

## **Conditions relating to Private Hire Vehicles**

### **Local Government (Miscellaneous Provisions) Act 1976 (“the 1976 Act”)**

Any requirement of legislation, which affect the operations being carried out under the terms of this licence, shall be regarded as if they are conditions of the Private Hire Vehicle Licence.

- The vehicle shall have at least four road wheels and a spare wheel or a canister of tyre inflator/repair kept on the vehicle
- The vehicle must be maintained throughout the term of the vehicle licence, to a high standard of appearance to the complete satisfaction of the Council, and kept in the condition stated in the Standards for conditions of appearance of a Private Hire vehicle.
- All seats, front and rear must be fitted with seat belts.
- The Council’s licensing officer may direct the vehicle to be inspected in accordance with the Certificate of Compliance at a specific testing station.
- The vehicle should contain a portable dry powder 1Kg capacity fire extinguisher. The extinguisher must conform to BS EN3 1996 Standard, and should be mounted in a convenient position in the vehicle. The extinguisher shall be marked with the Private Hire vehicle licence number.
- A first aid kit complying with the Health and Safety (First Aid) Regulations 1981 conforming to BS 8599-2 should be carried in the vehicle. The kit is to be marked with the private hire vehicle licence number.
- The licence-holder shall provide and maintain a suitable replacement bulb kit as to conform to the vehicle manufacturer’s specifications.

#### **1. Private Hire Occupancy Plate**

1.1 The vehicle shall have an occupancy plate, (which is not the same as the Private Hire Vehicle interior plate), owned by the Council, but provided at the Licensee’s expense, which shall display the following:

- the number of the licence granted in respect of the vehicle;
- the maximum number of passengers that the vehicle can carry;
- the expiry date of the licence granted in respect of the vehicle;
- the words “Three Rivers District Council Private Hire”;
- the vehicle registration number of the Private Hire it is assigned to, and
- any other information that the Council considers necessary.

1.2 The plate shall be securely fixed to the rear of the vehicle using a purposely made bracket at all times provided free of charge on issue and for a fee at any other time). If this is not suitable or practicable, the plate shall be securely and permanently fixed to the rear of the vehicle, on or above the bumper by the use of screws or bolts, and be clearly visible. A magnet will not be considered securely fixed for the purposes of this condition. The Licensee shall ensure the plate is kept clean and is not wilfully or negligently concealed from public view whilst the vehicle is licensed.

- The Licensee shall ensure that the vehicle at all times throughout the period of licence has this plate exhibited in the manner described above.
- In the event of revocation and on the service of a notice under section 58 of the 1976 Act or upon expiry of the licence, the licensee shall return the said plate to the council’s licensing officer within seven days.
- The plate can be removed by the licensing officer or Police officer for reasons of gathering evidence under the Police and Criminal Evidence Act 1984 and will be returned when a photocopy of the plate is made.

#### **2. Private Hire Internal Plate**

The vehicle shall for identification purposes be required to have a private hire internal plate issued by the Council.

2.1 The private hire internal plate shall display:

- the number of the licence granted in respect of the vehicle;
- the maximum number of passengers that the vehicle can carry;
- the expiry date of the licence granted in respect of the vehicle;
- the words “Three Rivers District Council Private Hire”;
- the vehicle registration number of the Private Hire it is assigned to, and
- any other information that the Council considers necessary.

2.2 The private hire internal plate shall be displayed in the front of the vehicle in such a position that it shall be clearly visible from both the inside and the outside of the vehicle. The licensee shall ensure that it is not wilfully or negligently concealed from public view.

2.3 The licensee shall ensure that no person uses or permits the use of the vehicle unless the Private Hire internal plate issued is exhibited in the manner described under these conditions.

2.4 In the event of revocation or suspension and on the service of a notice under sections 58, 60 or 68 of ‘the 1976 Act’ or upon expiry of the licence, the Licensee shall return the said disc to the Council’s licensing officer within seven days.

### **3. Signs etc.**

3.1 No sign, notice, advertisement, plate, mark, letters, figures, symbols, emblems or devices shall be used, if it contains anything of a religious or political nature or advertises tobacco, alcohol, a sex or a sex establishment, or contains any matter likely to cause offence. Approval on the type and extent of the advertising should be sought from the licensing officer.

3.2 No signs or advertising containing the word “taxi” will be permitted on any Private Hire vehicle.

3.3 A roof sign is not permitted.

### **4. Private Hire Door Stickers Signs**

4.1 As directed by the Council, the proprietor shall cause to be a fixed and maintained to the exterior of the vehicle a prescribed door sticker bearing the word “Private Hire – Advance Bookings Only” on the rear driver and passenger doors. The sign shall also include the vehicle plate number and the Three Rivers Logo on a green background.

### **5. Dispensation/Exemption**

5.1 Vehicles issued with a dispensation certificate in line with the Three Rivers hackney carriage and private hire policy are exempt from displaying a vehicle occupancy plate and door stickers, but are still required to display the internal licence plate.

5.2 Where the use of vehicles changes during the period that the vehicle is licensed, the Licensing team must be informed so dispensation can be removed. If dispensation is removed, the exemptions that this provided will no longer relate to that vehicle.

### **6. Passengers**

6.1 The licensee shall not:-

1. Convey or permit to be conveyed in the vehicle a greater number of persons than that prescribed in the licence for the vehicle
2. Without the consent of the hirer convey or permit to be conveyed any other person in the vehicle
3. Allow to be conveyed in the front of the vehicle:
4. Any child below the age of three years
5. More than one person above the age of three years
6. An infant in arms.

6.2 The licensee shall ensure that all passengers between three and twelve years of age or 135cm in height wear an appropriate child restraint to travel in the front of a vehicle. If not available, these passengers must use an adult seat belt in the rear of the vehicle.

### **7. Alteration of vehicle**

7.1 No alterations in the specification, design or appearance of the vehicle shall be made without the written approval of the licensing officer.

### **8. Transfer of the vehicle**

8.1 If the licensee wishes to transfer his/her interest in the vehicle to a person he or she shall within 14 days submit the relevant application to the licensing team, specifying the name and address of the person to whom the vehicle is being transferred.

8.2 The Council reserves the right to refuse to grant a licence to any person to whom a private hire vehicle is transferred.

### **9. Accidents and vehicle damage**

9.1 The Licensee shall report to the authorised officer any accident (motoring or otherwise) involving the vehicle within 72 hours of the accident in accordance with Section 50(3) of the Local Government (Miscellaneous Provisions) Act 1976 which MUST be in writing by way of TRDC's accident form.

In the interests of public safety, the licensee of any vehicle involved in an accident will be required to submit a compliance certificate to the Council. The licensee shall ensure that the vehicle is not used for hire until it has been inspected and approved by the authorised officer.

9.2 The licensee shall report any damage materially affecting the safety, performance or appearance of the vehicle to the authorised officer within 72 hours of the vehicle being damaged. Should a Section 60 or 68 notice be issued the licensee shall ensure that no further bookings are undertaken until the vehicle has passed a compliance test and the certificate issued has been provided to the Council.

### **10. Insurance**

10.1 All private hire vehicles must be licensed and insured for private hire use. Such insurance must be comprehensive, continuous and include full legal liability for passengers and luggage. Proof of insurance must be submitted with each application for a licence and, where it expires during the term of the licence, a new certificate or cover note must be supplied to the Licensing team.

10.2 If a vehicle is temporarily removed from use as a Private Hire Vehicle, the licensee, on notification must return the internal and external plates to the licensing Officer. The vehicle can be temporarily removed from the public highway and its use as a private hire vehicle, thus removing the need to insure and document the vehicle for that period. The vehicle must not be used for private use during this time.

10.3 A certificate of insurance must be provided to the relevant officer within 7 working days of any such request.

### **11. Lost property**

11.1 The licensee shall ensure that, immediately after the termination of any hiring or as soon as practicable thereafter, the vehicle is searched thoroughly for any property which may have been accidentally left therein.

11.2 The licensee shall ensure that any property accidentally left, or found or handed to him or her in the vehicle will be, taken to a police station within 48 hours of it being found.

### **12. Change of address and personal details**

12.1 The licensee shall notify the Council in writing of any change of his address during the period of the licence within 7 days of such change-taking place. This shall include, name, address, telephone/mobile numbers and email address.

The owner of the private hire vehicle must also provide a new V5 registration document and insurance documents showing the new address details.

### **13. Proprietor to hold driver's licence**

13.1 Before the licensee permits or employs another person to drive the vehicle as a private hire, he shall, have retained a copy of the drivers licence. This shall be retained until such time as the driver ceases to be permitted or employed to drive the vehicle. On cessation of service or employment the licensee shall return the drivers licence to the driver.

13.2 The licensee/ proprietor must also ensure the driver holds a current driving licence in respect of the number of passengers authorised on the vehicle licence/plate.

### **14. Copy of vehicle licence conditions**

14.1 The licensee shall ensure a copy of the vehicle licence conditions are maintained in the vehicle and makes them available for inspection by any authorised officer, the hirer or any passenger on request.

### **15. Validity inspections**

15.1 Any authorised officer of the Council or a police constable shall have power at all reasonable times to inspect and test for the purpose of ascertaining its fitness any private hire vehicle and to serve notice to require further inspection and testing if not so satisfied.

### **16. Notification of Convictions, Cautions and Arrest**

16.1 The licensee shall immediately (within 72 hours) disclose to the licensing officer in writing if they or any of their drivers are arrested, cautioned, or convicted of any offence (including motoring offences) during the period of this licence. A representative must fulfil this obligation if the licensee is detained by the Police. Fixed penalty notices must be declared when received not when the DVLA driving licence is updated.

16.2 The licensee shall ensure that any licensed driver employed by them in any capacity is made aware that they are required to disclose all the information contained in point (i) above to the vehicle licence holder during their period of employment.

16.3 If the licensee is a company or partnership section (i) applies equally to all directors or partners

16.4 The licensee shall make his or her DVLA driving licence available for inspection by the operator, the authorised officer or a police officer upon request.

### **17. Residential qualification**

17.1 The operator of any Private Hire Vehicle must reside or maintain an office within the area of the Three Rivers District Council for a period of the licence.

### **18. Private Hire Vehicles Must Not Operate From Taxi Ranks and Stands**

18.1 Private hire vehicles must not operate from hackney carriage ranks or stands or ply the carriageway for hire. All fares must be pre-booked.

18.2 Private hire vehicles must not wait or park on the public highway within 75 metres of an authorised rank.

### **19. Giving of information**

19.1 Every proprietor shall within 7 days furnish on request the details, of any person who was authorised to drive the private hire vehicle, to an authorised officer or to a police officer. The details would include the name and address of the person.

### **20. Assistance dogs**

20.1 All hackney and private hire vehicle drivers are required to comply with Section 37 of the Disability Discrimination Act 1995 and Equality Act (2010) requiring them to carry assistance dogs assisting disabled persons and to do so without charge. Holders of exemption certificates must display the certificate in a prominent position.

20.2 It is an offence to refuse to carry a guide or assistance dog.

**21. Smoking**

21.1 It is prohibited for anyone (driver or passenger) to smoke within the vehicle at any time. Appropriate signage must be displayed inside the vehicle in accordance with the Health Act 2006.

21.2 The Council requires that an international no-smoking symbol at least 70mm in diameter must be displayed in the front passenger window or on the dashboard, and in the rear passenger window. The signs must be clearly visible from inside and outside of the vehicle.

**23. CCTV in vehicles**

23.1 The licensee shall ensure that their licensed vehicle does not contain any facilities to record visual or audio sources without first obtaining authorisation from the Council. Any proposed CCTV system must satisfy the requirements of the CCTV conditions contained in the hackney carriage and private hire licensing Policy.