

Vehicle Licence Conditions

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6.1 Definitions

In these Conditions:

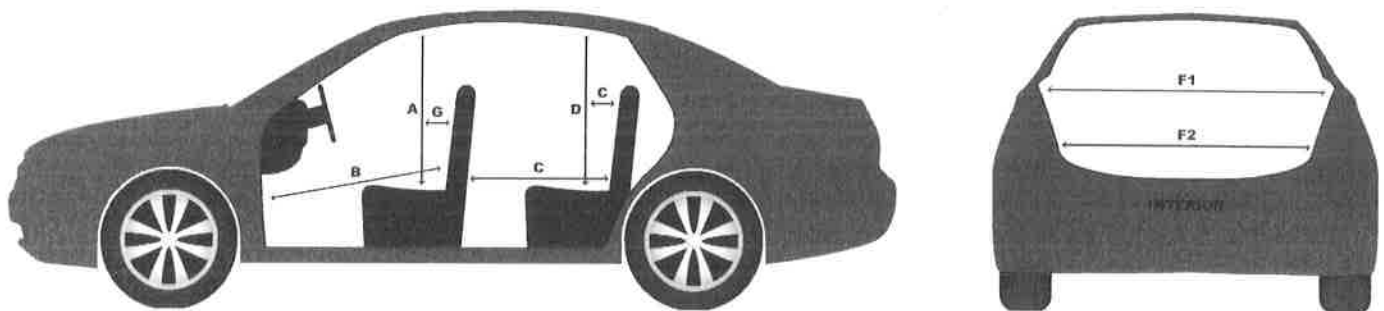
- 6.1.1 **The Council** means Amber Valley Borough Council and **Borough** means the district of the Council,
- 6.1.2 **Taxi** means a hackney carriage licensed by the Council under the 1847 Act.
- 6.1.3 **Authorised Officer** means any Officer of the Council authorised in writing by the Council for the purpose of these Conditions.
- 6.1.4 **Plate** and **Disc** mean the plate and disc owned and issued by the Council for the purposes of identifying a vehicle as a taxi or private hire vehicle as appropriate.
- 6.1.5 **Proprietor** means the person or persons or body named in the licence as the proprietor of the taxi and includes part proprietors and in relation to a vehicle subject to hiring agreement or hire purchase agreement means the person in possession of the vehicle under that agreement.
- 6.1.6 **Vehicle** means a licensed taxi or private hire vehicle.
- 6.1.7 **Licence** means a taxi and private hire vehicle drivers licence issued by the Council under the 1847 Act and the 1976 Act.
- 6.1.8 **Driver** means a driver licensed by the Council under the 1847 Act and the 1976 Act and **Badge** means the badge owned and issued by the Council for the purposes of identifying the Driver as such,
- 6.1.9 **Child** means a person under 18 years of age and **Children** means more than one such person.
- 6.1.10 **Adult** means a person aged 18 years or over.
- 6.1.11 **1847 Act** means the Town Police Clauses Act 1847.
- 6.1.12 **1976 Act** means the Local Government (Miscellaneous Provisions) Act 1976.

6.2 Vehicle specification and equipment

- 6.2.1 Each Licensed vehicle shall be equipped to the following specifications (which for the avoidance of doubt are to apply to the licensed vehicle at all times without modification and equipment so specified shall not be removed or disconnected from the licensed vehicle. Each licensed vehicle shall:
 - 6.2.2 Have an engine of at least 74HP (75Ps pr 55Kw) for petrol engines and 59HP (60Ps or 44Kw) for diesel engines.
 - 6.2.3 Approximate conversions means that a 1250cc petrol engine or a 1400cc turbo diesel will be sufficient for the above calculations. The power output in kilowatts can be found on the Vehicle Registration Document and manufacturers handbook. This would be used as the definitive figure.
 - 6.2.4 Have at least two doors to the rear of the driver for the exclusive use of passengers.
 - 6.2.5 Be of right hand drive, and of sufficient size to carry four adult passengers.

- 6.2.6 Have either a separate luggage compartment or a fixed screen (of sufficiently sturdy construction to protect passengers from injury from items in the luggage compartment) between the rear seat and the luggage compartment and which shall be kept in position at all times. This condition shall not apply to people carriers and multi purpose vehicles.
- 6.2.7 Have at least four road wheels, and carry a spare wheel (or as a minimum a factory fitted emergency tyre repair kit. Jack and wheel brace must be securely stowed to protect passengers' luggage.
- 6.2.8 Be equipped with fully functional nearside and offside exterior rear view mirrors.
- 6.2.9 Have all windows opening in accordance with the original vehicle specification.
- 6.2.10 Have the following minimum internally.

- A** minimum of 915mm (36") — Cushion not compressed.
- B** minimum of 940mm (37") — Seat fully backward in its most upright position.
- C** minimum of 610mm (24") — Front seat fully backwards in its most upright position.
- D** minimum of 865 mm (34") — Cushion not compressed.
- F1** minimum of 1345 mm (53") — Rear interior width measuring in line with the top face of the seat cushions, but excluding any armrests and at a point on the body sides 50mm (2") below the bottom edge of the side window aperture.
- F2** minimum of 1245mm (49") — Rear interior width measured between any armrests.
- G** minimum of 255mm (10") — Point of measurement parallel with the squab.



- 6.2.11 A vehicle with one or more dimensions not complying with those set out in Conditions 6.2.10 may, nevertheless, be approved by the Council, in its absolute discretion, if it considers that in all the circumstances that the vehicle is otherwise suitable for use as a taxi or a private hire vehicle

6.2 Write off vehicles

Only vehicles which are written off as a Category D will be accepted onto the fleet provided the following Conditions are met:

- A VIC (Vehicle Identity Check) is produced
- A full list of all the necessary repairs carried out on the vehicle is produced to the testing centre
- All repairs are carried out by a bone fide test centre and all appropriate documentation to be produced
- Vehicle to be presented to the test centre (together with a copy of the above documentation) in order for a full test to be carried out on the vehicle. The fee to be paid directly to the testing station by the driver

- If possible, a photograph of the vehicle before any repair work has been carried out
- The testing station will furnish the Council with a report stating that all works have been carried out to their satisfaction
- No vehicle will be accepted onto the fleet that has been written off on more than one occasion

6.3 Tyres

Tyre treads are designed to efficiently and effectively remove water from the road surface and provide maximum grip. All tyres fitted to the vehicle must have at least 2.0mm tread depth throughout a continuous band in the centre $\frac{3}{4}$ of the tread and around the entire circumference of the tyre.

6.4 Wheelbase

The minimum wheelbase shall to be 2590mm (102") for vehicles licensed as taxis and for private hire vehicles. The Council may permit a smaller wheelbase upon written application if it considers the vehicle otherwise suitable.

6.6 Fuel

- 6.6.1** Taxis and Private Hire Vehicles shall run on diesel; lead-free petrol or liquid petroleum gas (LPG). Vehicles with Dual Fuel or LPG systems must be tested and certified by a recognised Liquid Petroleum Gas Association accredited installer. This certification must be produced at the time of application. For vehicles that have a LPG system fitted during the currency of a licence, the proprietor must inform the Licensing Section in writing and produce the certification within 7 days.
- 6.6.2** All Licensed Vehicles running on LPG shall be required to have an annual safety check with a reputable organisation and no Licence will be renewed until a valid certificate confirming that a safety check has taken place and that the Vehicle is safe is produced to the Council.

6.7 Colour of taxis and private hire vehicles

Hackney carriages

- 6.7.1** Saloon or estate cars licensed as hackney carriages shall be painted red, black or blue in colour with the exception of the bonnet and boot/tailgate which shall be white. The colour shall be of shade or hue to be agreed with an Authorised Officer and to be sufficiently dark to contrast with any white bonnet or boot on the vehicle.
- 6.7.2** The requirement for a white bonnet and boot/tailgate shall not apply to purpose built London cab style taxis.
- 6.7.3** Purpose-built wheelchair accessible vehicles and vehicles which have been converted to provide wheelchair access will be required to be a uniform livery colour of red, black or blue.
- 6.7.4** Vehicles used as substitute hackney carriages for reasons of disrepair and/or accident need not comply with the standard livery above provided that the proprietor has obtained a temporary licence for the vehicle.

Private hire vehicles

6.7.5 Private hire vehicles shall be painted ONE COLOUR ONLY.

6.8 Seats belts

6.8.1 Seat belts shall be fitted to all licensed vehicles; shall be readily accessible for use by all passengers and shall be maintained in good Conditions and usable state of repairs at all times.

6.9 Alterations

6.9.1 No alterations to any equipment, dimensions or other specifications set out in this condition 6 shall be undertaken without the prior consent of an Authorised Officer.

6.9.2 For the avoidance of doubt 'alterations' includes both additions to and the removal of any existing equipment in, or on, Licensed Vehicles.

6.10 Trailers, tow balls and roof racks

6.10.1 No trailer, tow ball or roof rack (other than a roof bar fitted as standard by the manufacturer) shall be attached to a Taxi or a Private Hire Vehicle without the prior written consent of the Council.

6.10.2 Where permitted by the Council:

6.10.2.1 **Tow bars** of approved BS type and all fixtures and fittings must be sound and secure. If a tow bar is fitted, it will be subject to MOT test along with electrical components.

6.10.2.2 **Trailers** the vehicle registration number plate and private hire/hackney plate must be attached to the rear of the trailer when in use. The trailer must have been examined in accordance with conditions 6.16.6.1 and 6.16.6.2 and considered to be satisfactory by the Council.

6.11 First aid equipment

There shall be provided in such a position as to be readily available at all times when the vehicle is used for hire, a suitable First Aid Kit containing appropriate dressings and appliances for immediate use in an emergency. As a minimum this kit must be at least the St Johns Ambulance PCV (Passenger Carrying Vehicle) approved kit or similar.

6.11.1 PCV kit

First in an Emergency Booklet (optional) x 1
Assorted wash proof plasters x 3
No. 16 eye pad x 2
Disposable non-sterile triangular bandage x 2
Cleansing wipes x 10
SJS Nitrile powder free gloves (pair) x 1
Conforming bandage 7.5cm x 4.5cm x 1
Tuff-Kut scissors x 1
No. 2 ambulance dressing x 3

A sign will be displayed showing the whereabouts of the first aid kit and the kit must be kept up to date. Any equipment used, should be replaced within 48 hours.

6.12 Fire extinguisher

- 6.12.1** The driver shall ensure that the vehicle is fitted with a fire extinguisher and that the extinguisher is fitted in such a position that it may be readily available for use and that the label affixed to the fire extinguisher is not tampered with. Such an extinguisher must be hand held and be at least 1.0 kg in weight or 1.0 litre in volume and comply with British/European Standard EN.3.1996 (BS.5423) and comply with the requirements relating to fire extinguishers for use in public service vehicles. The fire extinguisher may be secured in the boot area provided a sign is displayed prominently and legibly inside the vehicle.

6.13 Age and accessibility requirements

- 6.13.1** A Licence will only be granted in respect of a taxi if the taxi satisfies both the age requirements set out in Conditions 6.13.3 and 6.13.4 and the accessibility requirements set out in conditions 6.13.5 to 6.13.8.
- 6.13.2** For the purposes of this Conditions 6.13 the age of the vehicle shall be determined by reference to the original date of registration as specified in the vehicle registration document.

Age requirements

- 6.13.3** No vehicle which has reached the age of 5 years and which is not already licensed by the Council at the time an application is made will be granted a licence.
- 6.13.4** No vehicle which has reached the age of 10 years will be granted a licence or have its licence renewed unless in the opinion of an Authorised Officer such a vehicle is in an exceptionally good condition and is, in the opinion of the Council, suitable in all the circumstances for use as a taxi or private hire vehicle. This will be for an extended period of 1 year only.

Drivers wishing to extend the above age limits must put their request in writing and this will be placed before the Licensing Board for final determination.

Accessibility requirements

- 6.13.5** Subject to condition 6.13.6 a licence will only be granted in respect of a taxi if, in the opinion of the Council, the Taxi is sufficiently accessible for disabled persons. (Refer to Section 6.13).
- 6.13.6** Condition 6.13.5 shall not apply to a taxi licensed with the Council on or before 30 June 2004 (or to any vehicle which replaces such a taxi) which is not accessible for disabled persons.
- 6.13.7** Licensed Vehicles which are accessible for disabled persons shall only be replaced by a vehicle which complies with condition 6.13.5.
- 6.13.8** For the purposes of this Conditions 6.13 a vehicle will be deemed to be sufficiently accessible for disabled persons if it is a purpose built wheelchair accessible vehicle.
- 6.13.9** All wheelchair accessible vehicles must carry suitable restraints, ramps.

Explanatory note to Conditions 6.13

Age requirements

The purpose of condition 6.13.4 is to ensure that no licensed vehicles are still operating as taxis or private hire vehicles when they are 11 years old unless in the opinion of an Authorised Officer such a vehicle is in an exceptionally good condition.

6.14 Conditions of vehicle

Each vehicle shall at all times:

- 6.14.1 Be maintained in a sound mechanical and structural condition.
- 6.14.2 Be clean, tidy (litter free) and presentable both inside and out.
- 6.14.3 Have seats properly cushioned, with no tears or worn covers and no signs of excessive wear.
- 6.14.4 Have suitable covering on the floor.
- 6.14.5 Have the fittings and furniture well maintained in a clean condition and be undamaged.
- 6.14.6 Be in every way fit for public service and for the safe carriage of passengers.
- 6.14.7 Be capable at any time of satisfying a vehicle inspection by the Council.
- 6.14.8 Windows must be provided at the rear and sides along with a means of opening and closing not less than one window on either side.
- 6.14.9 Rear passenger windows must be capable of being opened by passengers when seated, unless air conditioning is available.
- 6.14.10 Any damage to a vehicle, which materially affects the safety, performance or appearance of the vehicle, must be reported to the Council and, until the damage is repaired to the satisfaction of an Authorised Officer, the Vehicle must not be used for hire.

6.15 Licence plates and discs

The licence holder shall not cause or allow the vehicle to be used unless:

- 6.15.1 The number of the licence and the registration number of the vehicle shall be fixed and displayed on the vehicle at all times during which the vehicle is being used as a taxi or private hire vehicle. The number of the licence and the registration number are to be displayed by means of the disc and the plate issued by the Council.
- 6.15.2 The plate shall be fixed and displayed outside and on the rear of the vehicle or adjacent to the bumper in such a position that the vehicle's registration mark is not obscured, with the particulars thereon facing outwards and in such a manner and place that the plate is clearly visible by daylight from the road at the rear of the vehicle.
- 6.15.3 The disc shall be fixed and displayed inside the vehicle windscreen in such a manner and place that the particulars thereon are clearly visible to persons outside the vehicle.

- 6.15.4 The disc and plate referred to in this Conditions 6.15 shall remain the property of the Council and shall be returned forthwith to the Licensing Clerk, Amber Valley Borough Council, Town Hall, Ripley, Derbyshire within seven days of the Licence Holder no longer holding a licence which is in force in respect of the vehicle (whether by reason of expiry or revocation).
- 6.15.5 The loss of, damage (including deterioration by undue wear and tear) to or illegibility (for whatever reason) of a plate or a disc shall be reported to the Council as soon as the loss, damage or illegibility becomes known and a duplicate will be issued at the expense of the Licence Holder. The vehicle shall not be used for hire until the plate or disc has been replaced.

6.16 Vehicle inspections

- 6.16.1 An Authorised Officer or any Police Constable shall have the power at all reasonable times to inspect and test any vehicle licensed by the Council for the purpose of ascertaining its fitness.
- 6.16.2 If the Authorised Officer or the Police Constable is not satisfied with the fitness of the licensed vehicle, the Licence Holder shall, after being notified in writing, present the vehicle at the time and place to be specified by an Authorised Officer for an examination and shall be required to pay such fee for the examination at the Council may, from time to time determine.
- 6.16.3 If the Authorised Officer or Police Constable is not satisfied as to the condition of the vehicle upon completion of the inspection required by conditions 6.16.1 or 6.16.2 as the case may be, he or she may immediately suspend the Vehicle licence and the licence holder shall forthwith upon being required to do so by the Authorised Officer or Police Constable, cause the plate and disc to be removed from the vehicle and handed to the Authorised officer or Police Constable who shall keep it in his custody until such time as he is satisfied as to the condition of the vehicle, whereupon the plate and disc will be returned to the proprietor.
- 6.16.4 An Authorised Officer, on inspecting a vehicle in the course of his or her duty and requiring it to be examined for the purposes of ascertaining its fitness, may suspend the use of such vehicle (and remove the disc and plate) until the examination has been carried out.
- 6.16.5 The powers of suspension and removal in condition 6.16.4 above shall also apply in the event that the Vehicle inspected is unclean.
- 6.16.6 Without prejudice to the provisions of conditions 6.16.1 to 6.16.5 inclusive, the vehicle shall be subject to the following mechanical examinations each of which will be conducted by the Council or its authorised representatives:
- 6.16.6.1 A vehicle examination prior to the issue of a vehicle licence.
- 6.16.6.2 A vehicle examination every 6 months
- 6.16.6.3 All vehicles (regardless of age) require a MOT test prior to the issue of a vehicle licence.
- 6.16.6.4 The cost of the vehicle examinations is reflected in the licence fee. If the vehicle fails a vehicle examination then the licence Holder shall be required to pay such sums as the Council may determine from time to time for any retest of the vehicle.

6.17 Documentation to be maintained by vehicle licence holders

At all times during the currency of the licence, the licence holder shall ensure that the following are maintained, up to date and, where necessary, valid, in force and available for inspection by an Authorised Officer.

- 6.17.1 A policy and certificate of insurance complying with the requirements of Part VI of the Road Traffic Act 1988.
- 6.17.2 The vehicle excise licence fee must be paid.
- 6.17.3 A Ministry of Transport (MOT) certificate if relevant.
- 6.17.4 Maintenance records (to ensure compliance with manufacturers' schedules) are to be kept for all taxis and private hire vehicles.
- 6.17.5 The vehicle registration document.
- 6.17.6 A list of the names and addresses of all persons employed, or otherwise used, by him or her for the purposes of driving the Vehicle
- 6.17.7 On being so required by an Authorised Officer the licence holder shall produce to that officer for examination the certificate of insurance required by Conditions 6.17.1 provided that if the Licence holder fails to produce such certificate to that officer on request, he or she shall within seven days of such request, produce it to that officer or to any other authorised officer at the offices of the Council, Town Hall, Market Place, Ripley, Derbyshire, DE5 3BT.
- 6.17.8 The licence holder shall, in any event, produce a Certificate of Insurance to an Authorised Officer upon expiry of a previous certificate of insurance or cover note within 7 days of the expiry of the current certificate.
- 6.17.9 The licence holder shall notify the Council of any change of insurer or any change to the insurance particulars and shall provide full details thereof within 2 working days of such change
- 6.17.10 If the required documentation is not kept or produced in accordance with this condition 6.17 then the licence for the vehicle will be suspended.

6.18 Advertising and markings on vehicles

No signs can be affixed to a vehicle other than those approved by the Council.

- 6.18.1 Advertising or other marking is restricted to the name, address, email address, logo and telephone number of the taxi or private hire company or firm or such other design as shall be approved in writing by the Executive Director (Operations).
- 6.18.2 The words 'Taxi', 'Hackney carriage', 'for Hire' or 'Cab' are not permitted to be displayed anywhere on a private hire vehicle.
- 6.18.3 All lettering and numbering displayed on a vehicle must comply with the Council's requirements as to maximum height, width and design unless the Council's agreement is obtained. Lettering to be no larger than 12cm and adverts to be no larger than 90cm x 60cm.

- 6.18.4 Advertising and marking is only permitted:
- 6.18.5 On the side door panels.
- 6.18.6 On an upright part of the boot or rear panel positioned so as not to obscure the rear registration number plate or the vehicle licence plate.
- 6.18.7 In the rear window (for the purpose only of displaying a notice stating that payment by credit or debit cards is accepted).
- 6.18.8 For the avoidance of doubt advertising or other marking is not permitted:
- 6.18.9 On any window (except in accordance with Conditions 6.18.7 or for minibuses as specified in condition 6.24.3).
- 6.18.10 On the front bonnet (which in the case of Taxis must be painted white in accordance with condition 6.7) or on the front of the Vehicle.
- 6.18.11 On the roof except by way of a roof light in accordance with condition 6.19.
- 6.18.12 On the rear boot (which in the case of taxis must be painted white in accordance with condition 6.7 except in accordance with condition 6.7.2).
- 6.18.13 On any bumpers.
- 6.18.14 On the side of the vehicle except for the door panels in accordance with Conditions 6.18.6.

6.19 Roof signs

Taxis

- 6.19.1 All Taxis shall carry on the roof a sign bearing the word 'Taxi' to the front of the vehicle and:
- 6.19.2 May bear to the rear only the name of the taxi firm and its telephone number. The sign required by this Conditions shall be capable of being illuminated internally in such manner that the above words are illuminated at all times when the Vehicle is plying for hire but not otherwise and such sign shall be fixed in such manner and position and be of such size as shall be approved by the Council.
- 6.19.3 The licence holder and driver of the taxi shall maintain such sign in efficient working order at all times. The sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the carriage whether or not the Vehicle is for hire.
- 6.19.4 The rear facing illuminated section of the sign shall show a red light when switched on and the front shall show a white light. The sign shall be illuminated at all times when the vehicle is legally plying for hire.

Private Hire Vehicles

- 6.19.5 Private hire vehicles may carry roof signs but such roof signs:
- 6.19.6 Shall bear to the front the words 'Private Hire' — advance bookings only.

6.19.7 May bear to the rear only the name of the private hire firm and its telephone number. Such sign shall be fixed in such manner and position and be of such size as shall be approved by the Council.

6.19.8 Private hire vehicles must be of one colour only.

6.20 Fares and meters

6.20.1 Hackney carriage fares, set by the Council, are a maximum and can be negotiated downwards by the hirer.

6.20.2 Out of district journeys can be negotiated prior to the commencement of the journey in both private hire vehicles and taxis.

6.20.3 The meter must be calendar controlled to a tariff set by the Council.

6.20.4 A table of authorised fares will be provided to each taxi licence holder, which must then be displayed in each vehicle so that it is easily visible to all hirers.

6.20.5 Private hire operators may set their own fares (in agreement with the hirer prior to the journey) but if a meter is used the fare chart must be displayed in each vehicle so that it is easily visible to all hirers.

6.20.6 All hackney carriages must be fitted with a meter installed by an approved meter installer.

6.20.7 The taximeter and the operating devices must be sealed by the installer and certificated to confirm that the equipment is compliant with the Council. The certificate issued must be available for inspection on the vehicle.

6.20.8 Seals must be intact at any time that the vehicle carries a licence plate except when at an approved installers premises.

6.21 Notification

6.21.1 The Licence holder shall, as soon as reasonably practicable and in any case within 72 hours of any accident involving the vehicle, report the occurrence to the Council. Written notification must be given to the Council within seven days of the accident.

6.21.2 The proprietor shall notify the Council of any change in the list of Ddrivers kept in accordance with condition 6.17.6 within 7 days of the change.

6.21.3 The licence holder shall, within seven days thereof, notify the Council in writing of any change of residence and shall within the said period produce the taxi or private hire licence to the Council so that the licence holder's new address may be endorsed there.

6.22 Radios

6.22.1 The licence holder shall ensure that any radio equipment used in connection with the business shall:

6.22.2 Be kept in a safe condition and in a proper working order.

6.22.3 Comply with the relevant rules and regulations issued by the Home Office or other Government Department, the Post Office or British Telecom.

6.22.4 Not interfere with any other radio or telecommunication equipment.

6.23 Dual licensing

6.23.1 Dual licensing of vehicles (i.e. the licensing of a vehicle with two authorities) is NOT accepted by the Council.

6.24 Minibuses

This condition relates only to minibuses (8 seater private hire vehicles and taxis).

6.24.1 All doors should be capable of being opened from the inside when locked from the outside.

6.24.2 The vehicle must have at least two doors to the rear of the Driver for the exclusive use of passengers

6.24.3 All doors should show the method of operation of door lock operating levers i.e. pull or push with directional arrows in 5cm letters.

6.24.4 All emergency doors must be clearly identifiable as such to passengers and should be clearly marked 'Emergency Exit' in 5cm letters. Ideally on door window glass, or in contrasting colour(s) to paintwork.

6.24.5 There should be unobstructed access to all emergency doors or exits. (Seats should be located to facilitate this).

6.24.6 All sliding windows in the passengers' compartment should be restricted to open 6 inches only to protect juveniles from head injury.

6.24.7 All steps at entrances and exits should be illuminated or have clearly visible markings at floor level.

6.24.8 The first aid kit must be carried in a convenient location, which is clearly marked.

6.24.9 At least one fire extinguisher that complies with BS 5432 (or an equivalent) and contains water or foam and have a minimum test fire rating of 8A or 21B must be carried in the Vehicle.

6.25 Taxi buses

Taxi buses will only be licensed if in all the circumstances they are suitable in the opinion of the Council for use as licensed vehicles.

6.26 Amendments to these conditions

The above conditions may be revised or amended at any time by the Council whereupon a copy of the conditions as revised or amended will be supplied to the operator.

