

Hackney Carriage and Private Hire Vehicle Suitability Criteria and Licence Conditions

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Date: November 2020

HACKNEY CARRIAGE VEHICLE LICENCE

PRE-LICENSING STANDARDS

VEHICLES

1. In order that a reliable hackney carriage service of an acceptable standard is provided within the Borough, a person to be considered for a hackney carriage vehicle licence on the first or subsequent occasions shall comply with the following suitability criteria and conditions of licence:-

Wheelchair Accessible Vehicle

- 1.1 Have a vehicle, which is wheelchair accessible, of a type or make approved by the Council with eight or less passenger seats. It must be unaltered from the manufacturer's specification and documentation must be produced to show that the vehicle is certified to European Whole Vehicle Approval (M1) or Low Volume Type Approval Standards. In all such cases, it will be at the discretion of the Council to grant, or refuse the grant, of a hackney carriage vehicle licence.
- 1.2 Have a vehicle, which is not more than five years of age when first licensed, and at the time of renewal be no more than fifteen years of age. There is an exception for Carbodies, FX, Metrocab and LTI vehicles (also known as London style vehicles), which when first submitted for licensing must be less than six years of age and at the time of renewal of the licence, be no more than fifteen years of age. Vehicles will not be considered for renewal once they have reached their maximum age of fifteen years.
- 1.3 Any vehicle accepted for licensing as a hackney carriage may only be replaced by a vehicle which is younger by reference to the dates of first registration.
- 1.4 The vehicle must:
 - 1.4.1 have a minimum of four doors, each adjacent to and allowing direct access to and from the seats;
 - 1.4.2 have rear seat accommodation for the carriage of three persons, with a minimum seat width of 432mm (17") per person, unless the safe carriage of a passenger seated in a wheelchair necessitates the removal of any seat(s);
 - 1.4.3 accommodate not less than four passengers;
 - 1.4.4 in addition to the drivers seat, have up to two passenger seats in the front of the vehicle, provided each seat has separate lap/diagonal seat belts (excluding London style vehicles). This is subject to the comfort and safety of the passengers being maintained, including with regard to their proximity to the driver and the gear lever, and will be at the discretion of the Licensing Officer.

- 1.4.5 be fitted with appropriate seat belts to the front and rear seats of the vehicle. The number of seat belts fitted to the vehicle shall correspond with the number of passengers the vehicle is licensed to carry, plus a belt for the driver.
- 1.4.6 not be fitted with 'bull bars' or any other similar factory fitted or after market additions that may pose a danger to pedestrians in the event of a collision.
- 1.4.7 have adequate luggage accommodation with suitable restraints to prevent items in non-saloon vehicles becoming unsecured. All vehicles must be capable of carrying a wheelchair, as luggage, in a reasonable manner.
- 1.4.8 have the facility to permit the loading and unloading of wheelchairs ONLY through the side door(s) of all wheelchair accessible vehicles. Vehicles, which load wheelchairs through the tailgate, will not be accepted for licensing. No wheelchair user should be carried in such a manner as to obstruct or prevent the safe entry and egress of other passengers.
- 1.4.9 be provided, at all times, with a ramp or other mechanism to permit the safe entry and egress of passengers seated in a wheelchair. The ramp or other mechanism must be capable of transporting a combined wheelchair and occupant mass of 300kg, 660lbs or 46stn minimum between the road and the vehicle interior without the assistance of any person other than the driver of the vehicle. A ramp, where used, must be such as to provide at least 3.6 units of length for each unit of height, measured at its highest point. A vehicle capable of carrying a wheelchair must do so in a reasonable manner. In the interest of passenger safety and comfort, should any vehicle be capable of carrying a person who remains in the wheelchair, or where the seating layout may be varied to accommodate a wheelchair, such vehicle must have adequate provisions to enable the wheelchair to be fixed securely to the floor of the vehicle during transit.
- 1.4.10 be coloured white with orange bonnet and boot panels. These panels should be suitably sprayed to a high quality finish or covered with a good quality vinyl. Where the rear of the vehicle has rear doors or panels, instead of a boot, they may be sprayed orange up to the level of the lower edge of the rear windscreen(s). In such cases the top parts of the rear door panels should be coloured white. The orange colour shall be Clementine Glasurit 22 Line BS06E51, or other such orange colour as the Council may specify.
- 1.4.11 where rubbing strips are fitted on doors or panels, they should comply with the colour scheme of the relevant door or panel, unless they consist of black plastic, rubber or other material as normally supplied by the manufacturer.
- 1.4.12 allow direct access for a person entering or exiting from a licensed hackney carriage vehicle without having to remove or dismantle any seat or other obstacle, or to climb over any person being carried in the vehicle, or have any other person leave their seat to facilitate them entering or exiting the vehicle.

1.4.13 have any seat, adjacent to the nearside door of the passenger compartment of a licensed vehicle, removed to permit a clear and unobstructed entry and egress from the back-row seating of the compartment.

1.4.14 The vehicle maximum clearance from ground to top sill must not exceed 400 mm (16") unless the vehicle is fitted with a permanent anti-slip step.

Hackney Carriage Licences issued prior to 31 March 2005

- 1.5 Have a vehicle, which is not more than five years of age when first licensed, and at the time of renewal be no more than eight years of age. In relation to multi seat passenger vehicles (5 – 8 passengers) a vehicle submitted for licensing on the first occasion will be no more than 5 years of age from the date of first registration, and at the time of renewal be no more than ten years of age. Vehicles will not be considered for renewal once they have reached their maximum age of eight or ten years, where applicable.
- 1.6 Hackney Carriage proprietors, whose vehicles are a saloon or estate vehicle as at 31st March 2005, will be permitted to replace their vehicle with a vehicle that is not wheelchair accessible (saloon or estate).
- 1.7 Any vehicle accepted for licensing as a hackney carriage vehicle may only be replaced by a vehicle, which is younger by reference to the dates of first registration.
- 1.8 The vehicle must:
 - 1.8.1 have a minimum of four doors, each adjacent to and allowing direct access to and from the seats;
 - 1.8.2 have rear seat accommodation for the carriage of three persons, with a minimum seat width of 432mm (17") per person (for saloons, hatchbacks or estates);
 - 1.8.3 have accommodation for not less than four passengers;
 - 1.8.4 in addition to the driver, have up to two passenger seats in the front of the vehicle, provided each seat has separate lap/diagonal seat belts (excluding London style vehicles). This is subject to the comfort and safety of the passengers being maintained, including with regard to their proximity to the driver and the gear lever, and will be at the discretion of the Licensing Officer.
 - 1.8.5 be fitted with appropriate seat belts to the front and rear seats of the vehicle. The number of seat belts fitted to the vehicle shall correspond with the number of passengers the vehicle is licensed to carry, plus a belt for the driver.
 - 1.8.6 have adequate luggage accommodation with suitable restraints to prevent items in non-saloon vehicles becoming unsecured. All vehicles must be capable of carrying a wheelchair, as luggage, in a reasonable manner.

- 1.8.7 not be fitted with 'bull bars' or any other similar factory fitted or after market additions that may pose a danger to pedestrians in the event of a collision.
- 1.8.8 all hackney carriage vehicles will, at all times, be coloured white with orange bonnet and boot panels. These panels should be suitably sprayed to a high quality finish or covered with a good quality vinyl. Where the rear of the vehicle has rear doors or panels, instead of a boot, they may be sprayed orange up to the level of the lower edge of the rear windscreen(s). In such cases the top parts of the rear door panels should be coloured white. The orange colour shall be Clementine Glasurit 22 Line BS06E51, or other such orange colour as the Council may specify.
- 1.8.9 Where rubbing strips are fitted on doors or panels, they should comply with the colour scheme of the relevant door or panel, unless they consist of black plastic, rubber or other material as normally supplied by the manufacturer.
- 1.8.10 not be fitted with 'occasional seats to accommodate families and carriage of young children. Where a vehicle is presented for licensing that is fitted with 'occasional seats' the vehicle will not be considered suitable for licensing at their maximum carrying capacity. A proprietor wishing to licence a vehicle fitted with 'occasional seats' will be required to submit an application and the appropriate application fee. The application will then be consideration by Members of the Miscellaneous Licensing Sub-Committee.

In addition, in respect of minibus and other MPV style vehicles the vehicle must:

- 1.8.11 have a minimum of three doors to the passenger accommodation, not including any tailgate or rear doors.
- 1.8.12 have proper signs on how to lift the second row of seats. The sign should be clearly visible to any persons seated in the rearmost seats providing customers with instructions on the operating mechanisms for the seat that may be required to be tipped/moved forward in order to gain access/egress from the vehicle.
- 1.8.13 the operating levers to be coloured yellow/orange so that they are easily identifiable. They can be coloured by using the appropriate colour tape. Tape should remain damage free at all times and replaced when worn.
- 1.8.14 have windows on the near and offside in respect of the rear row of seats and that they be free from obstruction at all times to allow access in the event of an emergency.
- 1.8.15 have well positioned exit window signs (where appropriate).
- 1.8.16 have an internal device for the rear hatch door to be opened from the inside. This can be by way of an emergency 'quick release' button which can be fitted to the rear hatch door which can be operated by passengers in order to allow access/egress in the event of an accident and one of the side passenger doors being inaccessible.

1.8.17 The vehicle maximum clearance from ground to top sill must not exceed 400mm (16”) unless the vehicle is fitted with a permanent anti-slip step

All Hackney Carriage Licences

1.9 All vehicles that are subject of an application for the grant of a hackney carriage vehicle licence must be fitted with a calendar controlled taxi meter. (All existing vehicles, licensed prior to 20/09/2017, must have the taxi meter converted or a new calendar controlled taxi meter fitted within 12 calendar months following the date of the next renewal or when there is a change of fare tariff (whichever is sooner). NOTE: Failure to comply with this requirement will result in the automatic suspension of the vehicle licence until such time as evidence is produced that confirms that the meter has either been converted or replaced and is capable of being calendar controlled).

A driver should not charge more than the price displayed on the meter for the journey and any waiting time. For journeys that end outside the district, drivers may use the meter or agree a fare with the passenger before the journey starts. For all journeys within the district the meter must be used. A PDA or similar device is not a taximeter and does not comply with the above conditions. Such devices do not have the Measuring Instrument Directive approval and are often located in a position whereby the customer cannot clearly see the fare being charged and will not be used instead of the taximeter.

Taxi meters are required to be switched on when a customer is seated at the start of the journey, and then if a driver wishes to make any discount, he can do so at the end of a journey

1.10 All hackney carriage proprietors converting their licensed vehicle to run on Liquid Petroleum Gas (LPG) must notify the Council of such change and comply with the following pre-licensing conditions. These conditions will also apply to proprietors purchasing a new or used vehicle that runs on LPG: -

1.10.1 that the installation of a LPG tank be undertaken by a Liquid Petroleum Gas Association (LPGA) approved installer.

1.10.2 that the proprietor produces a certificate of compliance by an approved LPGA installer.

1.10.3 that the LPG tank fitted must be a multi-valve tank and be fitted with a sealed tank box made from aluminium and vented to the atmosphere.

1.10.4 that the vehicle displays on the front and rear screen, a sticker stating that the vehicle has been fitted with a LPG tank for the purpose of alerting the emergency services in the event of an accident.

- 1.10.5 a doughnut tank is fitted in the spare wheel well of the boot, the spare wheel must be securely fixed in a position not obstructing the entire luggage space.
- 1.10.6 the proprietor of the vehicle must notify the DVLA Swansea, of the change of fuel from petrol to both LPG and petrol.
- 1.10.7 the vehicle is serviced by a person competent in LPG powered vehicles.
- 1.10.8 provide evidence, by way of a certificate of compliance, that the vehicle has been serviced by a person competent in LPG powered vehicles (LPG approved installer) annually and upon renewal of the vehicle licence.

TRAILERS AND ROOF BOXES

2. A proprietor of a licensed hackney carriage vehicle will be permitted to tow a trailer provided that: -
 - 2.1 the trailer complies with all legal requirements (please see Appendix 1 for further guidance).
 - 2.2 He/she holds the appropriate category on his/her DVLA driving licence, which must be produced to the Council.
 - 2.3 That the rear plate of the licensed vehicle not be obstructed by the trailer and must be visible at all times
3. A proprietor of a licensed hackney carriage vehicle will not be permitted to carry any form of roof box or luggage on the roof of the vehicle.

TINTED WINDOWS

4. Tinted windows will only be permitted if they meet the criteria set out in Condition 9.

VEHICLE INSPECTIONS

5. The applicant shall submit the vehicle for an MOT and compliance inspection and/or other inspections as the Council may require at the Council approved garage (Barleylands) as follows:-
 - 5.1 upon initial application (regardless of the age of the vehicle).
 - 5.2 every six months during the licence life of the vehicle.
 - 5.3 vehicles submitted for an inspection that do not meet the requirements, as set out in the Basildon Borough Council Compliance Manual, will be treated as having failed and where there is a current vehicle licence in place, the vehicle

will be suspended immediately until such time as it is re-presented for a further inspection and passes.

- 5.4 proprietors of vehicles, which fail to attend any notified inspection, or whose vehicles are refused an inspection due to the condition of the vehicle, shall be liable to pay a fee for the re-inspection.
- 5.5 proprietors of vehicles, which fail to attend for any inspection, during the life of the vehicle licence, may be suspended immediately until such time as they attend and pass the inspection.

PRODUCTION OF DOCUMENTATION

6. All applicants for a hackney carriage vehicle licence shall produce the following documents, prior to the issue of the licence, which must be current at the time the licence commences: -
 - 6.1 an insurance certificate or cover note, which expressly indicates cover for public hire.
 - 6.2 proof of ownership by means of a bill of sale, or hire purchase agreement.
 - 6.3 the vehicle registration document showing the current owner's name and address.
 - 6.4 a proprietorship requisition form as specified under the Town Police Clauses Act 1847.

TEMPORARY REPLACEMENT HACKNEY CARRIAGES

These are vehicles that are temporarily licensed by the Licensing Authority in order that a proprietor can continue to work whilst their vehicle is being repaired as a result of it being involved in a road traffic collision. In all cases, the following conditions apply:

- 7.1 Any temporary replacement vehicle would have to meet all the suitability criteria and conditions of licence requirements as outlined above in the same way as if for a permanent change of vehicle. The application process for such a vehicle would be the same, including payment of an appropriate fee at the time of application. The temporary replacement vehicle would also have to be mechanically tested prior to it becoming licensed and the meter tested and sealed where this is appropriate. All other suitability criteria and conditions of licence such as door signs would also have to be satisfied.
- 7.2 A temporary replacement vehicle would be permitted for use for a period of not exceeding 30 days. In exceptional circumstances, this period may be extended by further periods of 14 days at the discretion of Licensing Officers.

- 7.3 As soon as the proprietors' vehicle is repaired, an application to return the licence back to the original vehicle will be required and a further replacement vehicle fee paid. The licensing service may if considered appropriate require a further vehicle examination to be undertaken on the proprietors' existing vehicle before the licence is re-issued, this decision being dependent on the damage sustained.

GENERAL NOTES

7. All relevant facts/information will be taken into account when consideration is given to an application for a hackney carriage licence and it may be that the standards and requirements are waived, varied or higher standards will be imposed, at the discretion of the Council i.e. passenger safety and comfort.
8. During the period of the licence, the holder shall be in direct control of the day to day running of the vehicle.
9. After the issue of a hackney carriage vehicle licence, the vehicle may only be driven by a driver holding a hackney carriage drivers licence.

HACKNEY CARRIAGE VEHICLE LICENCE

CONDITIONS OF LICENCE

INTRODUCTION

The proprietor of the vehicle must ensure that the vehicle complies with the following conditions at all times. During the period of the licence, the holder shall be in direct control of the day to day running of the vehicle.

1. Pre Licensing Standards

Satisfy the pre licensing standards for hackney carriages adopted by Basildon Borough Council.

2. Safety Equipment

- 2.1 It is the responsibility of the vehicle proprietor to ensure that a fire extinguisher, suitable for use on a vehicle fire, is readily available for use and accessible in the vehicle at all times in case of an emergency. The fire extinguisher must be marked with the licence plate and number of the vehicle. Where there is an expiry date on the extinguisher (instead of a colour gauge) the date must be clearly visible and show no sign of tampering. NOTE: in the event of a vehicle fire, the PRIORITY is to ensure the safety of your passengers by evacuating the vehicle – ‘GET THE PASSENGERS OUT!’

3. Interior Markings

The proprietor shall ensure that the following are clearly displayed inside the vehicle:

- 3.1 the number of the licence. The licence number identity card shall be displayed in the vehicle on the nearside of the windscreen or, where the vehicle is a bulk headed vehicle, on the partition behind the driver, in an unobstructed and conspicuous position so that passengers may see it.
- 3.2 By the 1st April 2021 all vehicles will display an internal driver identification card on either the nearside of the windscreen or, where the vehicle is a bulk headed vehicle, on the partition behind the driver, in an unobstructed and conspicuous position so that passengers may see it. In the case where a vehicle or vehicles have multiple drivers, the driver must remove their identification card when not driving that vehicle and place it back in the vehicle when they do.
- 3.3 the driver shall not conceal the licence number identity card nor the internal driver identification card from public view or deface it.
- 3.4 the licence number identity card shall remain the property of Basildon Borough Council at all times and must be returned immediately if the vehicle ceases to be a licensed hackney carriage vehicle, any detail of the vehicle is changed or if the vehicle licence is suspended or revoked by the Council.

- 3.5 “No Smoking signs” shall be displayed on both rear passenger doors windows.
- 3.6 the tariff card supplied by the Council be displayed in such a position as to be plainly visible to persons travelling in the vehicle.
- 3.7 a “FOR HIRE” flag (more commonly known as a ‘Limpet Light’) must be situated at the bottom left side of the front windscreen, of which the illuminated area does not exceed 16 square inches.
- 3.8 Where in-car video surveillance (CCTV) is installed, a notice to this effect must be clearly displayed inside and outside the vehicle, the wording of which will be in accordance with the requirements of the Information Commissioner’s Office (ICO) Codes of Practice. These requirements can be found on the ICO website at www.ico.org.uk. Please see Appendix 3 for further guidance.

4. Exterior Signs

The proprietor shall ensure that:

- 4.1 the valid licence plate identifying the vehicle as a hackney carriage shall at all times during the period the licence is in force, be displayed in the appropriate manner. The vehicle shall not be used to convey a greater number of passengers than shown on the plate and licence, irrespective of the age of the passenger.
- 4.2 the licence plate, bearing the vehicle licence number, the vehicle registration, vehicle licence expiry date, the vehicle make, the vehicle colour and number of passengers for which the vehicle is licensed to carry, shall be displayed in a vertical position and firmly fixed to the outside of the vehicle at the rear, using the fixing bracket provided for the purpose. Neither “Velcro” nor cable tie fastenings will be permitted. In any cases of doubt about a proper method of fixing the plate, the Licensing Office should be consulted.
- 4.3 the licence plate shall remain the property of Basildon Borough Council at all times and must be returned immediately if the vehicle ceases to be a licensed hackney carriage vehicle, if any detail of the vehicle is changed or if the vehicle licence is suspended or revoked by the Council.
- 4.4 Basildon Borough Council’s official door stickers bearing the words “Licensed Hackney Carriage Basildon Borough Council” shall be permanently affixed on each front door of the vehicle, in the upper 3rd of the door panel and be visible at all times. **Please see Appendix 2 for further guidance.**
- 4.5 a roof sign capable of being illuminated and showing to the front and rear the word “TAXI”, the light for which should automatically be extinguished when the taximeter is engaged. London style and other taxis with signs forming an integral part of the roof are acceptable.
- 4.6 no symbols, words, letters, graphics or signage, other than those approved by the Licensing Service, are displayed anywhere on the vehicle.

5. Exterior Advertising

A proprietor of a hackney carriage shall ensure that the display of advertising materials is restricted to the following:

- 5.1 the trade name, address and telephone number of the circuit may be displayed on the rear doors of the vehicle, (for multi seat passenger vehicles the side centre door(s) and/or centre panel(s)) and/or on a maximum three-inch depth advertisement panel in the rear window, in a position not restricting rearward vision. For rear window advertising, this must be in accordance with condition 5.3.
- 5.2 product advertising is permitted on the rear doors (for minibuses or MPV's the side centre door(s) and/or centre panel(s)) and on the panel of the rear wing of the vehicle with a maximum size of 22" x 18" and rear bumper, subject to the Council giving authority and retaining the right to request the removal of any particular advertisement, which is felt to be unsuitable.
- 5.3 All advertising material to be displayed on the rear windscreen of any licensed vehicle shall be approved by the Licensing Service interpreting the guidelines as follows:

Colour copies of artwork showing the advertising as it is intended to appear on the vehicle should be sent to the Licensing Service for prior approval. Once an advert has been approved, any change to the advertisement must not be made without the further approval of a Licensing Officer.

In general, each application for approval of advertising material would be considered on an individual basis, but advertisements would not be permitted which:-

- a) Do not comply with the UK's Advertising Standards Authority's Advertising Codes and it is the responsibility of the hackney carriage and private hire proprietor to make sure that they do so (available at www.cap.org.uk);
- b) Advertise or promote age restricted products, such as tobacco, alcohol (Note: This will not generally include premises which trade in such products or any advertisement which features glasses or bottles of branded drinks which may appear to be alcohol);
- c) Contain pictures, text or graphics of a religiously discriminatory, political, racist, sexist or controversial nature;
- d) Contain pictures, text or graphics for escort agencies, sex shops or massage parlours;
- e) Display nude, semi-nude or other figures in a sexually provocative manner;
- f) Depict men, women or children as sexual objects, or semi-nude figures which would generally be considered to be objectionable;

- g) Depict direct and immediate violence to anyone shown in the advertisement or observing it;
- h) Advertise any racist group or organisation that intends to promote such a group or such organisation and/or any of its activities;
- i) Prejudice the safety of the occupants of the vehicle or other road users. Specifically, no advertising of any kind shall be placed on the windscreen and windows that could diminish the driver's visibility;
- j) Are attached to Vehicles fitted with factory fitted tinted or opaque/privacy glass, with a grading of less than 70% of VLT (Visible Light Transmittance, the amount of light the film allows to pass through) will not be permitted to have rear windscreen advertising;
- k) Is a material of a reflective nature so as to cause a hazard to following traffic;
- l) Must not contain any foreign languages or signs or symbols unless the applicant for the advertising has provided an English translation of the advert to the Council. Council officers may check this with an approved translator.
- m) Advertise more than one product or service at any one time;

5.4 All product advertising must be applied by a professional company and no reflective materials may be used.

5.5 wheelchair accessible vehicles may display the disability symbol of a maximum of 10" (245mm) square on the wheelchair access door(s) only.

5.6 advertising material or decorative stickers on other outside parts of the vehicle are strictly prohibited.

5.7 advertising material or decorative stickers on the inside of the vehicle (i.e. on the flip seat) will be permitted, subject to the Council giving authority and retaining the right to request the removal of any particular advertisement, which is felt to be unsuitable.

6. Interior Advertising

6.1 A proprietor of a hackney carriage shall ensure that the display of advertising materials on any interior part of a licensed vehicle cannot be viewed other than by a passenger seated within the vehicle and is restricted to the points listed in 5.3 a) to l) above:

- 6.2 In addition, advertisements will not be permitted on
- a) any seats (other than the base of tip-up seats), where the advertising must be encapsulated in clear non-flammable plastic;
 - b) On the underside of a roof (roof lining)
 - c) On the partition between the driver and passengers;

- d) On the interior door panels;
- e) On the floor covering

- 6.3 Advertising will be permitted on the back of receipts handed to a customer
- 6.4 The Council will not permit any “third party advertising” to be displayed by electronic means inside a vehicle.

7. Inspection

The proprietor will submit the vehicle for an MOT and compliance inspection and/or any other inspection as the Council may require at the Council approved garage (Barleylands) as follows: -

- 7.1 upon initial application (regardless of the age of the vehicle).
- 7.2 every six months during the licence life of the vehicle.
- 7.3 upon request by the Licensing Office. The proprietor may be required to present the vehicle, upon request to the Licensing Service, to enable officers to confirm compliance with conditions of licence.
- 7.4 after any repair made necessary by an accident affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers during the licensable life of the vehicle.
- 7.5 vehicles submitted for an inspection that does not meet the requirements, as set out in the Basildon Borough Council Compliance Manual, will be treated as having failed and where there is a current vehicle licence in place, the vehicle will be suspended immediately until such time as it is re-presented for a further inspection and passes.
- 7.6 proprietors of vehicles, which fail to attend any notified inspection, or whose vehicles are refused an inspection due to the condition of the vehicle, shall be liable to pay a fee for the re-inspection.
- 7.7 proprietors of vehicles, which fail to attend for any inspection, during the life of the vehicle licence, may be suspended immediately until such time as they attend and pass the inspection.
- 7.8 produce the current vehicle inspectorate MOT Test Certificate upon request.
- 7.9 produce an insurance document, as may be required, following inspection and before a licence is issued, specifying that the vehicle is insured for public hire.
- 7.10 produce a full vehicle registration document within one month.

8. General Condition and Appearance of Vehicle

At all times vehicles will be:

- 8.1 kept clean and free from damage, well maintained and in every way fit for public service, both inside and outside of the vehicle

8. Trailers and Roof Boxes

- 8.1 A proprietor of a licensed hackney carriage vehicle will be permitted to tow a trailer provided that: -

- 8.1.1 the trailer complies with all legal requirements (please see Appendix 1 for further guidance).

- 8.1.2 He/she holds the appropriate category on his/her DVLA driving licence, which must be produced to the Council.

- 8.1.3 That the rear plate of the licensed vehicle not be obstructed by the trailer and must be visible at all times

- 8.2 A proprietor of a licensed hackney carriage vehicle will not be permitted to carry any form of roof box or luggage on the roof of the vehicle.

9. Tinted Windows

- 9.1. All windows fitted to Hackney Carriage vehicles must comply with the minimum requirements as follows:

Front windows (windscreen and front side windows)

- To transmit 75% of light through the front windscreen.
- To transmit 70% of light through the front driver/passenger side windows.
- Any subsequent replacement windows shall conform to the above requirements.
- No tinted films or other adhesive material will be acceptable on any part of the windows of the vehicle.

Other windows (rear passenger windows/quarter light windows/rear windscreen)

- Where there is rear windscreen product advertising, to transmit 70% of light through all other windows.
- Any subsequent replacement windows shall conform to the above requirement.
- No tinted films or other adhesive materials will be acceptable on any part of the windows of the vehicle, except product advertising that has been approved, by the Licensing Authority, for rear window advertising.

10. Taximeter

- 10.1 Any taximeter installed in the vehicle shall be of type approved and inspected, tested, calibrated and sealed by an authorised officer of the Council or meter agent as approved by Basildon Borough Council under the Council's "Authorised Taximeter Agent Scheme."**
- 10.2 All taximeters must be fitted and operated as calendar controlled meters and must be correctly calibrated, sealed and fully functional in accordance with the current maximum fare tariff set by Basildon Council, being the current Table of Fares fixed under s65 of the Local Government (Miscellaneous Provisions) Act 1976.**
- 10.3 The taximeter shall be calibrated to allow the use of the aforementioned tariff for the calculation of fares and no more than one other tariff as set by the proprietor of the vehicle.**
- 10.4 The proprietor may set no more than one tariff in any 12 month period.**
- 10.5 The taximeter and all the fittings thereof shall be maintained, at all times, and so affixed to the carriage with seals or other appliances, so as not to be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.**
- 10.6 The taximeter shall be positioned so that the fare displayed can readily be seen by the passenger. There shall be recorded on the face of the taximeter in figures clearly legible and free from ambiguity a fare not exceeding the scale of fares prescribed by the Council. The face of the taximeter shall be kept properly illuminated throughout any part of the hiring which is during the hours of darkness and also at any time at the request of the hirer.**
- 10.7 The operation of the taximeter shall accord with any byelaws made by Basildon Borough Council.**
- 10.8 The taximeter shall be tested for accuracy on initial application and following any changes to the table of fares or as required. An officer of Basildon Borough Council's Licensing Team or an authorised taximeter agent will seal meters after each inspection and complete a compliance certificate confirming that the taximeter complies with the current table of fares set by Basildon Borough Council.**
- 10.9 Any major repair or alteration to the vehicle (including changing the size of the tyres after the taxi meter has been calibrated and sealed), which may have a detrimental effect on the accuracy of the taxi meter, will require the meter to be checked to ensure that it still complies with the table of fares authorised by**

Basildon Borough Council. Where necessary or appropriate the taxi meter will need to be checked for accuracy and then recalibrated/sealed in accordance with the authorised table of fares. This process must be completed in line with the authorised taxi meter agent scheme.

10.10 If the taxi meter has been altered for whatever reason, the proprietor of the vehicle shall forthwith report the alteration to the Licensing Office and then produce a copy of the taxi meter inspection certificate duly completed by the authorised taxi meter agent that carried out the alteration.

10.11 A driver should not charge more than the price displayed on the meter for the journey and any waiting time. For journeys that end outside the district, drivers may use the meter or agree a fare with the passenger before the journey starts. For all journeys within the district the meter must be used. A PDA or similar device is not a taximeter and does not comply with the above conditions. Such devices do not have the Measuring Instrument Directive approval and are often located in a position whereby the customer cannot clearly see the fare being charged and will not be used instead of the taximeter.

Taxi meters are required to be switched on when a customer is seated at the start of the journey, and then if a driver wishes to make any discount, he can do so at the end of a journey

11. Usage

11.1 Whilst a vehicle is licensed, as a hackney carriage and at all times whether plying for hire or not shall not be driven by any person other than a driver properly licensed by Basildon Borough Council.

11.2 If the proprietor permits or employs any other person to drive the vehicle, that person must be licensed by Basildon Borough Council and deposit a copy of his/her combined hackney carriage/private hire driver's licence with the proprietor before he/she commences to drive the vehicle.

12. Carriage of Assistance Dogs

12.1 The proprietor shall ensure the driver of the vehicle complies with the requirement to carry a Guide, Hearing dogs and other assistant dogs, dogs for the disabled, support dogs and canine partners for independence.

12.2 A driver of a licensed vehicle is required to carry the following assistant dogs free of charge, unless the driver has a proven medical conditions that would preclude such actions:

- 12.1.1 guide dogs for the blind
- 12.1.2 hearing dogs
- 12.1.3 dogs for the disabled

12.1.4 support dogs (e.g. epilepsy)

All assistance dogs can be identified usually by their harness or their identification coat.

13. Animals

13.1 The proprietor shall not allow any driver to convey in a licensed vehicle any animal belonging to or in the custody of himself or the proprietor or operator of the vehicle.

13.2 Any other animal belonging to or in the custody of any passenger, which at the driver's discretion, may be conveyed in the vehicle and shall only be conveyed in the rear of the vehicle.

14. Change of Address

14.1 A proprietor must notify the Licensing Service, at Basildon Borough Council, of a change of address within seven days. This must be in writing or by electronic means. Official documents such as vehicle registration document, insurance certificate and driving licence must be presented to the Licensing Service as soon as reasonably practicable, showing proof of change of address.

15. Production of Documentation

A proprietor shall:

15.1 At all times hold a current certificate or cover note of Motor Insurance and ensure copies of the original documents are supplied to the Licensing Service upon first licence and at the time of renewal of the licence and at any other time as may be required. Certificates must run concurrent, without any breaks in date or time and new or replacement copy documentation must be in the possession of the Licensing Service at Basildon Borough Council prior to the date and time of the expiring copies already held by them.

Failure to provide copied of a valid insurance certificate or cover note will lead to immediate suspension for a minimum of twenty four hours or until the production of the required document is made – in person – to an officer of the Licensing Service of the Council. At which time, the suspension will immediately lifted.

15.2 Produce vehicle registration documents and any other evidence of proprietorship of the vehicle to the Council at the request of the Licensing Service, within a reasonable period of time or a maximum of seven days from such request.

16. Accidents/Vehicle damage

16.1 The proprietor/driver shall report to the Licensing Service at Basildon Borough Council in writing, by telephone or by electronic means any accident in which the driver is involved whilst driving a licensed vehicle. Notification must be reported within seventy-two hours of such an accident. The proprietor may be required to present the vehicle,

to the Licensing Service, for initial inspection by a Licensing Officer to ensure that the vehicle is still fit to continue to operate.

- 16.2 The proprietor/driver shall report to the Licensing Service at Basildon Borough council in writing, by telephone or by electronic means **any** vehicle body damage i.e. vandalism. Notification must be reported within seventy-two hours of such damage. The proprietor may be required to present the vehicle, to the Licensing Service, for initial inspection by a Licensing Officer to ensure that the vehicle is still fit to continue to operate.
- 16.3 The vehicle shall have no evident signs of accident damage upon completion of repairs. The paintwork shall be of a professional finish over the whole of the vehicles bodywork.
- 16.4 The bodywork shall have no signs of corrosion upon completion of repairs. Corrosion includes visible rust and signs of rust by virtue of the paintwork blistering etc.
- 16.5 Bodywork damage can not be patched-up or fixed with 'Gaffer Tape' or similar material. All bodywork damage shall be professionally repaired over the whole of the vehicles bodywork.
- 16.6 All parts of the passenger compartment shall be kept clean and free of any damage, which may otherwise affect its suitability for the carriage of passengers. Repairs to the passenger compartment shall be of a professional standard. Damage can not be patched-up or fixed with 'Gaffer Tape' or similar material.

17. Temporary Replacement Vehicles in the event of an accident

- 17.1 The proprietor of an existing licensed hackney carriage must report, to the Licensing Service, within seventy-two hours, that the vehicle has been involved in an accident and their possible intention to licence a temporary replacement vehicle.
- 17.2 The temporary replacement vehicle must satisfy the pre licensing standards for hackney carriages adopted by Basildon Borough Council before it is considered for licensing.
- 17.3 An application for a temporary replacement vehicle must be submitted to the Licensing Service together with the appropriate fee, the insurance document for the vehicle being presented for licensing, vehicle registration document for the vehicle being presented for licensing and a lease agreement/contract from the Insurance Company/Vehicle Supplier for the vehicle being presented for licensing.
- 17.4 The temporary replacement vehicle must be mechanically tested, at the Council approved testing centre prior to it becoming licensed.
- 17.5 The taximeter must be tested and sealed, by the Licensing Service, prior to it becoming licensed.

- 17.6 The temporary replacement vehicle will only be permitted for use for a period not exceeding 30 days. In exceptional circumstances, this period may be extended by a further 14 days, at the discretion of a Licensing Officer.
- 17.7 As soon as the proprietors' vehicle is repaired, an application to return the licence back to the original vehicle will be required and a further replacement vehicle fee must be paid, together with the production of the vehicle registration document and current insurance document.
- 17.8 If requested, the proprietor shall present the original vehicle for a further vehicle examination, at the Council approved testing centre, before it becomes relicensed. This will be dependent on the damage sustained.

18 Byelaws and Regulations

- 18.1 The proprietor shall ensure that any driver complies with the Council's Byelaws and Conditions of Licence.
- 18.2 The proprietor should make themselves familiar with statutory requirements in relation to Hackney Carriage Licensing in the Town Police Clauses Act 1847 (as amended), Public Health Acts 1875 and 1936, The Equality Act 2010 and the Local Government (Miscellaneous Provisions) Act 1976. These are available at a public library or via the internet.

19. Surrender of Licence

- 19.1 If the proprietor ceases to use the vehicle for the purpose for which it is licensed they shall formally surrender the licence in writing and return the plate, door stickers and licence number identity card, which remains the property of Basildon Borough Council
- 19.2 Basildon Borough Council may, at any time during the period of the licence, revoke the licence should a breach be detected of any terms and conditions of the licence.

19. Appeals

- 19.1 Statutory rights for appeal against the following decisions by the licensing authority in respect of the grant or renewal of hackney carriage licences are to be found in the Local Government (Miscellaneous Provisions) Act 1976:
- Appeal against conditions imposed on a hackney carriage proprietor's licence (to the magistrates' court); and
 - Appeal against refusal to grant a hackney carriage proprietor's licence (to the Crown Court).

PRIVATE HIRE VEHICLE LICENCE

PRE-LICENSING STANDARDS

VEHICLES

1. All private hire vehicles must be in satisfactory mechanical order and body condition. The vehicle must conform to all current legislation and be capable of carrying eight or less passengers. It must be unaltered from the manufacturer's specification. The inside and outside of a private hire vehicle shall be clean and free from damage, well maintained and in every way fit for public service.
2. A vehicle submitted for first licensing must be less than five years of age from the date of first registration, and at the time of renewal be no more than eight years old. In relation to multi seat passenger vehicles (5-8 passengers) a vehicle submitted for first licensing will be no more than 5 years of age from the date of first registration, and at the time of renewal be no more than ten years of age. Vehicles will not be considered for renewal once they have reached their maximum age of eight or ten years, where applicable.
3. The vehicle:
 - 4.1 must accommodate no less than four passengers;
 - 4.2 must have a minimum of four doors, each adjacent to and allowing access to and from the seats;
 - 4.3 must have a rear seat accommodation for not less than three persons, with a minimum of 432mm (17") per person (for saloons, hatchbacks and estates);
 - 4.4 can be any colour. A vehicle presented for licensing as a Private Hire Vehicle will not be licensed if it has an orange bonnet and boot lid. A Private Hire Vehicle can not in any way resemble a Hackney Carriage Vehicle in terms of livery.
 - 4.5 in addition to the driver, must have up to two passenger seats in the front of the vehicle, provided each seat has separate lap/diagonal seat belts. This is subject to the comfort and safety of the passengers and the proximity of them in relation to the driver and the gear lever. Exceptions will be made in the case of a limousine which may have a bench front seat separated by an arm rest;
 - 4.6 must be fitted with appropriate seat belts to the front and rear seats of the vehicle. The number of seat belts fitted shall correspond with the number of passengers the vehicle is licensed to carry, plus a belt for the driver;
 - 4.7 must not be fitted with 'bull bars' or any other similar factory fitted or after market additions that may pose a danger to pedestrians in the event of a collision.

- 4.8 must provide adequate luggage accommodation with suitable restraints to prevent items in non-saloon vehicles from becoming unsecured. All vehicles must be capable of carrying a wheelchair, as luggage, in a reasonable manner.
- 4.9 will not be fitted with 'occasional seats' to accommodate families and carriage of young children. Where a vehicle is presented for licensing that is fitted with 'occasional seats', the vehicle will not be considered suitable for licensing at their maximum carrying capacity. A proprietor wishing to licence a vehicle fitted with 'occasional seats' will be required to submit an application and the appropriate fee. The application will then be considered by Members of the Miscellaneous Licensing Sub-Committee.

In addition, in respect of minibus and other MPV style vehicles the vehicle must:

- 4.10 have a minimum of three doors to the passenger accommodation, not including any tailgate or rear doors.
- 4.11 have proper signs on how to lift the second row of seats. The sign should be clearly visible to any persons seated in the rearmost seats providing customers with instructions on the operating mechanisms for the seat that may be required to be tipped/moved forward in order to gain access/egress from the vehicle.
- 4.12 the operating levers to be coloured yellow/orange so that they are easily identifiable. They can be coloured by using the appropriate colour tape. Tape should remain damage free at all times and replaces when worn.
- 4.13 have windows on the near and offside in respect of the rear row of seats and that they be free from obstruction at all times to allow access in the event of an emergency.
- 4.14 have well positioned exit window signs (where appropriate).
- 4.15 have an internal device for the rear hatch door to be opened from the inside. This can be by way of an emergency 'quick release' button which can be fitted to the rear hatch door which can be operated by passengers in order to allow access/egress in the event of an accident and one of the side passenger doors being inaccessible.
- 4.16 The vehicle maximum clearance from ground to top sill must not exceed 400mm (16") unless the vehicle is fitted with a permanent anti-slip step.

WHEELCHAIR ACCESSIBLE PRIVATE HIRE VEHICLES

An applicant seeking the grant of a private hire vehicle licence for a vehicle in which it is intended to carry passengers who are seated in a wheelchair must present a vehicle that, in addition to all other pre-licensing standards and conditions shall:

- 5.1 be capable of carrying a minimum of 4 passengers, up to a maximum of 8 passengers (this will include the provision for a wheelchair user). If the vehicle was manufactured initially as a wheelchair accessible vehicle, it must have an EC Whole Vehicle Type Approval. If the vehicle has been converted after initial manufacture it must have been issued with a Low Volume Approval Certificate (LVA) or a National Small Series Type

Approval (NSSTA). The Council will only consider licensing vehicles converted or adapted to carry wheelchairs if the conversion is undertaken by an approved installer and assessor. The licence application must be accompanied by the original certificate from the approved installer/assessor. In all such cases, it will be at the discretion of the Council to grant, or refuse the grant, of a wheelchair accessible private hire vehicle.

- 5.2 be less than five years of age from the date of first registration when first licensed and at the time of renewal be no more than eight years old. In relation to a multi passenger wheelchair accessible vehicle (5-8 passengers) a vehicle submitted for first licensing will be no more than five years from the date of first registration, and at the time of renewal be no more than ten years of age. Vehicles will not be considered for renewal once they have reached their maximum age of eight or ten years, where applicable.
- 5.3 be right hand drive and have an interior overall height suitable of accommodating a person sitting in a wheelchair. It is recommended that this is a minimum of 162.5 cm (63.9 in).
- 5.4 not be of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage.
- 5.5 have no less than five doors, three of those doors will be in addition to any door provided for the driver and front seat passenger and afford entrance to the rear passenger compartment from both the nearside and the offside of the vehicle. The nearside and offside doors should be adjacent to and allowing direct access to and from the passenger seats.
- 5.6 have the facility to permit the loading and unloading of the wheelchair through the rear door(s) or the side door(s). No wheelchair user should be carried in such a manner as to obstruct or prevent the safe entry and egress of other passengers.
- 5.7 be capable of carrying a reasonable quantity of luggage in a safe and secure manner with suitable restraints to prevent items becoming insecure.
- 5.8 have proper fittings for the securing of the wheelchair and any passenger seated therein, which shall include:
 - a) Approved anchorages that must be either chassis or floor linked and capable of withstanding approved dynamic or static tests;
 - b) Restraints independent of each other and anchorages for the safe storage of wheelchair(s), whether folded or otherwise. If carried within the passenger compartment, such anchorages and restraints must be so designed that they do not cause any danger to other passengers;
 - c) A ramp or ramps for the loading of wheelchairs(s) and passenger(s) which is available at all times which must have an adequate locking device fitted to ensure that the ramp(s) do not slip or tilt when in use, together with provision for the ramps to be stored safely when not in use. In all cases the ramp or other mechanism must be capable of transporting a combined wheelchair and occupant mass of (300kg, 660lbs or 46stn) minimum between the road and the vehicle interior without the assistance of any person but the driver of the vehicle. A ramp, where used,

must be such as to provide at least 3.6 units of length for each unit of height, measured at its highest point;

d) Any equipment fitted for the purposes of lifting a wheelchair into and out of the private hire vehicle must be tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulation 1998 (LOLER).

- 5.9 be capable of carrying a wheelchair in a reasonable manner in the interest of passenger safety and comfort. Should any vehicle be capable of carrying a person who remains in the wheelchair, or where the seating layout may be varied to accommodate a wheelchair, such vehicle must have adequate provisions to enable the wheelchair to be fixed securely to the floor of the vehicle.
- 5.10 have grab handles or rails suitably located at all passenger door entrances to help elderly and disabled passengers. All handles/rails must be conspicuously marked to help visually impaired passengers.
- 5.11 be a vehicle in which all exits must be easily accessible and not obstructed by another seat. Access to all doors must be free from obstruction (any seating arrangement that requires passengers to climb over another seat is not permitted). The seating accommodation will be subject to scrutiny by the Licensing Team.
- 5.12 have an interior which must be clean and the upholstery and flooring free from holes, splits and other damage.
- 5.13 have proper signs on how to lift any seating. The sign should be clearly visible and provide customers with instructions on the operating mechanism for the seats that may be required to be tipped/moved forward in order to accommodate a wheelchair or in order to gain access/egress from the vehicle.
- 5.14 have operating levers to be coloured yellow/orange so that they are easily identifiable. They can be coloured using the appropriate colour tape. Tape should remain damage free at all time and be replaced when worn.
- 5.15 in relation to rear loading wheelchair accessible vehicles, have sufficient lighting fitted to illuminate the interior and exterior of the vehicle to allow a wheelchair user to board and alight in safety, and particularly for use when this is in a live carriageway. Any lighting fitted to a licensed private hire vehicle shall operate only when the vehicle is at rest if its use is likely to adversely affect the driver's vision.
- 5.16 be so designed that the rear doors of the wheelchair accessible vehicle do not at any time obscure the rear light cluster either to the offside or nearside when a wheelchair occupant is being loaded or unloaded.
- 5.17 The vehicle maximum clearance from ground to top sill must not exceed 400mm (16") unless the vehicle is fitted with a permanent anti-slip step

LIQUID PETROLEUM GAS (LPG)

The following conditions apply to vehicles presented for licensing which are made or adapted to run on LPG. The vehicle must comply with all other private hire vehicle pre licensing standards and conditions. A proprietor converting their licensed vehicle to run on LPG must notify the Council of such change and comply with the following: -

- 6.1 the installation of a LPG tank be undertaken by a LPG approved installer, as recommended by the Liquid Petroleum Gas Association (LPGA);
- 6.2 the proprietor shall produce to the Council a certificate of compliance issued;
- 6.3 the LPG tank fitted must be a multi-valve tank and be fitted with a sealed tank box made from aluminium and vented to the atmosphere;
- 6.4 the vehicle must display on the front and rear windscreen a sticker stating that the vehicle has been fitted with an LPG tank for the purpose of alerting the emergency services in the event of an accident;
- 6.5 if a doughnut tank is fitted in the spare wheel well of the boot, the spare wheel must be securely fixed in a position not obstructing the entire luggage space;
- 6.6 the proprietor of the vehicle must notify the DVLA at Swansea of the change in fuel from petrol to both LPG and petrol;
- 6.7 the vehicle must be serviced by a person competent in LPG powered vehicles;
- 6.8 provide evidence, by way of a certificate of compliance, that the vehicle has been serviced by a person competent in LPG powered vehicles (LPG approved installer) annually and upon renewal of the vehicle licence.

TRAILERS AND ROOF BOXES

- 7.1. A proprietor of a licensed private hire vehicle will be permitted to tow a trailer provided that: -
 - 7.1.1 the trailer complies with all legal requirements (please see Appendix 1 for further guidance).
 - 7.1.2 He/she holds the appropriate category on his/her DVLA driving licence, which must be produced to the Council.
 - 7.1.3 That the rear plate of the licensed vehicle not be obstructed by the trailer and must be visible at all times
- 7.2. A proprietor of a licensed private hire vehicle will not be permitted to carry a roof box, without prior consent of the licensing authority.

TINTED WINDOWS

8.1 Tinted windows will only be permitted if they meet the criteria set out in Condition 9.

VEHICLE INSPECTIONS

The applicant shall submit the vehicle for an MOT and compliance inspection and/or other inspections as the Council may require at the Council approved garage (Barleylands) as follows: -

- 9.1 upon initial application (regardless of the age of the vehicle);
- 9.2 every six months during the licence life of the vehicle;
- 9.3 vehicles submitted for an inspection that does not meet the requirements, as set out in the Basildon Borough Council Compliance Manual, will be treated as having failed and where there is a current vehicle licence in place, the vehicle will be suspended immediately until such time as it is re-presented for a further inspection and passes.
- 9.4 proprietors of vehicles, which fail to attend any notified inspection, or whose vehicles are refused an inspection due to the condition of the vehicle, shall be liable to pay a fee for the re-inspection.
- 9.5 proprietors of vehicles, which fail to attend for any inspection, during the life of the vehicle licence, may be suspended immediately until such time as they attend and pass the inspection.

PRODUCTION OF DOCUMENTATION

All applicants for a private hire vehicle licence shall produce the following documents, prior to the issue of the licence, which must be current at the time the licence commences: -

- 10.1 an insurance certificate or cover note, which expressly indicates cover for hire and reward.
- 10.2 proof of ownership by means of a bill of sale, or hire purchase agreement.
- 10.3 the vehicle registration document showing the current owner's name and address.

TEMPORARY REPLACEMENT PRIVATE HIRE VEHICLES

11.1 The temporary replacement vehicle would have to meet all the same requirements and an identical process to licence the temporary vehicle would be followed as for a permanent change of vehicle. This would include the appropriate fee being paid for a replacement vehicle at the time of application. The temporary replacement vehicle would also have to be mechanically tested prior to it becoming licensed and the meter

tested and sealed where this is appropriate. All other suitability criteria and conditions of licence such as door signs would also have to be satisfied.

- 11.2 A temporary replacement vehicle would be permitted for use for a period of not exceeding 30 days. In exceptional circumstances, this period may be extended by further periods of 14 days at the discretion of Licensing Officers.
- 11.3 As soon as the proprietors' vehicle is repaired, an application to return the licence back to the original vehicle will be required and a further replacement vehicle fee paid. It is also proposed that the licensing service be given the discretion to require a vehicle examination to be undertaken on the proprietors' existing vehicle before the licence is re-issued, this decision being dependent on the damage sustained.

GENERAL NOTES

12. All relevant facts/information will be taken into account when consideration is given to an application for a private hire vehicle licence and it may be that the standards and requirements are waived, varied or higher standards will be imposed, at the discretion of the Council.
13. During the period of the licence, the holder shall be in direct control of the day to day running of the vehicle. A driver of a Private Hire Vehicle shall not accept a booking without first being pre-booked through a Private Hire Vehicle Operator licensed within the Borough of Basildon.
14. After the issue of a private hire vehicle licence, the vehicle may only be driven by a driver holding a private hire drivers licence.

PRIVATE HIRE VEHICLE LICENCE

CONDITIONS OF LICENCE

INTRODUCTION

The proprietor of the vehicle must ensure that the vehicle complies with the following conditions at all times.

1. Pre Licensing Standards

Satisfy the pre licensing standards for private hire vehicles.

2. Safety Equipment

2.1 It is the responsibility of the vehicle proprietor to ensure that a fire extinguisher, suitable for use on a vehicle fire, is readily available for use and accessible in the vehicle at all times in case of an emergency. The fire extinguisher must be marked with the licence plate and number of the vehicle. Where there is an expiry date on the extinguisher (instead of a colour gauge) the date must be clearly visible and show no sign of tampering. NOTE: in the event of a vehicle fire, the PRIORITY is to ensure the safety of your passengers by evacuating the vehicle – ‘GET THE PASSENGERS OUT!’

3. Wheelchair Accessible Private Hire Vehicles

3.1 Where a vehicle is designed or adapted for the carriage of passengers in a wheelchair, the following conditions shall apply:

- a) The loading of the wheelchair must be undertaken through the rear door(s) or side door(s) of the vehicle using the appropriate ramp or lifting equipment. Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must have been tested in accordance with the requirements of LOLER and the original testing certificate must be presented to the Licensing Offices upon application for the licence and any subsequent renewal of the vehicle licence.
- b) Access to and exit from the wheelchair position must not be obstructed in any manner at any time except by wheelchair loading apparatus i.e. where the ramp or lifting equipment sits in the upright position behind the wheelchair passenger.
- c) All suitable restraints must be available for the occupant of a wheelchair at all times and kept in good working order.
- d) If after the licence is granted any equipment is fitted to the vehicle for the purposes of lifting a wheelchair into the vehicle this must be tested in accordance with the requirements of LOLER (i.e. mechanical ramps or winches).
- e) There must be kept in the vehicle at all times either access ramps or lifts so as to assist the wheelchair into the vehicle. Such access ramps or lifts must be securely fixed prior to use and be capable of transporting a combined wheelchair, occupant mass of

300kg, 660lbs or 46stn minimum between the road and the vehicle interior without assistance of any person but the driver of the vehicle.

- f) Ramps and lifts must be securely stored in the vehicle before it may move off. Any such equipment must be maintained in good working order.
- g) There must be no alteration to the seating configuration without further approval from the Licensing Team.
- h) Signage providing customers with instructions on operating mechanisms for the seat that may be required to be tipped/moved forward in order to gain access/egress from the vehicle need to be available within the vehicle and near to the operating mechanism.
- i) Operating levers are to be coloured yellow/orange so that they are easily identifiable. They can be coloured by using the appropriate colour tape. Tape should remain damage free at all times and replaced when worn.

4. Interior Markings

The proprietor shall ensure that the following are clearly displayed inside the vehicle:

- 4.1 the number of the licence. The licence number identity card must be displayed in the vehicle on the nearside of the windscreen or, where the vehicle is a bulk headed vehicle, on the partition behind the driver, in an unobstructed and conspicuous position so that it may be seen by passengers.
- 4.2 By the 1st April 2021 all vehicles will display an internal driver identification card on either the nearside of the windscreen or, where the vehicle is a bulk headed vehicle, on the partition behind the driver, in an unobstructed and conspicuous position so that passengers may see it. In the case where a vehicle or vehicles have multiple drivers, the driver must remove their identification card when not driving that vehicle and place it back in the vehicle when they do.
- 4.2 the driver shall not conceal the licence number identity card nor the internal driver identification card from public view or deface it.
- 4.3 the licence number identity card shall remain the property of Basildon Borough Council at all times and must be returned immediately if the vehicle ceases to be a licensed hackney carriage vehicle, any detail of the vehicle is changed or if the vehicle licence is suspended or revoked by the Council.
- 4.4 the tariff card, supplied by the Operator, be displayed in such a position as to be plainly visible to persons travelling in the vehicle.
- 4.5 "No Smoking signs" shall be displayed on both rear passenger doors windows.
- 4.6 where in-car video surveillance (CCTV) is installed, a notice to this effect must be clearly displayed inside and outside the vehicle, the wording of which will be in

accordance with the requirements of the Information Commissioner's Office (ICO) Codes of Practice. These requirements can be found on the ICO website at www.ico.org.uk. Please see Appendix 3 for further guidance.

- 4.7 where a taximeter is fitted in a private hire vehicle, a table of approved charges must be displayed in a prominent position within the vehicle so that it is visible to passengers.

5. Exterior Signs

The proprietor shall ensure that:

- 5.1 the valid licence plate identifying the vehicle as a private hire vehicle shall at all times during the period the licence is in force, be displayed in the appropriate manner. The vehicle shall not be used to convey a greater number of passengers than shown on the plate and licence, irrespective of the age of the passenger.
- 5.2 the licence plate, bearing the vehicle licence number, the vehicle registration, the vehicle licence expiry date, vehicle make, vehicle colour and number of passengers for which the vehicle is licensed to carry, shall be displayed in a vertical position and firmly fixed to the outside of the vehicle at the rear, using the fixing bracket provided for the purpose. Neither "Velcro" nor cable tie fastenings will be permitted. In any cases of doubt about a proper method of fixing the plate, the Licensing Office should be consulted.
- 5.3 the licence plate shall remain the property of Basildon Borough Council at all times and must be returned immediately if the vehicle ceases to be a licensed private hire vehicle, any detail of the vehicle is changed or if the vehicle licence is suspended or revoked by the Council.
- 5.4 Basildon Borough Council's official door stickers bearing the words "Basildon Borough Council Licensed Private Hire Vehicle – This vehicle must be pre-booked" shall be permanently affixed on each front door of the vehicle, in the upper 3rd of the door panel and be visible at all times. **Please see Appendix 2 for further guidance.**
- 5.5 The display of roof signs of any description or the display of the word "TAXI" or "CAB" whether in the singular or plural and whether alone or as part of another word or group of words, or the words "FOR HIRE" or any form of wording which in any way suggests that the vehicle on which it is displayed is presently available to take up any passengers wishing to hire it, or would be so available if not already hired, is prohibited.
- 5.6 no symbols, words, letters, graphics or signage, other than those approved by the Licensing Service, are displayed anywhere on the vehicle.

6. Specific Exemptions

- 6.1 The Local Government (Miscellaneous Provisions) Act 1976 requires that a Council must issue a private hire vehicle with a licence plate and that the proprietor should not use, or permit the use of, that vehicle without displaying the plate as directed by the Council. The Act also gives a Council the discretion to grant a proprietor a dispensation from displaying the licence plate on their licensed private hire vehicle. Each application for a dispensation will be considered on its own merits. The overriding consideration will be public safety. The clear identification of a licensed vehicle is considered a safety aspect, particularly when visiting such places as airports, seaports and the centres of large towns.

There are some exemptions to the above as vehicles used for carrying out specific work such as executive and/or chauffeur work may be authorised not to display the Council official door stickers and licence plate on the outside of the vehicle.

Dispensations will not be granted as a matter of course. A clear case for the dispensation will have to be made by the proprietor, in writing, to the Licensing Service.

In determining an application it will normally be the status of the passenger and the executive nature of the work that will indicate whether or not the dispensation should be granted. The high quality of the vehicle being used will be supportive of an application, but will not be the sole determining factor. Dispensation will normally be granted only where the work is carried out mainly or wholly outside of the Borough. Journeys conducted wholly or mainly within the Borough will not normally be granted dispensation unless there are exceptional reasons to do so.

If the proprietor of the private hire vehicle, or the driver of the vehicle, have ever been cautioned or convicted by any authority of unlawfully plying for hire, they will not be granted a dispensation unless they can demonstrate exceptional circumstances.

The type of work which would be considered for the grant of a dispensation could be termed 'executive style'. Such work could include –

- Contracts with senior personnel of large companies to carry managing directors or their clients;
- Contracts with national or local government, or similar agencies, to carry senior personnel and guests on official business;
- The carriage of well known personalities such as sports or 'pop' stars;
- The carriage of the bride and/or groom to a wedding (but not guests).

The above list is indicative, but not exhaustive. It is also expected that the services offered to the passenger will be of a standard and class that go well beyond that which might be expected on a private hire journey normally booked through an operator. Other situations would be considered on their individual merits.

Where a dispensation is granted the vehicle must not display any indication that it is a private hire vehicle other than the Council licence identity card. This will include

advertising, company names, telephone numbers and web site addresses, or any form of advert or display that indicates that the vehicle is a private hire vehicle or is available for future hire.

The type of work that will not be considered for the grant of a dispensation will include -

- School contract work;
- Journeys to airports, seaports or railway stations, unless part of a journey covered by a dispensation; (it is considered that the proper display of licence plates and Council door stickers is a safety feature when arriving at such venues);
- Theatre journeys or sporting events unless stipulated on the dispensation;
- 'Hen' and 'Stag' nights.

This list is indicative, but not exhaustive. Under exceptional circumstances, where it can be shown that a particular journey of this nature warrants a dispensation, due consideration will be given to an application.

During the period of exemption, two way radios or any other electronic booking device (PDA) must not be used or on display inside the vehicle, nor must a taximeter be fitted.

For a vehicle to qualify as an Exempt vehicle, the following additional conditions will apply:

The decision to grant or refuse an exemption for the display of the current private hire door stickers will be that of the Licensing Officer, subject to the following conditions being satisfied:

- a) the vehicle would normally be of a higher specification than standard model vehicles. Each vehicle will be considered on its own merits in terms of suitable size, appearance and design;
- b) any bookings for the undertaking of a journey must be made by way of a written contract. Such contracts must be in place for no less than 24 hours prior to the commencement of the journey. Written contracts shall be made available for inspection by an Authorised Officer of the Council or Constable at any reasonable time and be retained for a period of not less than 12 months;
- c) any proprietor that undertakes Private Hire work without a written contract in place as per b) above, may have their dispensation withdrawn. The proprietor will then be required to display the Basildon Council approved door stickers on the front driver and passenger doors and the licence plate to the rear of the vehicle;
- d) vehicles shall not display any external markings e.g. operator details (company name, telephone number, email address etc) or any other advertisement;
- e) proprietors whose vehicle qualifies for dispensation will be required to carry a copy of their private hire vehicle licence, in the vehicle at all time. It must be available for inspection (on request) by any interested party;

- f) at all times, when the vehicle is being used for Private Hire work covered by the dispensation, the letter of authority must be carried in the vehicle and produced for inspection if requested. The driver of the vehicle must also carry their combined hackney carriage and private hire drivers badge and produce it if requested. When not engaged in Private Hire work covered by the dispensation, the vehicle must display the door stickers and licence plate in accordance with the licence conditions;
- g) in advance of the journey, the hirer must be advised that the vehicle dispatched to collect them will not be displaying the Council approved door stickers and licence plate;
- h) vehicles that have been granted the dispensation can only be driven by a person who holds a current combined hackney carriage and private hire drivers licence issued by Basildon Borough Council;
- i) any breach of the above conditions could result in the vehicle having its dispensation status withdrawn, from which point, assuming it continues to be used as a private hire vehicle, the vehicle will be required to display the Council approved door sticker and licence plate;
- j) Applicants requesting a dispensation must sign an undertaking that they fully understand and accept these conditions.
- k) A proprietor will have the right to appeal to the Miscellaneous Licensing Sub-Committee regarding type of vehicle and contracts of use if refused or deemed inappropriate by the Licensing Officer.

7. Advertising

A proprietor of a private hire vehicle shall ensure that the display of advertising materials is restricted to the following:

- 7.1 the trade name, address and telephone number of the circuit may be displayed on the rear doors of the vehicle, (for multi seat passenger vehicles the side centre door(s) and/or centre panel(s)) and/or on a maximum three inch depth advertisement panel in the rear window, in a position not restricting rearward vision. For rear window advertising, this must be in accordance with 5.3;
- 7.2 product advertising is permitted on the rear door panels (for multi seat passenger vehicles the side centre door(s) or centre panel(s)) and on the panel of the rear wing of the vehicle with a maximum size of 22" x 18" and rear bumper, subject to the Council giving authority and retaining the right to request the removal of any particular advertisement, which is felt to be unsuitable.
- 7.3 All advertising material to be displayed on the rear windscreen of any licensed vehicle shall be approved by Licensing Officers interpreting the guidelines agreed by the Licensing Committee on 18/10/2012 as follows:

Colour copies of artwork showing the advertising as it is intended to appear on the vehicle should be sent to Licensing Officers for prior approval. Once an advert has been approved, any change to the advertisement must not be made without the further approval of a Licensing Officer.

In general, each application for approval of advertising material would be considered on an individual basis, but advertisements would not be permitted which:-

- a) Do not comply with the UK's Advertising Standards Authority's Advertising Codes and it is the responsibility of the hackney carriage and private hire proprietor to make sure that they do so (available at www.cap.org.uk);
- b) Advertise or promote age restricted products, such as tobacco, alcohol (Note: This will not generally include premises which trade in such products or any advertisement which features glasses or bottles of branded drinks which may appear to be alcohol);
- c) Contain pictures, text or graphics of a religiously discriminatory, political, racist, sexist or controversial nature;
- d) Contain pictures, text or graphics for escort agencies, sex shops or massage parlours;
- e) Display nude, semi-nude or other figures in a sexually provocative manner;
- f) Depict men, women or children as sexual objects, or semi-nude figures which would generally be considered to be objectionable;
- g) Depict direct and immediate violence to anyone shown in the advertisement or observing it;
- h) Advertise any racist group or organisation that intends to promote such a group or such organisation and/or any of its activities;
- i) Prejudice the safety of the occupants of the vehicle or other road users. Specifically, no advertising of any kind shall be placed on the windscreen and windows that could diminish the driver's visibility;
- j) Are attached to vehicles fitted with factory fitted tinted or opaque/privacy glass, with a grading of less than 70% of VLT (Visible Light Transmittance, the amount of light the film allows to pass through) will not be permitted to have rear windscreen advertising;
- k) Is a material of a reflective nature so as to cause a hazard to following traffic;
- l) Must not contain any foreign languages or signs or symbols unless the applicant for the advertising has provided an English translation of the advert to the Council. Council officers may check this with an approved translator.

m) Advertise more than one product or service at any one time.

- 7.4 all product advertising must be applied by a professional company and no reflective materials may be used.
- 7.5 wheelchair accessible vehicles may display the disability symbol of a maximum of 10" (245mm) square on the wheelchair access door(s) only.
- 7.6 advertising material or decorative stickers on other parts of the vehicle are strictly prohibited.
- 7.7 advertising material or decorative stickers on the inside of the vehicle (i.e. on the flip seat) will be permitted, subject to the Council giving authority and retaining the right to request the removal of any particular advertisement, which is felt to be unsuitable.

Interior Advertising

- 8.1 A proprietor of a private hire vehicle shall ensure that the display of advertising materials on any interior part of a licensed vehicle cannot be viewed other than by a passenger seated within the vehicle and is restricted to the points listed in 5.3 a) to l) above:
- 8.2 In addition, advertisements will not be permitted on
 - a) any seats (other than the base of tip-up seats), where the advertising must be encapsulated in clear non-flammable plastic;
 - b) On the underside of a roof (roof lining)
 - c) On the partition between the driver and passengers;
 - d) On the interior door panels;
 - e) On the floor covering
- 8.3 Advertising will be permitted on the back of receipts handed to a customer
- 8.4 The Council will not permit any "third party advertising" to be displayed by electronic means inside a vehicle.

9. Inspection

The proprietor will submit the vehicle for an MOT and compliance inspection and/or any other inspection as the Council may require at the Council approved garage (Barleylands) as follows: -

- 9.1 upon initial application (regardless of the age of the vehicle);
- 9.2** every six months during the licence life of the vehicle;

- 9.3 upon request by the Licensing Office. A proprietor may be required to present the vehicle to the Licensing Service, upon request, to ensure compliance with conditions of licence;
- 9.4 after any repair made necessary by an accident affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers;
- 9.5 vehicles submitted for an inspection that does not meet the requirements, as set out in the Basildon Borough Council Compliance Manual, will be treated as having failed and where there is a current vehicle licence in place, the vehicle will be suspended immediately until such time as it is re-presented for a further inspection and passes;
- 9.6 proprietors of vehicles, which fail to attend any notified inspection, or whose vehicles are refused an inspection due to the condition of the vehicle, shall be liable to pay a fee for the re-inspection;
- 9.7 proprietors of vehicles, which fail to attend for any inspection, during the life of the vehicle licence, may be suspended immediately until such time as they attend and pass the inspection;
- 9.8 produce an insurance document, as may be required, following inspection and before a licence is issued, specifying that the vehicle is insured for hire and reward;
- 9.9 produce a full vehicle registration document within one month.

10. General Condition and Appearance of Vehicle

At all times vehicles shall:

- 10.1 be kept clean and free from damage, well maintained and in every way fit for public service, both inside and outside of the vehicle
- 10.2 be one colour. An orange bonnet and boot lid is not permitted.

11. Trailers and Roof Boxes

- 11.1. A proprietor of a licensed private hire vehicle will be permitted to tow a trailer provided that: -
 - 11.1.1 the trailer complies with all legal requirements (please see Appendix 1 for further guidance).
 - 11.1.2 He/she holds the appropriate category on his/her DVLA driving licence, which must be produced to the Council.
 - 11.1.3 That the rear plate of the licensed vehicle not be obstructed by the trailer and must be visible at all times

11.2. A proprietor of a licensed private hire vehicle will not be permitted to carry a roof box, without prior consent of the licensing authority.

12. Tinted Windows

12.1. All windows fitted to Private Hire vehicles must comply with the minimum requirements as follows:

Front windows (windscreen and front side windows)

- To transmit 75% of light through the front windscreen.
- To transmit 70% of light through the front driver/passenger side windows.
- Any subsequent replacement windows shall conform to the above requirements.
- No tinted films or other adhesive materials will be acceptable on any part of the windows of the vehicle.

Other windows (rear passenger windows/quarter light windows/rear windscreen)

- Where there is rear windscreen product advertising, to transmit 70% of light through all other windows.
- Any subsequent replacement windows shall conform to the above requirement.
- No tinted films or other adhesive materials will be accepted on any part of the windows of the vehicle, except product advertising that has been approved, by the Licensing Authority, for rear window advertising.

13. Taximeter

Where a private hire vehicle is fitted with a taximeter, it shall: -

- 13.1 Be a taximeter which is only type approved and inspected, tested, calibrated and sealed by an authorised officer of the Council or taximeter agent as approved by Basildon Borough Council under the Council's 'Authorised Taximeter Agent Scheme'.
- 13.2 Be maintained, at all times, so that the fare displayed can readily be seen by the passenger. There shall be recorded on the face of the taximeter in figures clearly legible and free from ambiguity a fare not exceeding the rate of fare that the proprietor is entitled to demand and take in pursuance of the scale of fares issued by the operators.
- 13.3 Be so affixed to the vehicle with seals or other appliances that is shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.
- 13.4 Not be altered without prior consent of the Licensing Authority.
- 13.5 Be tested for accuracy on initial application and following any changes. An officer of Basildon Borough Council's Licensing Team or an authorised taximeter agent will seal

meters after each inspection and complete a compliance certificate confirming that the taximeter complies with the scale of fares issued by the operator.

- 13.6 A driver should not charge more than the price displayed on the meter for the journey and any waiting time. For journeys that end outside the district, drivers may use the meter or agree a fare with the passenger before the journey starts. For all journeys within the district the meter must be used if fitted within the private hire vehicle. A PDA or similar device is not a taximeter and does not comply with the above conditions. Such devices do not have the Measuring Instrument Directive approval and are often located in a position whereby the customer cannot clearly see the fare being charged and will not be used instead of the taximeter if fitted within a private hire vehicle.

Taxi meters are required to be switched on when a customer is seated at the start of the journey, and then if a driver wishes to make any discount, he can do so at the end of a journey

14. Usage

- 14.1 Whilst a vehicle is licensed as a private hire vehicle, it shall not be driven by any person other than a driver properly licensed by Basildon Borough Council.
- 14.2 If the proprietor permits or employs any other person to drive the vehicle, that person must be licensed by Basildon Borough Council and deposit a copy of his/her combined hackney carriage/private hire driver's licence with the proprietor before he/she commences to drive the vehicle.

15. Carriage of Assistance Dogs

- 15.1 The proprietor shall ensure the driver of the vehicle complies with the requirement to carry a Guide, Hearing dogs and other assistant dogs, dogs for the disabled, support dogs and canine partners for independence.
- 15.2 A driver of a licensed vehicle is required to carry the following assistant dogs free of charge, unless the driver has a proven medical conditions that would preclude such actions:

- 12.1.1 guide dogs for the blind
- 12.1.2 hearing dogs
- 12.1.3 dogs for the disabled
- 12.1.4 support dogs (e.g. epilepsy)

All assistant dogs can be identified usually by their harness or their identification coat.

16. Animals

- 16.1 The proprietor shall not allow any driver to convey in a licensed vehicle any animal belonging to or in the custody of himself, of the proprietor or operator of the vehicle.

16.2 Any other animal belonging to or in the custody of any passenger, which at the driver's discretion, may be conveyed in the vehicle and shall only be conveyed in the rear of the vehicle.

17. Change of Address

17.1 A proprietor must notify the Licensing Service, at Basildon Borough Council, of a change of address within seven days. This must be in writing or by electronic means. Official documents such as vehicle registration document, insurance certificate and driving licence must be presented to the Licensing Service as soon as reasonable practicable, showing proof of change of address.

18. Production of Documentation

A proprietor shall:

18.1 At all times hold a current certificate or cover note of Motor Insurance and ensure original documents are supplied to the Licensing Service. Certificates must run concurrent, without any breaks in date or time and new or replacement copy documentation must be in the possession of the Licensing Service at Basildon Borough Council prior to the date and time of the expiring copies already held by them.

Failure to provide copies of a valid insurance certificate or cover note will lead to immediate suspension for a minimum of twenty four hours or until the production of the required document is made – in person – to an officer of the Licensing Service of the Council. At which time, the suspension will immediately lifted.

18.2 Produce vehicle registration documents and any other evidence of proprietorship of the vehicle to the Council at the request of the Licensing Service, within a reasonable period of time or a maximum of seven days from such request.

19. Accidents/Vehicle damage

19.1 The driver shall report to the Licensing Section at Basildon Borough Council in writing, by telephone or by electronic means any accident in which the driver is involved whilst driving a licensed vehicle. Notification must be reported within seventy two hours of such an accident. The proprietor may be required to present the vehicle to the Licensing Service at Basildon Council, for initial inspection by a Licensing Officer, to ensure that the vehicle is still fit to continue to operate.

19.2 The driver shall report to the Licensing Section at Basildon Borough council in writing, by telephone or by electronic means **any** vehicle body damage i.e. vandalism. Notification must be reported within seventy-two hours of such damage. The proprietor may be required to present the vehicle to the Licensing Service at Basildon Council, for initial inspection by a Licensing Officer, to ensure that the vehicle is still fit to continue to operate.

- 19.3 The vehicle shall have no evident signs of accident damage after repairs are completed. The paintwork shall be of a professional finish over the whole of the vehicles bodywork.
- 19.4 The bodywork shall have no signs of corrosion. Corrosion includes visible rust and signs of rust by virtue of the paintwork blistering etc.
- 19.5 Bodywork damage can not be patched-up or fixed with 'Gaffer Tape' or similar material. All bodywork damage shall be professionally repaired over the whole of the vehicles bodywork.
- 19.6 All parts of the passenger compartment shall be kept clean and free of any damage, which may otherwise affect its suitability for the carriage of passengers. Repairs to the passenger compartment shall be of a professional standard. Damage can not be patched-up or fixed with 'Gaffer Tape' etc.

20. Temporary Replacement Vehicles in event of an accident

- 20.1 The proprietor of an existing licensed private hire vehicle must report, to the Licensing Service, within 72 hours, that the vehicle has been involved in an accident and their possible intention to licence a temporary replacement vehicle.
- 20.2 The temporary replacement vehicle must satisfy the pre licensing standards for private hire vehicles adopted by Basildon Borough Council before it is considered for licensing.
- 20.3 An application for a temporary replacement vehicle must be submitted to the Licensing Service together with the appropriate fee, the insurance document for the vehicle being presented for licensing, vehicle registration document for the vehicle being presented for licensing and a lease agreement/contract from the Insurance Company/Vehicle Supplier for the vehicle being presented for licensing.
- 20.4 The temporary replacement vehicle must be mechanically tested, at the Council approved testing centre prior to it becoming licensed.
- 20.5 Where a taximeter is fitted, this must be tested and sealed, by the Licensing Service, prior to it becoming licensed.
- 20.6 The temporary replacement vehicle will only be permitted for use for a period not exceeding 30 days. In exceptional circumstances, this period may be extended by a further 14 days, at the discretion of a Licensing Officer.
- 20.7 As soon as the proprietors' vehicle is repaired, an application to return the licence back to the original vehicle will be required and a further replacement vehicle fee must be paid, together with the production of the vehicle registration document and current insurance document.

20.8 If requested, the proprietor shall present the original vehicle for a further vehicle examination, at the Council approved testing centre, before it becomes relicensed. This will be dependent on the damage sustained.

21. Pre Licensing Standards and Conditions

21.1 The proprietor shall ensure that any driver complies with the Council's Pre Licensing Standards and Conditions of Licence.

21.2 The proprietor should make themselves familiar with statutory requirements in relation to Private Hire Vehicle Licensing in the Local Government (Miscellaneous Provisions) Act 1976 and The Equality Act 2010. These are available at a public library or via the internet.

22. Surrender of Licence

22.1 If the proprietor ceases to use the vehicle for the purpose for which it is licensed they shall formally surrender the licence in writing and return the plate, door stickers and licence number identity card, which remains the property of Basildon Borough Council.

22.2 Basildon Borough Council may, at any time during the period of the licence, revoke the licence should a breach be detected of any terms and conditions of the licence.

23. Appeals

23.1 Statutory rights for appeal exist to the magistrates' court against decisions made by the licensing authority to refuse to grant a private hire vehicle licence, or conditions imposed on such a licence. These are to be found in the Local Government (Miscellaneous Provisions) Act 1976.

SPECIAL EVENTS VEHICLES LICENSED AS PRIVATE HIRE VEHICLES

STRETCH LIMOUSINES

Any stretched limousine submitted for licensing, which does not comply with the requirements of the standard vehicle specification shall:

1. have a valid Single Vehicle Approval (SVA) or Certificate of Initial Fitness (COIF);
2. have a vehicle that is made or adapted to carry no more than eight passengers in addition to the driver. (Note – for the purpose of calculating seating capacity the measurement unit of a single seat width shall be 432 mm (17”) per person);
3. in the event that the vehicle is unable to be tested at Barleylands Depot due to the length of the wheelbase, the vehicle must be presented at a Vehicle Inspectorate testing station for an annual inspection. The fee for the test to be deducted from the annual licence fee;
4. have a maximum age limit of ten years from the date of first registration of the vehicle. However, when the vehicle is first licensed the maximum age limit of ten years may be extended depending on the quality and condition of the vehicle;
5. be licensed to carry no more than eight passengers with a seat belt fitted for each passenger the vehicle is licensed to carry;
6. remove the front nearside passenger seat if its presence would increase the passenger seating capacity to more than eight;
7. on licensing the vehicle be issued with an exemption certificate from displaying the licensed private hire vehicle plate and door stickers under Section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976. The private hire vehicle windscreen display card must still be exhibited in the correct manner;
8. comply with the private hire vehicle licensing conditions in all other respects.

TOWING TRAILERS OR CARAVANS WITH VEHICLES UPTO 3.5 TONNES

In this article reference is made to the maximum authorised mass (MAM) of vehicles and trailers. This should be taken to mean the permissible maximum weight, also known as the gross vehicle weight.

Category B: Vehicles up to 3.5 tonnes MAM and with up to eight passenger seats

Category B vehicles may be coupled with a trailer up to 750kgs MAM (allowing a combined weight up to 4.25 tonnes MAM) or a trailer over 750kgs MAM provided the MAM of the trailer does not exceed the unladen weight of the towing vehicle, and the combination does not exceed 3.5 tonnes MAM.

For example:

- a vehicle with an unladen weight of 1.25 tonnes and a MAM of 2 tonnes coupled with a trailer with a MAM of 1.25 tonnes could be driven by the holder of a category B entitlement. This is because the MAM of the combination does not exceed 3.5 tonnes and also the MAM of the trailer does not exceed the unladen weight of the drawing vehicle

Whereas

- the same vehicle with an unladen weight of 1.25 tonnes and a MAM of 2 tonnes when coupled with a trailer with a MAM of 1.5 tonnes would fall within category B+E. This is because although the combined weight of the vehicle and trailer is within the 3.5 tonnes MAM limit, the MAM of the trailer is more than the unladen weight of the drawing vehicle
- Vehicle manufacturers normally recommend a maximum weight of trailer appropriate to their vehicle. Details can usually be found in the vehicle's handbook or obtained from car dealerships. The size of the trailer recommended for an average family car with an unladen weight of around 1 tonne would be well within the new category B threshold.

Towing caravans

As for towing caravans, existing general guidance recommends that the laden weight of the caravan does not exceed 85% of the unladen weight of the car. In the majority of cases, caravans and small trailers towed by cars should be within the new category B threshold.

An exemption from the driver licensing trailer limit allows a category B licence holder to tow a broken down vehicle from a position where it would otherwise cause danger or obstruction to other road users.

By passing a category B test national categories F (tractor), K (pedestrian controlled vehicle) and P (moped) continue to be added automatically.

Category B+E: Vehicles up to 3.5 tonnes MAM towing trailers over 750kgs MAM

Category B+E allows vehicles up to 3.5 tonnes MAM to be combined with trailers in excess of 750kgs MAM. In order to gain this entitlement new category B licence holders have to pass a further practical test for category B+E. There is no category B+E theory test. For driver licensing purposes there are no vehicle/trailer weight ratio limits for category B+E.

APPENDIX 2

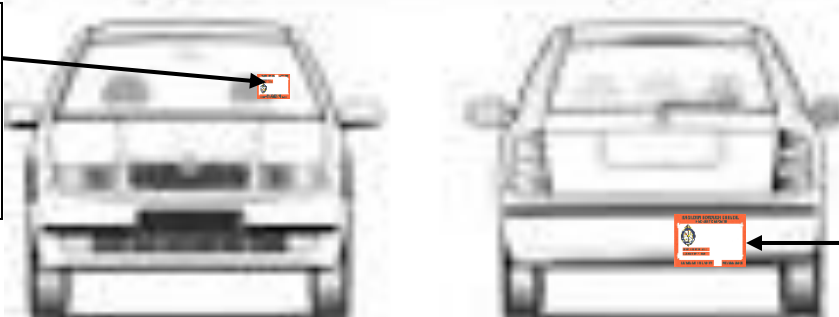
GUIDANCE ON POSITIONING OF LICENCE PLATE, DOOR STICKERS AND LICENCE NUMBER IDENTIFICATION CARD

Door stickers shall be permanently affixed on each front door of the vehicle in the upper 3rd of the door panel and be visible at all times.

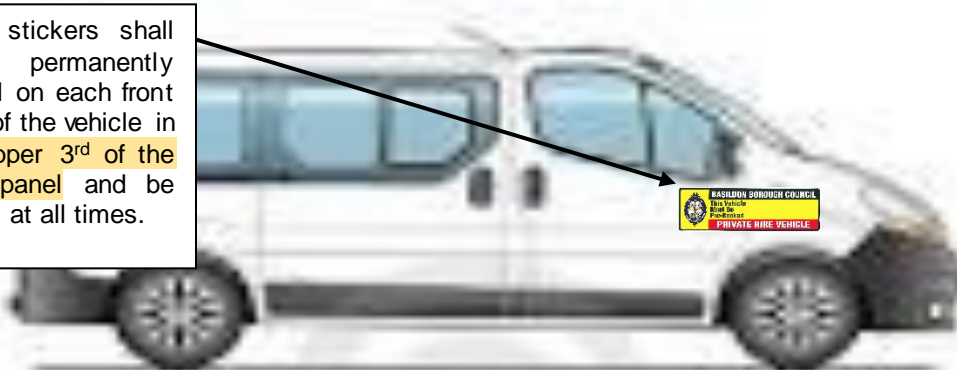


Licence plate to be displayed in a vertical position and firmly fixed to the outside of the vehicle at the rear, using the fixing bracket provided for the purpose. Velcro or cable ties are not permitted to be used.

Licence number identity card to be displayed in the vehicle on the nearside of the windscreen.



Door stickers shall be permanently affixed on each front door of the vehicle in the upper 3rd of the door panel and be visible at all times.



Licence plate to be displayed in a vertical position and firmly fixed to the outside of the vehicle at the rear, using the fixing bracket provided for the purpose. Velcro or cable ties are not permitted to be used.

Licence number identity card to be displayed in the vehicle on the nearside of the windscreen.



CCTV IN VEHICLES GUIDANCE FROM STATUTORY TAXI & PRIVATE HIRE VEHICLE STANDARDS – published July 2020

The use of CCTV can provide a safer environment for the benefit of taxi/private hire vehicle passengers and drivers by:

- deterring and preventing the occurrence of crime;
- reducing the fear of crime;
- assisting the police in investigating incidents of crime;
- assisting insurance companies in investigating motor vehicle accidents.

The Surveillance Camera Commissioner (SCC) has provided guidance on the Surveillance Camera Code of Practice in its 'Passport to Compliance' which provides guidance on the necessary stages when planning, implementing and operating a surveillance camera system to ensure it complies with the code. The Information Commissioner's Office (ICO) has also published a code of practice which, in this context, focuses on the data governance requirement associated with the use of CCTV such as data retention and disposal, which it is important to follow in order to comply with the data protection principles. The SCC provides a self-assessment tool to assist operators to ensure compliance with the principles set out in the Surveillance Camera Code of Practice. The SCC also operate a certification scheme; authorities that obtain this accreditation are able to clearly demonstrate that their systems conform to the SCC's best practice and are fully compliant with the Code and increase public confidence that any risks to their privacy have been fully considered and mitigated.

The Data Protection Act 2018 regulates the use of personal data. Part 2 of the Data Protection Act applies to the general processing of personal data, and references and supplements the General Data Protection Regulation. Particular attention should be paid to the rights of individuals which include the right to be informed, of access and to erasure. The ICO has provided detailed guidance on how data controllers can ensure compliance with these.

CCTV systems that are able to record audio as well as visual data may also help the early identification of drivers that exhibit inappropriate behaviour toward passengers. Audio recording should be both overt (i.e. all parties should be aware when recordings are being made) and targeted (i.e. only when passengers (or drivers) consider it necessary). The recording of audio should be used to provide an objective record of events such as disputes or inappropriate behaviour and must not be continuously active by default and should recognise the need for privacy of passengers' private conversations between themselves. Activation of the audio recording capability of a system might be instigated when either the passenger or driver operates a switch or button.

All passengers must be made fully aware if CCTV is operating in a vehicle. Given that audio recording is considered to be more privacy intrusive, it is even more important that individuals are fully aware and limited only to occasions when passengers (or drivers) consider it necessary. As well as clear signage in vehicles, information on booking systems should be introduced. This might be text on a website, scripts or automated messages on telephone systems; the Information Commissioner's Office (ICO) has issued guidance on privacy information and the right to be informed on its website.

