

APPENDIX E

MERTHYR TYDFIL COUNTY BOROUGH COUNCIL

PRIVATE HIRE VEHICLE LICENCE

CONDITIONS OF LICENCE

1. VEHICLE SPECIFICATION

The applicant must then satisfy the Council that:-

- 1.1 The vehicle is right hand drive and at least four doors with the exception of the eight seater mini bus type vehicle which should have a minimum of three doors, two of which should be provided for the exclusive use of passengers. In the case of a hatchback type vehicle the hatch will not be considered or counted as a door for means of entry or egress;
- 1.2 does not resemble the London type taxi cab or otherwise be of such design or appearance as to lead any person to believe that the vehicle is a hackney carriage;
- 1.3 is of sufficient seating capacity to carry at least four and not more than eight passengers in addition to the driver. The seating shall be determined by the Council's Approved Examiner.
- 1.4 has been constructed and maintained so as to be safe and comfortable and the doors must open sufficiently wide so as to allow easy access to and egress from the vehicle and cause no inconvenience to passengers.
- 1.5 if a vehicle is presented for licensing for the carriage of more than four passengers, it is either structurally constructed or permanently adapted to the satisfaction of the Department for Transport and a certificate to that effect has been obtained.

Note: requirements for vehicles for the conveyance of the disabled are given under Section 5 below: -

- 1.6 is of suitable type, size and design and all vehicles other than mini bus type vehicles must comply with the following without modification to the manufacturer's specifications:

Height (inside)

From the top of the seat cushions (without compression) at the lowest part to the roof at the lowest part must not be less than 32 inches (80 cm).

Knee Space

The measurement between the rear of the front seats and the squab of the back seat must be not less than 27 inches (67.5cm). Where the front seats are capable of adjustment, the measurement is to be made in the mid position.

Seats (width)

The width of the back seat from the squab to the front edge must not be less than 16 inches (40 cm).

This condition will not apply to rear facing seats in Council approved purpose built vehicles

Rear seat (door to door panel)

The distance between the internal panels of the two rear doors, measured in a straight line lengthways at its widest part must be not less than to allow 16 inches (40 cm) of seating space per passenger.

2. PROVISIONS REGARDING HOW THE PRIVATE HIRE VEHICLE IS TO BE FURNISHED OR PROVIDED:

- 2.1 Cause to be carried on the vehicle an appliance for extinguishing fire in such a position as to be readily available for use and which must be a minimum of 1.0 kg dry powder meeting requirements of European Standard BS EN3: 1996, such extinguisher to be fixed on the vehicle in such a position as to be readily available for use and maintained in good working order at all times.

Any appliance previously approved by the Council may continue to be carried until its expiry date has elapsed or is found to be in an unserviceable condition. Once used an appliance must be replaced as soon as possible and in any event within 36 hours.

- 2.2 A first aid kit of which complies with British Standard BS85599-2 shall be carried within the vehicle in such a place as to be readily visible and available for immediate use in an emergency.

Drivers may be liable if they render first aid to others. Accordingly if they are to do so, they must ensure that they hold a recognized qualification and that they hold suitable insurance cover.

- 2.3 No Smoking signs to be displayed in the vehicle.

- 2.4 Interior lighting operated either automatically when the rear doors are opened or by a separate switch located near the driver.

- 2.5 An illuminated luggage compartment.
- 2.6 Sufficient means by which any person in the vehicle may communicate with the driver.
- 2.7 Fitted with front and rear seat belts to restrain the number of passengers permitted to be carried in the vehicle.
- 2.8 if the vehicle is an estate car it should be fitted with a grille sufficient to prevent luggage carried in the rear compartment from coming into contact with persons in the rear seat.
- 2.9 if it is fitted with or have use of any ordinary domestic or car wireless receiving set that such set shall not cause any annoyance to other persons for reasons of loud, continuous or repeated use.
- 2.10 if there is/has been any alteration in the design of the vehicle whether to the machinery or to the body, such shall be reported to the Council which may require the proprietor to submit the vehicle for further examination.

Note: requirements for vehicles for the conveyance of the disabled given under Section 6 below -

3. THE NON STATUTORY REQUIREMENTS FOR PRIVATE HIRE VEHICLES IMPOSED BY THE COUNCIL ARE AS FOLLOWS:-

Bodyshell

Including doors, panels, wings, bumpers, and interior floor area to be in good condition, free from rust, holes, broken metal or any other visible material damage.

Seat Coverings

To be in good condition, clean and free from any material tears, damage, grease or any other material contamination.

Floor Coverings

To be in good condition, clean and free from any material contamination.

Interior Trim

To be in good condition, clean and materially free from any tears, damage, grease or any other material contamination.

Door Hinges

To be in good order, all working, and doors to be sealed correctly when closed.

Windscreen & Windows

To be in good clean condition and free from damage.

Side Windows & Winders

To be in good order and all working correctly.

Fire Extinguisher, Spare Wheel, Brace and Jack

To be in good condition and to be carried in an easily accessible position on all vehicles which may include the boot or luggage compartment.

Boot or Luggage Compartment

To be kept in a clean condition and should be empty except for the spare wheel, essential tools and the fire extinguisher and first aid kit if the latter are stowed therein and otherwise should be free for the accommodation of passengers' luggage.

Oil Leaks

Engine to be free from oil leaks.

Interior & Exterior Fittings

No fittings or signs to be attached inside or outside vehicle unless approved by the Council.

L.P.G. or Compressed National Gas Fuel Tanks

For safety reasons, vehicles converted to use L.P.G. (Liquid Propane Gas) Fuel or Compressed National Gas Fuel having a tank installed within the luggage compartment should have a 6 inch (15cms) to 9 inch (22 cms) crumple zone of metal between the rear of the vehicle and the gas tank. Tanks must have a maximum volume capacity no larger than 100 litres and must be positioned between the wheel arches. If the tank is fitted under the body of the vehicle there should be 10 inches (25 cms) ground clearance under the tank when the suspension is fully compressed. A certificate issued by an approved converter will be required and only with written approval of the Council may a larger size be fitted. Tanks should be tested every six months by an approved tester and a certificate of inspection be made available to an authorised officer upon request.

The above requirements are in addition to the minimum standards set by DFT roadworthiness examination (MOT Test)

Mini bus type vehicles

- (i) The size of the seats to be equivalent to those approved by the manufacturer;
- (ii) Must have an internal space with a minimum capacity of 20 cubic feet.
- (iii) That Mini-bus type vehicles licensed after 1st April 2004 must be fitted with seat belts for all forward facing seats and where fitted must have single or manufacturers type approval.

4. **COLOUR**

- 4.1 The vehicle must be any colour other than black.

5. **VEHICLES FOR CONVEYING THE DISABLED**

- 5.1 In the interests of safety vehicles in this specific category should be type approved, custom built, unaltered or modified and their specifications must be exactly as they were when first manufactured with all their original equipment; and
- 5.2 The wheelchair occupant restraint system shall comprise a minimum of a three point anchorage system (lap and diagonal). They can either be integral with the wheelchair tie down equipment or provided separately.
- 5.3 For every designed space for a wheelchair user, suitable independent restraint systems, incorporating webbing, must be fitted for both wheelchair and occupant, adjustable to suit a range of wheelchairs and occupant sizes. The restraint systems must be installed and operated in accordance with the manufacturer's instructions. The wheelchair restraint system must incorporate four point webbing or be of a kind that is integral with a seat or backrest – clamps alone will not be accepted.

6. **VEHICLE IDENTIFICATION:**

- 6.1 The proprietor shall ensure the number of the licence is fixed and displayed on the vehicle at all times during which the vehicle is being used as a private hire vehicle, this number to be displayed by means of identification plate(s) issued by the Council
- 6.2 An identification plate(s) shall be fixed and displayed outside the rear of the vehicle directly on or immediately above the bumper in such a position that the vehicle's registration mark is not obscured, with the particulars thereon facing outwards in such a manner and place that the identification plate(s) is clearly visible by daylight from the road at the rear of the vehicle.

- 6.3 The identification plate shall be fixed on the nearside of the front windscreen of the vehicle in such a manner and place that the particulars thereon are displayed in the vehicle to any passenger being conveyed in the vehicle and the licence expiry date is clearly visible from the outside of the vehicle.
- 6.4 The door stickers provided by the Council shall be affixed on the drivers and front passenger side doors indicating that the vehicle is licensed by the Council, by showing the licence number of that vehicle in the Council approved format. The use of magnetic devices is not allowed.
- 6.5 Identification plate(s) and door stickers remain the property of the Council and shall be returned to it within seven days after service on the proprietor of an appropriate notice by the authorised officer of the Council if the proprietor no longer holds a Private Hire Vehicle licence with the Council which is in force in respect of the vehicle.
- 6.6 The proprietor shall not display or suffer or permit to be displayed on or from a Private Hire Vehicle any sign, notice, device or livery which includes the word "Taxi" or "Cab" whether in the singular or plural or "Hire" or any word of similar meaning or appearance to any of those words, whether alone or as part of another word.
- 6.7 Without prejudice to the preceding sub-paragraph (6.9) and sub-paragraphs (6.11) below, the proprietor shall not display or suffer or permit to be displayed on or from the vehicle, any sign, notice, mark, illumination or other feature which having regard to the time and place at which it is displayed and to any other circumstances may suggest that the Vehicle is an hackney carriage.
- 6.8 For the purposes of this condition "advertisement" means any word, letter, sign, notice, illumination, device or representation in the nature of the advertisement and
- 6.9 The proprietor shall not display or suffer or permit to be displayed in or on the vehicle any advertisement save for his own business. Any advertisement must not present a road safety risk or include inappropriate wording or graphics that could cause offence.
- 6.10 Sub-paragraphs (6.7) (6.8) and (6.9) of condition 6 shall not apply to:

any sign or notice displayed on or from the vehicle which is prescribed by or under any enactment;

7. **INSPECTION TESTING AND FITNESS OF VEHICLE:**

- 7.1 All vehicles must be presented for inspection when and where required, and must comply with all current statutory requirements for road vehicles and with the non statutory requirements imposed by the Council. This condition is without prejudice

to the powers granted under Section 68 of the Local Government (Miscellaneous Provisions) Act 1976.

- 7.2 All vehicles will require an M.O.T and compliance test every six months by a Council approved Nominated Test Station. The appropriate test fee will be charged for each inspection and is payable to the Nominated Test Station where the test is taking place.
- 7.3 This licence will be suspended should the vehicle fail to be submitted for a vehicle inspection on or before the inspection date specified in this licence.
- 7.4 The suspension shall remain in force until such time as the vehicle has undertaken a satisfactory test, or until the vehicle licence expires.
- 7.5 The proprietor shall permit an authorised officer of the Council or a Police Officer to inspect and test a vehicle at all reasonable times. If the officer is not satisfied as to the fitness of the vehicle he/she shall give notice in writing to the proprietor to make the vehicle available for further inspection and testing at such reasonable times and place as specified in the notice. If such further inspection and testing is required, the licence shall be suspended until such time as the officer is satisfied with the vehicle. Provided that if the officer is not so satisfied within a period of two months, the said licence shall be revoked.
- 7.6 A vehicle which has failed the vehicle inspection test must be submitted for a re-test to the vehicle examiner approved and appointed by the Council on the defects found within 14 days from the date of the test or a further full vehicle inspection will be required.
- 7.7 If there is/has been any alteration in the design of the vehicle whether to the machinery or to the body, such shall be reported to the Council which may require the proprietor to submit the vehicle for further examination.

8. **OFFENCES, BREACHES AND PENALTIES**

Any Person Who:-

- (a) wilfully obstructs an Authorised Officer or Police Constable acting in pursuance of Part II of the Local Government (Miscellaneous Provisions) Act 1976, or the Town Police Clauses Act 1847; or
- (b) without reasonable excuse fails to comply with any of the provisions these conditions or with any of the requirements properly made to him by such officer or Constable, in pursuance of Part II of the Local Government (Miscellaneous Provisions) Act 1976, or the Town Police Clauses Act 1847; or
- (c) without reasonable cause fails to give such an officer or constable any other assistance or information which he may require for the performance of his functions

in pursuance of Part II of the Local Government (Miscellaneous Provisions) Act 1976, or the Town Police Clauses Act 1847

Shall be guilty of an offence, may be prosecuted and liable to a fine.

The council reserves the right to amend or to add to any of the foregoing conditions and notice thereof will be served on all licensees.

Nothing in these conditions shall detract from the Council's duty to consider each case on its merits and these conditions shall be construed and applied accordingly. The Council reserves the right to waive any of the requirements of these conditions at its absolute discretion.