriage Vehicles and Drivers licences whichever is applicable. |
| 3. IDENTIFICATION PLATES | |
| 3.1 | The external identification plate issued by the Council shall at all times be fixed to the outside front and rear of the Private Hire Vehicle by the proprietor to the place provided by the manufacturer or in accordance with reasonable instructions of an Authorised Officer of the Council. The plate should be fitted in such a manner as to be easily removable by such officer or Police Constable. |
| 3.2 | On the suspension of a vehicle licence and where a "Licence Expired" plate has been fitted to the vehicle that plate may only be removed by an Authorised officer of the Council. |
| 3.3 | The internal identification plates (two in number) for Executive Vehicle licences issued by the Council shall be affixed by the proprietor of the vehicle one on the nearside/left hand side of the front windscreen and one on the nearside/left hand side of the rear windscreen in a distinctly visible position that does not interfere with the drivers view of the road. Said plates will be displayed at all times in accordance with Council instructions. |
| 3.4 | The fare card where issued by the Council shall at all times be kept and maintained inside the vehicle in accordance with the reasonable instructions of an Authorised Officer of the Council. |
| 3.5 | The proprietor of the vehicle shall ensure the identification plates are maintained and kept in such a condition that the information contained on the plate is clearly visible to public view at all times. The identification plate remains the property of the Council and must be returned to the Council within 7 days of expiry of the vehicles licence if not renewed. Plates are not transferable except on application. |
| 3.6 | No vehicle which is licensed by another Local Authority or bears a licence plate issued by another Local Authority will be licensed by the Council |
| 4. RECORDS OF VEHICLES AND DRIVERS | |
| 4.1 | Except with reasonable care the Operator shall have in his/her care:- |
| 4.2 | The current Private Hire drivers licence issued by the council of any driver employed as a Private Hire driver whether or not the vehicle is owned by him/her (unless the vehicle used is operated by another licensed Operator by sub-contact); and |
| a) | The current Private Hire vehicle licence issued by the council of any vehicle operated by him/her (unless the vehicle used is operated by another licensed Operator by sub-contract). |
| b) | The Operator shall ensure that all vehicles used by the company that are licensed by the council for hire & reward shall display a valid Road Fund Excise Licence. |
| c) | On leaving the employ of an Operator a driver or vehicle proprietor shall be entitled to receive immediately on demand the return of his/her driver's or vehicle licences whichever is applicable. |
| d) | The Operator shall maintain an up-to-date list of the owners, the description and registration numbers of all Private Hire vehicles employed by their business and their drivers which shall include details of any radio or computer call sign used to identify a vehicle. The Operator shall produce such a list on request to an Authorised Officer of the Council or to a Police Constable. |
| e) | The Operator shall immediately notify the Council when any vehicle or driver ceases in his/her employ, or any vehicle or driver commences in his/her employ. |
| f) | The Operator shall notify the Council of any change of his/her address and of any change of address relating to any driver or vehicle proprietor they employ or allow to operate within the company, this to be done within seven days of any such change taking place. |
| g) | The Operator shall inform the Council of any changes relating to licensed vehicles and drivers within seven days of those changes taking place. |
| h) | The Operator shall provide the council with a complete and up to date list of all drivers and vehicles employed by the company. Such list will be provided by the Operator by the end of the first working week in January, March, June and September of each year. |
| i) | Any information relating to licensed Operators, vehicles and drivers must be produced to an Authorised Officer on demand. |

Telford & Wrekin Council

Private Hire Operator Conditions of Licence – 1st December 2008

| | |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| j) | The Operator shall make aware any driver in his/her employment not to park on any road, street, car park or private ground either with the intention of plying for hire or taking rest breaks and in any case; |
| k) | The Operator shall ensure that all drivers of licensed Private Hire vehicles, as soon as they have dropped off passengers shall, unless prevented from doing so by another prior booking return to the Operators licensed base of operations or to specific council approved parking areas, to await further instructions. |
| 5. | ROOF SIGNS |
| 5.1 | External roof signs shall be the responsibility of the Operator of the company and must be kept to an approved standard. The roof signs shall be of a type and size approved by the Council and shall at all times be affixed to the roof of the private hire vehicle by the proprietor to the place recommended by the manufacturer or in accordance with reasonable instructions of an Authorised Officer of the Council. The roof sign should be fitted in such a manner as to be easily removable by such Officer or Police Constable. |
| 5.2 | For whatever reason, when the Private Hire vehicle licence is suspended the plate and the Roof Sign shall be removed by an Authorised Officer of the Council. The Roof Sign shall be retained in the sole custody of the company Operator until such time as the vehicle is made fit again for service and the suspension is lifted. Only at that point will the Roof Sign be returned to the vehicle proprietor by the Operator. |
| 5.3 | The Operator shall ensure that Roof Signs are maintained and kept in such condition that the information contained thereon is clearly visible to public view at all times and that no advertising is placed upon them save for the name and telephone contact number of the company. |
| 5.4 | All Roof Signs shall be connected to the vehicles electrical wiring system and will be illuminated when the vehicle is in service during lighting up times and/or during adverse weather conditions. |
| 6. | TELEPHONES, STAFF AND FACILITIES |
| 6.1 | The Operator shall provide adequate telephone facilities and staff to provide an efficient service to the public using the Operators facilities. |
| 6.2 | The Operator shall ensure that where any passenger waiting area is provided, it is kept physically separate from any driver rest area and radio operations room and that any company staff member, driver or vehicle proprietor do not congregate in any passenger waiting area or room. |
| 6.3 | The Operator, where a waiting area or room is provided for the use of passengers or prospective passengers; |
| a) | Shall provide adequate seating for the use of those passengers and prospective passengers and |
| b) | Shall ensure that such a room or area is kept clean, adequately heated, ventilated and lit; and |
| c) | Shall ensure that the interior and exterior of the premises is kept in good repair, to the satisfaction of an Authorised Officer of the Council. |
| 7. | CHILD SAFETY SEATS |
| 7.1 | The Vehicle Proprietor in conjunction with the Operator and the Driver, shall provide and make available to any customer so requesting, an approved infant or booster seat or the provision of extra equipment to facilitate the safe conveyance of children during Private Hire vehicle bookings. (The number of seats held by the company shall be determined by the Operator and the Vehicle Proprietor in accordance with an assessment of supply and demand). All seats provided shall conform to U. N. Safety Standards R44.03 |
| 7.2 | The Operator in conjunction with the Vehicle Proprietor and the Driver shall ensure that any infant seat used during a Private Hire booking will be used in accordance with the manufacturer's instructions. |
| 7.3 | Based upon supply and demand, the Operator in conjunction with the Vehicle Proprietor and Driver shall decide, whether or not the seats provided by them are kept at the company base, and made available to drivers as and when required, or kept upon selected licensed vehicles or both. |
| 7.4 | The Operator shall make available at the base, suitably sized blankets and waterproof covers to be maintained and used to protect the seats from soiling due to the carriage of animals (as may be required). Based upon supply and demand the Operator shall determine the number of Blankets and waterproof covers the company requires. |
| 8. | HIRINGS AND RECORDING OF HIRINGS |
| 8.1 | The Operator will make all reasonable provision that the system in place works effectively and that it enables the company to honour any bookings that they accept and the Operator shall be responsible for monitoring the system to make certain that drivers and vehicles are available to fulfil the arrangements agreed by company and the Hirer. |
| 8.2 | When the Operator accepts a hiring he/she shall, unless prevented by some sufficient cause, ensure that the licensed Private Hire vehicles attend at the appointed time and place. |
| 8.3 | The Operator must not purchase, hire or install any computerised booking or dispatching system without prior written consent from the Council, based upon the system meeting approved technical specifications and the Local Government (Miscellaneous Provisions) Act 1976. |
| 8.4 | Where the Operator employs any form of computerised data entry, bookings may be entered via a computer subject to a hard (paper) copy being printed from the records at the request of an Authorised Officer of the Council. Where an Operator employs a system of manual entries of hirings on to a booking sheet, those records or a copy of those records must be made available on request to |

Telford & Wrekin Council

Private Hire Operator Conditions of Licence – 1st December 2008

| | |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | an Authorised Officer of the Council. |
| 8.5 | The records of hirings accepted by the Operator is required to be kept under Section 56 of the Local Government Miscellaneous Provisions Act 1976 and shall be the responsibility of the Operator who, immediately prior to the commencement of the journey, will enter all the details of the hirer legibly in ink on to the company record sheets or into a computer system in the prescribed manner. The records shall contain the following; |
| a) | The name of the hirer. |
| b) | The time of the pick up. |
| c) | The point of pick up. |
| d) | The hirers required destination. |
| e) | Information indicating the vehicle dispatched and the driver used. |
| f) | Remarks, including details of any instructions from the hirer or regarding sub-contract to or from another Operator. |
| 8.6 | The Operator shall not dispose of any record of hirings made under the LG(MP) ACT 1976 within six months of the last hiring contained therein. |
| 8.7 | At the start of each shift the Operator shall ensure that a full record of <u>all</u> vehicles and drivers used by the company for that shift are kept. Such record will include details of vehicle registration numbers and vehicle radio or computer call signs. It will also include drivers' full names and driver licence numbers and such record will be attached to the relevant days booking sheet or other appropriate systems and kept as in condition (8.6). |
| 9. | EMPLOYMENT OF PRIVATE HIRE DRIVERS & OTHER STAFF |
| 9.1 | The Private Hire Operator shall not, knowingly or without prior consent of the council, employ or be employed by, engage in partnership with, or allow to suffer any involvement in the management of the operation hereby licensed :- |
| a) | Any person who has been convicted of an offence under the Local Government (Miscellaneous Provisions) Act 1976 or any other legislation relating to Private Hire and Hackney Carriage Licensing; and |
| b) | Any person who, for the purposes of Part II of the said Act, has been found not to be a Fit and Proper Person to hold a Drivers, Vehicle or Operators licence ; and |
| 9.2 | The Operator shall be responsible for the actions of any manager, supervisor or any other person appointed to run or play any part in the management of the Private Hire business; and |
| 9.3 | The Operator shall in any case, ensure that they have examined the Private Hire Drivers licence issued by the Council and that it is valid. |
| 9.4 | The Operator must also ensure that the said licence is lodged with the company before the driver is employed to carry out private hire work for the company and shall retain the licence in his/her possession while such driver remains in his/her employ. |
| 9.5 | On leaving the employ of an Operator a driver or vehicle proprietor shall be entitled to receive immediately on demand the return of his/her driver and /or vehicle licence. If the Licence holder has been guilty of misconduct the Operator may not return the licence and must forthwith issue a summons to have his/her cause of complaint determined by the Magistrates. (If the Magistrates find that the licence has been improperly retained they have powers to order its return and also to award compensation). |
| 10. | RADIOS AND CALL SIGNS |
| 10.1 | The Operator shall ensure that any radio equipment that is fitted to any licensed vehicle operated by the company, is correctly licensed by the relevant authority and is fitted to the vehicle in the approved manner. It must at all times be kept in a safe and sound condition and maintained in proper working order and that the use of such a system is disclosed to the Operators and/or vehicle proprietor's Insurance company. |
| 10.2 | The Operator shall allocate a radio or computer call sign to any vehicle on their system (including executive vehicles) and that call sign shall be the plate number of the licensed vehicle as issued by the Council. |
| 11. | PARKING AND PLYING FOR HIRE |
| 11.1 | The Operator shall ensure that all Private Hire Drivers employed by him/her, as soon as they have dropped passengers shall, unless prevented by another prior booking, return to the Operators licensed base of operations or other approved parking areas (as per the approved list – which shall be subject to continual review) within the controlled district to await further bookings or instructions. |
| 12. | CONVICTIONS |
| 12.1 | The Operator shall notify the Council of any conviction, <u>caution or charges</u> recorded against him/her by any <u>court authority</u> within seven days of any such conviction, <u>caution or charge</u> being imposed. |
| 13. | COMPLAINTS |
| 13.1 | The Operator shall set up an effective internal procedure to deal with complaints made by the public against the company, vehicle proprietors and/or drivers. |
| 13.2 | The procedure shall be approved by the Council and must be set up in such a way that complaints are dealt with by the Operator or a member of his/her staff not directly connected with dealing with the invitation of Private Hire bookings or the dispatching of drivers and vehicles. |

Telford & Wrekin Council

Private Hire Operator Conditions of Licence – 1st December 2008

| | |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 13.3 | The Operator shall ensure that all complaints received by the company are properly recorded in the first instance and all information relating to any action taken is also recorded. Such information shall include details of the booking (who accepted it on behalf of the company) and of the vehicle, and driver involved. Records will be made in a book (or other appropriate recording method) and not on loose leaf paper and pages shall be consecutively numbered. |
| 13.4 | The Operator shall on receipt of any complaint relating to a contract for hire or purported contract for hire relating to or arising from his /her business, immediately notify the complainant of their right to forward the complaint to the Council. |
| 13.5 | Any complaint shall be investigated immediately by the Operator or by his/her independently appointed representative within the company and the complainant kept informed and notified of the outcome within a reasonable amount of time. |
| 13.6 | Where a complaint is received by an Authorised Officer of the Council the Operator shall conform to any directions of the officer in respect of that complaint. |
| 13.7 | The complaint book kept by the Operator shall be made available upon demand to any Authorised Officer of the Council and its contents may be used as evidence in investigating said complaints. |
| 13.8 | The Operator shall from time to time monitor and if necessary review the company complaint's procedure to ensure that it is being conducted correctly and effectively. |
| 14. | ACCIDENTS |
| 14.1 | The Operator shall, notwithstanding his/her responsibilities under the Road Traffic Act, report to the Council within 72 hours, any accident involving a Private Hire Vehicle under their control. In any case the licence holder shall notify the Council immediately, of any vehicle being under their control which has suffered damage of any kind which materially affects the safety performance or appearance of the vehicle, or the comfort convenience of the fare paying passengers. |
| 15. | TOUTING – CRIMINAL JUSTICE & PUBLIC ORDER ACT 1994 |
| 15.1 | The Operator shall ensure that all drivers and employees in their employ are made aware of their responsibilities under this legislation while driving or in charge of a Private Hire vehicle. |
| 16. | INSURANCE |
| 16.1 | During the currency of all licensed Private Hire vehicles owned or operated by the Operator, he/she shall ensure that a policy of insurance and security complying with the provisions of Section 145 of Part VI Road Traffic Act 1988 which covers third party liability both in respect of physical injury or death AND in respect of damage to personal belongings. The certificate of insurance shall be produced to an Authorised Officer of the Council on demand. |
| 16.2 | The Operator shall ensure that any licensed Private Hire vehicle that he/she owns or operates have current, valid insurance covering "Private Hire". "Public Hire" insurance will not be accepted by the Council if that insurance cover relates to Private hire vehicle(s). |
| 16.3 | If the Operator fails to produce a certificate of insurance cover on request he shall produce it forthwith, or within seven clear days of the request, to an Authorised Officer of the Council. Failure to comply with these provisions may result in the Operators right to hold a licence being brought into question under Fit and Proper Persons (Section 1.1 of these conditions). Failure to comply with these provisions shall also result in automatic suspension of the Private Hire vehicle licence and may lead to the ultimate revocation of the licence, if a certificate is unable to be produced which confirmed that insurance cover was in place at the date of the original request. |
| 16.4 | Insurance certificates or cover notes submitted to the Council in support of vehicle licence applications or renewals and issued by the insurance company to cover "any vehicle" or "any driver" must be accompanied by "any vehicle and/or any driver" schedule(s) together with a signed statement of undertaking by the insurance policy holder that the said schedule(s) does not contain information or details relating to vehicles and drivers which would fall into the exemptions stipulated by the Insurance Company when the policy was issued. |
| 16.5 | Operators shall provide to the council proof of Public Liability Insurance to the value of £5,000,000. |
| 17. | CHEQUES |
| 17.1 | A licence in respect of which the licence fee has been paid by cheque shall not be effective until the cheque has been cleared, and if not cleared will become void and will result in the revocation of such licence. |
| 18. | ADVERTISEMENTS |
| 18.1 | No form of advertising is permissible on any licensed Private Hire vehicle, <u>other than displaying the business name, address and telephone number.</u> |
| 18.2 | The Operator shall not display or suffer or permit to be displayed on or from his premises or from any other place or from any licensed Private Hire vehicle, any sign or notice which consists of or includes the word Taxi or Cab whether in the singular or plural or any word of similar meaning or appearance to any of those words, whether alone or as part of another word, except where the Operator also makes Hackney Carriages available for hire and on such sign or notice must indicate that he/she also operates Private Hire vehicles (with letters of a size not less than those used for the word or words aforementioned). |
| 18.3 | The Operator shall ensure that any roof sign attached to any licensed Private Hire vehicle owned or operated by them displays the company name and telephone contact number and nothing else save for "Advance Bookings Only" which shall be clearly visible at all times. |

Telford & Wrekin Council

Private Hire Operator Conditions of Licence – 1st December 2008

| | |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 18.4 | The Operator shall ensure that no Executive vehicle owned or operated by them bears any form of advertising whatsoever. |
| 19. | EXECUTIVE VEHICLES |
| 19.1 | It shall be a condition that vehicles which are licensed as Executive vehicles will only be permitted to undertake executive work and not for general Private Hire usage. |

| | |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| N.B. | ADDITIONAL NOTES (NOT TO BE CONSIDERED AS LICENSING CONDITIONS) |
| 1. | This list of conditions is not finite and additional information regarding all aspects of Private Hire Operator, Vehicle and Driver licensing in detail can be found in the official handbook issued by Telford & Wrekin Council. <u>Telford & Wrekin Council's Hackney Carriage & Private Hire Policy document.</u> |
| 2. | Any requirements of legislation which effect the operations being carried out under the terms of this licence shall be regarded as if they are conditions of this licence. Wherever there appears in the licence Conditions, Guides or Handbook or Policy , a summary of any statutory provision you are advised that such summary is not exhaustive. If you are in any doubt about any information contained in this document please contact the Licensing Office for advice on 01952 – 383262.4 |

1. General Requirements

1.1 Throughout the currency of his/her licence the holder of a Dual Driver licence shall be a fit and proper person to hold such a licence. New applicants will be subject to a satisfactory ~~Criminal Records Bureau~~ Disclosure & Barring Service check and all licence holders will be subject to a ~~Criminal Records Bureau~~ Disclosure & Barring Service check every three years.

1.2 Throughout the currency of his/her Driver's Licence, the holder of a Dual Driver Licence must possess a full Category B DVLA driving licence and must have held one for at least the preceding 3 years (3 years actual driving experience). The Licence referred to is one issued under Part III Road Traffic Act, 1988, as amended by the Road Traffic Act, 1991, authorising the holder to drive a motor car.

2. Medical Fitness and Medical Examination

2.1 Throughout the currency of his/her Licence the holder of a Dual Driver Licence must be and must remain medically fit. To enable the Council to be satisfied as to medical fitness the following requirements will apply:-

2.2 All drivers should have medicals on application and then every three years.

2.3 If once granted, the Driver's medical circumstances change during the currency of that Licence, he/she must so advise the Council as soon as possible. If the Council then so requires, the Driver must immediately submit to a further medical examination and thereafter, provide written evidence (in the form of an approved medical certificate as detailed above) of the outcome of this examination and of his fitness to continue as a driver of a Hackney Carriage/Private Hire Vehicle. The Council reserves the right to refer any such matter to its own appointed Medical Officer whose decision will be final.

2.4 The Council will not grant or renew (as the case may be) any Driver's Licence unless the foregoing provisions are complied with (as appropriate) and the applicant can thereby demonstrate that he is medically fit to hold a Dual Driver Licence.

2.5 The Council may revoke or suspend an existing Licence if the holder is unable to demonstrate as necessary that he/she remains medically fit to hold such Licence. The Council reserves the right to refer any such matter to its own appointed Medical Officer whose decision will be final.

3. Medical Exemptions

3.1 Medical exemptions involving the carriage of Disabled persons and also the carriage of Guide, Hearing or Other Assistance Dogs may apply to new or existing drivers who suffer certain medical conditions and if so must submit themselves to a rigorous medical examination and provide proof that they have a history of a specific health problem to qualify for such exemption.

4. Disclosure and Barring Service Checks and Convictions Notification

4.1 The Licence holder shall notify the Council in writing of any conviction, caution or charge recorded against him/her by any ~~court~~ authority within 7 days of such a conviction, caution or charge being imposed.

4.2 The Licence holder shall within 42 days of such an offence notify the Council in writing of any fixed penalty notice imposed upon him/her which results in an endorsement upon his/her UK driver's licence.

5. Return of Badge and Licence

5.1 On suspension, revocation, refusal to renew, or expiry of the Driver's Licence, the holder of the Licence shall, on demand, return the Badge and Licence to the Council within 48 hours.

6. Knowledge Test

6.1 At the discretion of the Council the holder of a Dual Driver Licence can, during the currency of the Licence, be required to undertake a further knowledge test or tests. (Where a Dual Driver Licence has previously been held but has lapsed for 12 months or more, the Council will invariably require a knowledge test to be taken before issuing a Licence.) Failure to submit to, or

pass, any knowledge test so required will permit the Council to refuse to grant (or renew) a Dual Driver Licence or to revoke or suspend a Dual Driver Licence (as the case may be).

7. Training

7.1 All successful applicants will be required to undertake up to two days training per annum at the discretion of the Council to include:

Disability Awareness Training
Licensing Requirements
Passenger Safety

7.1.2 The direct costs of the training will be borne by the Council; however, the costs of driver time will not be met. Failure to submit to, or pass, any training so required by the Council will permit the Council to refuse to grant (or renew) a Dual Driver's Licence or to revoke or suspend a Dual Driver's Licence (as the case may be).

7.1.3 Training courses will be designed around the basic needs required by Dual Drivers and held on several pre-determined dates during the year commencing January to December. All candidates shall be expected to complete a course within the period of the licence which has been issued to them. ~~(A six months badge holder within six months and a one year badge holder within that one year period.)~~

7.2 That all drivers must undertake a qualification in "Transporting passengers by taxi and private hire" or similar qualification within 24 months.

7.3 That the Road Safety & Sustainable Transport Assessment shall be taken by all existing Dual Drivers within 24 months of October 2011.

8. Production of Driving Licences

8.1 The holder of a DVLA Driver's Licence shall, at the request of any Authorised Officer of the Council or any Police Constable, produce his Driving Licence for inspection either forthwith, or within 7 clear days of the request.

8.2 Any driver requesting a photocopy of his/her driver's licence from Council records must have a valid reason for doing so and shall be charged a fee.

9. Conduct of Driver

The holder of a Dual Driver Licence shall, when driving a Hackney Carriage/Private Hire Vehicle :

9.1 At all times be clean and respectable in his/her dress and appearance and maintain a high standard of personal hygiene.

9.2 Drivers of Executive status vehicles shall be dressed appropriate to the occasion at all times and as a minimum standard shall adopt smart casual clothes with jacket, collar and tie.

9.3 Tailored shorts may be worn in hot weather. They shall be of one colour and of knee length or below knee length (in the sitting position). Cut off jeans or similar shall not be worn.

9.4 Not without the express consent of the hirer eat or drink in the Hackney Carriage/Private Hire vehicle

9.5 Not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the Hackney Carriage/Private Hire vehicle.

9.6 Not at any time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which the Licence holder is driving be a source of annoyance to any person whether inside or outside the Hackney Carriage/Private Hire Vehicle.

9.7 At all times, behave in a civil and orderly manner towards all other road users, pedestrians and persons seeking to hire or being conveyed in the vehicle.

9.8 When having agreed to attend a location at an appointed time shall, unless delayed and prevented by some sufficient cause, punctually attend at such appointed time and place.

9.9 Shall at all times when hired afford reasonable assistance to the passenger and convey them subject to any instructions given by the hirer, to their destination by the shortest practicable route.

10. Animals

When driving a Hackney Carriage/Private Hire vehicle, the holder of a Dual Driver Licence:

10.1 Shall not carry any animal belonging to or in their custody whilst fare paying passengers are being conveyed in the vehicle. However it will be allowed to make the transportation of animals at the discretion of the vehicle owner/company (with the exception of assistance dogs as defined by the ~~Disability Discrimination Act 1995~~ Equality Act 2010). They may however allow any animal belonging to or in the custody of a passenger to be conveyed in the vehicle but in the case of a Private Hire Vehicle only in the rear (in the foot well or floor pan of the vehicle).

11. Receipt for Fare

11.1 The License holder shall, if requested by the hirer, supply the hirer with a written receipt for any fare paid.

12. Accidents

12.1 The Licence holder shall, notwithstanding his/her responsibilities under the Road Traffic Act, report to the Council within 72 hours, any accident involving a Hackney Carriage/Private Hire Vehicle under their control. In any case the licence holder shall notify the Council immediately, of any vehicle being under their control which has suffered damage of any kind which materially affects the safety performance or appearance of the vehicle, or the comfort convenience of the fare paying passengers.

13. Change of Particulars

13.1 The holder of a Dual Driver Licence shall notify the Council in writing of any change of his circumstances which may occur during the currency of his Licence, including any change of address or change of employers. Any such change shall be so notified within 7 days of it taking place. Failure to do so is an offence.

14. Roof Signs

The Driver of a Private Hire Vehicle shall ensure the roof signs are maintained and kept in such a condition that the information contained is clearly visible to public view at all times and that the roof sign is illuminated when the vehicle is in service during lighting up times.

15. Hirer's Property

15.1 The Licence holder shall immediately after termination of any hiring, or as soon as practicable thereafter search the Hackney Carriage/Private Hire Vehicle for any property which may have been left therein.

15.2 The Licence holder shall, if any property is accidentally left therein by any person who may have been conveyed in the vehicle and be found by or handed to him/her, carry it as soon as possible and in any event within 24 hours if not sooner claimed by or on the behalf of its owner, to a Police Station in the district in order to receive instructions from the Police regarding its custody.

16. Passengers

16.1 The Licence holder shall at all times when a Hackney Carriage/Private Hire Vehicle is hired take all reasonable steps to ensure the safety of passengers conveyed therein and persons entering and alighting from the vehicle.

16.2 The Licence holder shall not permit a Hackney Carriage/Private Hire Vehicle to carry a greater number of passengers than the number prescribed in the Licence.

17. Parking and Plying for Hire

17.1 All Dual Drivers when driving a Private Hire Vehicle, as soon as they have dropped passengers shall, unless prevented by another prior booking, return to the Operators licensed base of operations or other approved parking areas (as per the approved list – which shall be subject to continual review) within the controlled district to await further bookings or instructions.

18. Fares

18.1 The Driver of a Private Hire Vehicle shall not demand a fare in excess of that prescribed by the Operator unless previously agreed between the hirer and the Operator at the time of booking.

~~18.2 The Driver of a Hackney Carriage/Private Hire Vehicle which displays a sign "Travel Tokens Accepted" shall not refuse to convey the hirer who may wish to pay for the journey with Travel Tokens properly issued to them.~~

19. Meters

19.1 Any Hackney Carriage/Private Hire Vehicle fitted with a Meter approved by the Council, and into which the restrictions and the Council's/Operating company's fare rates have been programmed, shall be tested and sealed by the Council and the following instructions shall apply;

19.2 The Dual Driver shall not cause the fare recorded upon the Meter to be cancelled until the hirer has had a reasonable opportunity of examining it and has paid the fare.

19.3 The Dual Driver shall ensure that the Meter is sufficiently illuminated that when in use it is visible to all passengers.

19.4 The Dual Driver shall ensure that the fare or charge shall be calculated from the point in the district at which the hirer commences the journey and shall not exceed that displayed on the Meter on the completion of such journey.

19.5 The Dual Driver shall ensure that the Meter is only brought into action at the commencement of the hirer's journey and the correct tariff for that journey is displayed.

20. Driver's Responsibilities

20.1 It is the Dual Driver's responsibility to ensure that an approved serviceable Fire Extinguisher is carried in the vehicle whenever it is used for hire and reward.

20.2 It is the Dual Driver's responsibility to ensure that an approved and complete First Aid Kit is carried in the vehicle whenever it is used for hire and reward.

20.3 It is the Dual Driver's responsibility to ensure that there is a valid certificate or cover note of insurance in existence for him/her to drive the vehicle. Insurance covering Public Hire for Private Hire vehicles will not be accepted by the Council.

20.4 The Dual Driver shall ensure that if there are any points recorded on their DVLA Licence that these convictions are disclosed to the Council and the Insurer. A copy of the proposal form relating to such a disclosure must be produced to the Council on request

20.5 The Dual Driver shall ensure that any other material facts are disclosed to the insurer and the vehicle proprietor.

21. Cheques

~~21.1 A Licence in respect of which the licence fee has been paid by cheque shall not be effective until the cheque has been cleared, and if not cleared will become void and will result in the revocation of such Licence.~~

22. Radio Scanning Devices

22.1 The Dual Driver shall ensure that no Radio Scanner or Scanning Device of whatsoever type is used at the base of operations, fitted to, carried in, or used in the vicinity of any licensed Hackney Carriage/Private Hire Vehicle.

23. Signage

23.1 Dual Drivers shall ensure that they should display a replica of their Dual Driver badge issued by the Council, affixed to the inside of the vehicle, in the prescribed manner, so as to be plainly visible to fare paying passengers.

Additional Notes

This list of conditions is not finite and additional information regarding all aspects of Dual Driver licensing in detail can be found in the ~~official handbook issued by Telford & Wrekin Council.~~ Council's Hackney Carriage & Private Hire Policy document.

Any requirements of legislation which effect the operations being carried out under the terms of this licence shall be regarded as if they are conditions of this licence. Wherever there appears in the licence Conditions, ~~Guides or Handbook, or Policy~~ a summary of any statutory provision you are advised that such summary is not exhaustive.

If you are in any doubt about any information contained in this document please contact the Licensing Office for advice on 01952 – 383264.

Telford & Wrekin Council
Hackney Carriage Conditions of Licence – 3rd October 2012

| | |
|-----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Identification Plates | |
| 1.1 | The external identification plate issued by the Council shall at all times be fixed to the outside rear of the Hackney Carriage by means of an approved fixing kit, by the proprietor to the place provided by the manufacturer or in accordance with reasonable instructions of an Authorised Officer of the Council. The plate should be fitted in such a manner as to be easily removable by such officer or Police Constable. On the suspension of a vehicle licence and where a "Licence Expired" plate has been fitted to the vehicle that plate may only be removed by an Authorised Officer of the Council. |
| 1.2 | The fare card where issued by the Council shall at all times be kept and maintained inside the vehicle in accordance with the reasonable instructions of an Authorised Officer of the Council. |
| 1.3 | The proprietor of the vehicle shall ensure the identification plates are maintained and kept in such a condition that the information contained on the plate is clearly visible to public view at all times. The identification plate remains the property of the Council and must be returned to the Council within 7 days of expiry of the vehicles licence if not renewed. Plates are not transferable except on application. |
| 1.4 | The Council will not licence a vehicle for hire & reward which is licensed by another Local Authority or allow or permit a Hackney Carriage identification plate issued by another Authority to be displayed upon the vehicle. |
| 2. Type of Vehicle | |
| 2.1 | All vehicles submitted to the Council for licensing as Hackney Carriages shall meet the safety standards of M1 Category European Whole Vehicle Type Approval . |
| 2.2 | The proprietor shall ensure that the Hackney Carriage vehicle shall only be of the type approved for Hackney Carriage use by the Council, namely a purpose-built vehicle built to carry up to eight passengers with factory fitted seatbelts and an engine capacity not less than 1600cc. subject to the following: Hackney Carriage vehicles are approved by way of a list that will specify as many different types of vehicles as possible. |
| 2.3 | The vehicle must have provision for a minimum of at least one wheelchair, |
| 2.4 | A certificate should be produced showing all of the fittings used to secure wheelchairs to the floor of the vehicle are to Department of Transport specifications. |
| 2.5 | The appropriate ramps and associated equipment for loading wheelchairs into the vehicle in the approved manner must be carried and used at all times. |
| 2.6 | The age limit for Hackney Carriage vehicles is ten <u>twelve</u> years. The Council may waiver the age restriction in the case of individual vehicles where an application is made and the Council considers that the vehicle is of "exceptional condition". Where vehicles are of "exceptional condition" and continue to be licensed over the <u>10 12</u> year age limit, the vehicle will be subject to 6 monthly compliance tests. |
| 2.7 | Vehicles equipped with Space Saver / Skinny/ Got you home tyres will not be licensed by the Council. All Hackney Carriage vehicles must be fitted with manufacturers approved tyres of the same size and type including the spare wheel. |
| 2.8 | The Council shall refuse any vehicle submitted for licensing which is fitted with tinted windows to the rear of the driver which are not factory fitted options at the time of manufacture of the vehicle. has been equipped with manufactured or retro-fitted blacked out windscreens and/or windows. Standard tinted windscreens and windows are acceptable providing all occupants in the vehicle can be clearly seen from the outside with the doors closed and the windows up. In any case proprietors are advised to consult the Council if in any doubt before purchasing such type of vehicle. |
| 2.9 | The proprietor of the taxi shall ensure that no non-standard unauthorised alterations or modifications are carried out to the vehicle or to the engine. |
| 2.10 | The proprietor of the taxi shall ensure that the exterior colour of the taxi is black, or one of the manufacturer's colours, the use of which has been approved by the Council. |
| 3. Condition of Vehicle | |
| 3.1 | The proprietor shall ensure that the Hackney Carriage shall be maintained in a sound mechanical and structural condition at all times and be capable of satisfying the Council's mechanical and structural inspection at any time during the continuance of the vehicles licence. The interior and exterior of the Hackney Carriage shall be maintained in a clean, safe condition by the proprietor. The proprietor shall not allow the mechanical and structural specification of the vehicle to be varied without the consent of the Authorised Officer of the Council. The vehicle shall at all times whilst in service for hire and reward, display a current vehicles excise road fund licence. |
| 4. Fire Extinguisher and First Aid Kit | |
| 4.1 | Fire Extinguisher – Road Vehicle (Construction & Use) Regs. 1986 – Schedule 7 Must be suitable to the risk and is to be carried in the vehicle at all times and securely fixed in the approved manner and in such a position as to be readily available in any emergency. It must be a fire extinguisher no smaller than 1.8 kgs in weight incorporating a built in pressure display gauge and to contain dry powder or water or other chemical re-agent recommended for use in vehicle fires. The extinguisher shall comply with BS 5423 and/or EN3 and shall be a testable item on Compliance Standards Testing of licensed vehicles. |
| 4.2 | First Aid Kit - Road Vehicle (Construction & Use) Regs. 1986 – Schedule 7 A standard size and type of first aid equipment which complies with the requirements laid down by the Department of Transport for taxis and minibuses in accordance with Regulation 43 and must be carried on the vehicle at all times. |
| 5. Child Safety Seats | |
| 5.1 | The Vehicle Proprietor in conjunction with the Operator and the Driver, shall provide and make available to |

Telford & Wrekin Council
Hackney Carriage Conditions of Licence – 3rd October 2012

| | |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | any customer so requesting, an approved infant or booster seat or the provision of extra equipment to facilitate the safe conveyance of children during bookings or from Taxi Ranks. (The number of seats held by the company shall be determined by the Operator and the Vehicle Proprietor in accordance with an assessment of supply and demand). All seats provided shall conform to U. N. Safety Standards R44.03 |
| 5.2 | The Vehicle Proprietor in conjunction with the company and/or the Driver shall ensure that any infant seat used during a Hackney Carriage journey will be used in accordance with the manufacturer's instructions. |
| 5.3 | Based upon supply and demand, the Proprietor in conjunction with the Operator and Driver shall decide, whether or not the child safety seats provided by them are kept at the company base, and made available to drivers as and when required, or kept upon selected licensed vehicles or both. |
| 6. | Light Trailers |
| 6.1 | All Trailers must be of a design such that when close coupled to the prime mover (the vehicle towing it) it does not interfere in any way whatsoever with the operation of any rear door, emergency exits or wheelchair access ramps etc. |
| 6.2 | If the unladen weight of any Trailer submitted for testing exceeds 1,200 kgs, a prescribed Ministry Plate must be fitted to the nearside of the Trailer except where said Trailer is fitted with parking brakes and brakes that act automatically on the overrun of the Trailer. |
| 6.3 | In any case all Trailers shall meet the braking requirements in accordance with the type and size of said Trailer. |
| 6.4 | All such Trailers shall not exceed the gross weight limit of 3,500 kgs but in all cases the proprietor should consult the vehicle handbook regarding manufacturer's recommendations particularly where unbraked trailers may be in use. |
| 6.5 | All Trailers will be subjected to a Compliance Standards check and if found to be satisfactory, issued with a one year certificate |
| 6.6 | The Trailer shall be fitted with a rigid hard top and shall be sealed against rain and water to protect luggage and goods. |
| 6.7 | The owner/operator of the Trailer shall ensure that the material facts are disclosed to the Insurer and that adequate insurance cover is arranged for the carriage of luggage and/or goods and proof of such cover is to be provided to the council. |
| 7. | Signage |
| 7.1 | The following signs and notices will be displayed on licensed Hackney Carriages during the currency of the Licence:- |
| 7.2 | Notices issued from time to time by Telford & Wrekin Council for the information of the travelling public. |
| 7.3 | A copy of the approved table of fares displayed in a clearly visible position. |
| 7.4 | A sign stating 'Seat Belt Regulations – Seat Belts must be worn'. |
| 7.5 | A sign bearing the words 'First Aid Kit Carried' fixed to the rear body work of the vehicle. |
| 7.6 | A sign on both rear doors of the vehicle as issued by the Council regarding No Smoking. |
| 7.7 | A sign (the nationally recognised symbol) confirming that the taxi is wheelchair accessible and caters for the needs of the disabled. |
| 7.8 | A sign (if applicable) confirming that the driver of the vehicle accepts travel tokens. |
| 7.9 | A certificate (if applicable) confirming that the driver named on such certificate is exempt on medical grounds from carrying wheelchair bound passengers. |
| 7.10 | A certificate, if applicable, confirming that the driver is exempt on medical grounds from carrying approved Guide Hearing and other Assistance Dogs. |
| 7.11 | Hackney Carriage Vehicles should display a replica Hackney Carriage Licence plate issued by the Council, affixed to the inside of the vehicle, in the prescribed manner, so as to be plainly visible to fare paying passengers. |
| 8.. | Advertisements |
| 8.1 | Commercial advertisements may be displayed on the exterior of the front doors of licensed vehicles (although advertising may be considered on other areas) but in any case all advertising must comply with the following requirements; |
| 8.2 | The Council's written permission is required before the display of any advertisement, |
| 8.3 | Any advertisements shall not advertise unsuitable material, such material to be at the sole discretion of the Council. |
| 8.4 | All advertisements shall comply with the British Code of Advertising Practice and shall be in a form acceptable to the Advertising Standards Agency and the Council. The Council reserves the right to withdraw any advertisement which may be considered inaccurate, misleading, unlawful, defamatory, in bad taste or of an unacceptable standard; |
| 8.5 | No advertisement shall relate to or advertise alcohol or tobacco or be of a political nature. |
| 8.6 | Commercial advertisements may also be displayed on the base of the tip up seats and above the glass passenger partition. Such advertisements must first be approved by the Council before display, and must not obstruct the driver's view of the road or the passenger's view of the meter. |
| 8.7 | Details of the operating firm of the taxi may be displayed on the vehicle but only in accordance with the conditions below, except for sub-clause b) below which only relates to advertisements inside the vehicle:- |
| 8.8 | An internal sign may be affixed, but only to the nearside internal partition glass, in top nearside position, facing to the rear; |
| 8.9 | No sign shall exceed 51 centimetres wide by 8 centimetres high (although this condition only relates to internal signs); |
| 8.10 | A sign shall not display anything other than the name of a firm, radio circuit or association and/or telephone number; |

Telford & Wrekin Council
Hackney Carriage Conditions of Licence – 3rd October 2012

| | |
|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8.11 | No sign shall refer to any firm, radio circuit or association or telephone number which is outside the Telford & Wrekin Council area; |
| 8.12 | No such sign shall be illuminated. |
| 8.13 | The proprietor shall ensure that any advertisements carried on their vehicle are not disfigured or damaged and shall immediately remove any advertisement that are or become damaged or disfigured. |
| 9. | Council Notices |
| 9.1 | The proprietor shall cause to be affixed and maintained in a conspicuous position in accordance with the directions of the Council any sign or notices, as required from time to time by the Council. |
| 10.. | Passengers |
| 10..1 | The proprietor shall not permit any person other than the driver to ride in the front of the vehicle, except in a vehicle that has an approved type of seat and seatbelt fitted at the time of manufacture or has an additional seat retro-fitted by a company with a history and expertise in that type of work. |
| NOTE | Note that any additional seats retro-fitted into licensed vehicles will increase the passenger carrying capacity of the vehicle and proprietors must ensure that Vehicle Registration Documents are submitted to DVLA Swansea to be updated to reflect the number of additional passengers the vehicle can carry for hire and reward. (The Council will only licence vehicles to the maximum seating capacity shown on the Vehicle Registration Document.) Central Motion locks should apply to all passenger doors. |
| 11. | Taximeters |
| 11.1 | The proprietor shall cause the vehicle to be fitted with a taximeter approved by the Council and for it to be located within the vehicle in accordance with the reasonable instructions of an Authorised Officer of the Council. |
| 11.2 | The proprietor shall ensure that any meter fitted shall be technically capable of accepting any restrictions or fare scales that the council wishes to programme into that meter. |
| 11.3 | Any Hackney Carriage vehicle so fitted with a meter must be equipped with the standard size tyres as approved by the manufacturer of the vehicle. Retro-fitted low profile tyres which will affect the performance and accuracy of a meter are not acceptable if fitted after the meter has been tested and sealed. Any such tyres of a low profile type must be fitted before the meter is tested. Any contravention of this condition will result in the immediate suspension of a Hackney Carriage Vehicle licence. |
| 12. | Fare Tables |
| 12.1 | The proprietor shall ensure that a copy of the current fare table supplied by the Council from time to time is exhibited inside the vehicle at all times in the location provided by the manufacturers of the vehicle or in accordance with the reasonable instructions of an Authorised Officer of the Council. |
| 13. | Insurance |
| 13.1 | Insurance certificates or cover notes issued to cover “any vehicle” or “any driver” must be accompanied by “any vehicle and/or any driver” schedule(s) together with a signed statement of undertaking by the insurance policy holder that the said schedule(s) does not contain information or details relating to vehicles and drivers which would fall into exemptions stipulated by the Insurance Company when the policy was issued. |
| 13.2 | Proprietors shall provide to the Council proof of Public Liability Insurance to the value of £5,000,000 |
| 14. | Convictions |
| 14.1 | The proprietor of the vehicle shall notify the Council of any conviction recorded against him or her by any court within 7 days of such a conviction being imposed. |
| 15. | Transfer of Licence |
| 15.1 | The Proprietor of a Licensed Hackney Carriage wishing to replace a licensed vehicle with another vehicle must apply for a new vehicle licence. The proprietor will be required to supply to the Council all relevant information relating to the new vehicle. |
| 15.2 | An appointment to test the new vehicle will not be made by the Council unless the vehicle is available for immediate inspection and in any case no more than 48hours in advance. The proprietor must also undertake to licence the vehicle immediate after testing. |
| 15.3 | A fee will be paid at the Council approved Testing Station for the mechanical and electrical inspection of the replacement vehicle and a new Certificate of Compliance issued before the licence is transferred. |
| 16. | Customer Feedback Cards |
| 16.1 | The proprietor shall ensure that customer feedback cards should be installed in all Hackney Carriages asking for feedback on customer service with the results of the customer feedback being shared with operators, the Council and the Chairman of the Council’s Licensing Committee. |
| 17. | Equipment |
| 17.1 | The proprietor shall ensure that all Hackney Carriages must carry at all times a warning triangle and an appropriate set of vehicle spares (e.g. spare bulbs etc). |
| N.B. | Additional Notes |
| 1. | This list of conditions is not finite and additional information regarding all aspects of Hackney Carriage licensing in detail can be found in the official handbook issued by Telford & Wrekin Council. Telford & Wrekin Council’s Hackney Carriage & Private Hire Policy document. |
| 2. | Any requirements of legislation which effect the operations being carried out under the terms of this licence shall be regarded as if they are conditions of this licence. Wherever there appears in the licence Conditions, Guides or Handbook or Policy, a summary of any statutory provision you are advised that such summary is not exhaustive. If you are in any doubt about any information contained in this document please contact the Licensing Service for advice on 01952 – 38326 2.4 |

Criteria for “Exceptional Condition” – Hackney Carriages

1. Exceptional condition, relates to the standard of the vehicle only and does not include circumstances pertinent to the proprietor.
2. Any request for an exemption due to a licensed vehicle being in “exceptional condition” would normally be granted for a maximum 12-month period, after which time the decision must be reconsidered against the agreed standards.
3. That the consideration for an exemption to the age limit would normally only be considered for vehicles currently licensed with the Council.
4. That any vehicle licensed outside of the standard age limit policy should be subject to 6 monthly vehicle compliance tests at the owners expense.
5. Any vehicle inspection resulting in a fail due to any major item or more than 3 minor items, as defined in Telford & Wrekin Council’s Manual of Inspection Standards for Licensed Vehicle Testing and Compliance Standards, will usually result in the vehicle no longer being classed as in exceptional condition upon expiry of the licence.
However, if after testing, the vehicle fails on one major fault, the driver will be allowed to rectify this. If after a further compliance check the vehicle again fails, then the said vehicle will not be relicensed
6. As an indicator, it is not normally expected that vehicles that have accrued higher than average mileage for the particular type of vehicle will be able to meet the required standard for “exceptional condition. A good average mileage for a purpose built vehicle working 6 days a week is 35000 miles per annum.

In determining “Exceptional Condition” the following standards should usually be attained:

1. The vehicle must pass Telford & Wrekin Council’s compliance test, except where the failure was the result of no more than three minor items (as stipulated in the licensed vehicle testing manual of inspection standards).
2. The bodywork should be in near perfect condition with no signs of panel age deterioration, dents, scratches, stone chips or rust or any other abrasions that may detract from the overall appearance of the vehicle.
3. The general paint condition should not show signs of fading, discolouration or mismatching that may detract from the overall appearance of the vehicle.
4. The interior trim, panels, seating and carpets etc should be in excellent condition clean, free of damage and discoloration and as manufactured, i.e. no seat covers.
5. The vehicle service record can be used as supporting evidence of exceptional condition in that a vehicle of exceptional condition would normally be expected to demonstrate regular servicing and maintenance in accordance with the manufacturer's service specification.

Telford & Wrekin Council
Hackney Carriage Conditions of Licence – 3rd October 2012

6. The vehicle to be in excellent mechanical condition and in all respects safe and roadworthy with no signs of corrosion to the mechanical parts, chassis, underside or body work.
7. The boot or luggage compartment to be in good condition, clean and undamaged.
8. Passenger areas should be free from damp or any other odours that may cause passenger discomfort.
9. The ramp and any other accessible features should be shown to be in full working order and showing no signs of rust or excessive wear to components?

List of Hackney Carriages

Vehicle

| | |
|----------------------------------|----------------------------------------------------------------------------------------------------------------|
| London Taxi International | TX4 TXII |
| Reliant | Metrocab |
| Mercedes | Vito III Taxi RWS |
| Peugeot | E7 SE plus o/s electric step, hearing loop & swivel flip seat E7 XS plus hearing loop & swivel flip seat |

1. Any limousine built under a Ford QVM or Cadillac CMC scheme is automatically approved as a suitable vehicle.
2. Any limousine not built under a manufacturers approved scheme will be referred to VOSA for inspection and confirmation as to the safety and standard of the build quality who will then issue a certificate of suitability.
3. Age of limousine should not be considered as an impairment, as the Public Service Vehicle rules accept vehicles of any age. The safety of the vehicle will be the paramount consideration.
4. Limousines are easily identified and therefore the need for external identification plates is not required. However, "Executive Plates" will be required.
5. Inspections should be mandatory every 10 weeks as such vehicles have highly stressed brakes, steering and suspension.
6. Tyres should be of an appropriate weight loading for the limousine as approved by the Licensing Service.
7. Length of vehicle (stretch) Ford QVM limits the stretch to 120 inches and Cadillac CMC limits it to 130 inches All other vehicles will be considered on their own merits.
8. All front passenger seats should be removed to avoid the temptation to carry passengers in the offside front of a vehicle.
9. The inclusion or sale of alcohol in the vehicles must be covered by a separate licence.

TELFORD & WREKIN COUNCIL

LICENSING COMMITTEE - 18th SEPTEMBER 2013

DELEGATIONS IN RESPECT TO COMPLAINTS COMPENSATION PAYMENTS

REPORT OF THE ASSISTANT DIRECTOR: LAW, DEMOCRACY & PUBLIC PROTECTION

1 PURPOSE

- 1.1 This report seeks delegation from the Licensing Committee to Assistant Directors for the authorisation of complaints compensation payments up to £5,000.

2 RECOMMENDATIONS

- 2.1 That members of the Licensing Committee approve complaints compensation payments already made and approve the delegation as set out in paragraph 5.4.

3 SUMMARY

- 3.1 The Licensing Committee Terms of Reference include under “**MISCELLANEOUS**”
- 6. Power to make payments or provide other benefits in cases of maladministration etc*
- 3.2 The Council can make payments to service users following upheld/partly upheld complaints made to the Council, Ombudsman or under statutory complaints procedures in recognition of poor service, loss or inconvenience. In these cases maladministration has not been ruled against the Council but it has been recognised that services could have been provided better or dealt with more efficiently.
- 3.3 This report seeks retrospective approval and delegation from the Licensing Committee to Assistant Directors for the authorisation of complaints compensation payments up to £5,000. Delegation is not being sought for any payments to be made where maladministration has been ruled against the Council.

4 PREVIOUS MINUTES

- 4.1 None

5 BACKGROUND

- 5.1 The Council has a Comments, Compliments and Complaints process alongside statutory complaints processes in respect to Children’s, Adults and Public Health. Complaints are investigated through one of these processes and the Council can decide following the conclusion of the investigations to take various courses of action, including making a compensation payment but this is usually in exceptional

circumstances. Following the conclusion of the appropriate process if the customer is still not satisfied their final appeal is to the Local Government Ombudsman (LGO).

- 5.2 The LGO will assess each case against their statutory powers and investigate if within their remit. They will clarify what resolution the customer is seeking and then review the evidence from both parties, the processes followed and the conclusions reached and action taken. They will then issue a provisional decision which both parties can comment on and following consideration of any responses a final decision statement will be issued. Generally this process confirms the actions taken by the Council. Sometimes they will partly uphold the complaint and seek further improvement actions by the Council and infrequently recommend payment of compensation. The ultimate decision that they can rule is maladministration by the Council. Clearly this is a severe judgement.
- 5.3 To date complaints compensation payments where maladministration has not be ruled have been authorised by the appropriate Assistant Director or Director. The Licensing terms of reference were re-examined when a recent compensation payment was ruled by the Ombudsman. This re-examination of the terms of reference of the Committee concluded that they are not clear on these types of payments so the retrospective approvals and future delegation is sought.
- 5.4 To enable the efficient operation of these processes in future and clarify the application terms of reference the following delegation is proposed:
- a) Assistant Directors to be able to approve complaints compensation payments up to £5,000 from their service area budget.
- 5.5 The Licensing Committee will approve all complaints compensation payments over £5,000 and any payment (irrespective of value) where maladministration has been ruled by the Local Government Ombudsman.

6 OTHER CONSIDERATIONS

| AREA | COMMENTS |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Equal Opportunities | All complaints received are investigated ensuring that the equalities of those affected are maintained. |
| Environmental Impact | The Council will investigate any environmental issues identified as part of a complaint. |
| Legal Implications | The power to make compensation payments rests with Licensing Committee and the delegation sought would enable officers to make such payments in the circumstances described in the report. |
| Links with Corporate Priorities | An effective complaints process will help to ensure that the Council can recognise when things have gone wrong, put them right and change processes to avoid them occurring in the future. |
| Opportunities and Risks | The risks and opportunities associated with this report have been assessed and appropriate action to manage them will be taken. |

| | |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Financial Implications | There is no budget provision for complaints compensation payments. Any authorised will have to be funded from within existing service area budgets. Compensation payments over the last 5 years have been of values from £300 to £1,500. |
| Ward Implications | Borough wide. |

7 BACKGROUND PAPERS

Council's Constitution

Report by Jenny Marriott, Audit & Information Governance Manager 383101;
Helen Ward, Customer Quality Group Manager 389036