



WARRINGTON
Borough Council

Private Hire Vehicle Policy and Conditions

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Appendix 4

Warrington Borough Council

PRIVATE HIRE VEHICLE (PROPRIETOR) LICENCES

Local Government (Miscellaneous Provisions) Act 1976

This document contains the policy, conditions and legislation relating to your Private Hire Vehicle (proprietor) licence. The legislation uses both of the terms “vehicle” and “proprietor” in relation to private hire vehicle licences, but as these are often referred to as private hire vehicle licences, for the avoidance of doubt the term “Private Hire Vehicle (proprietor)” will be used throughout this policy.

As Private Hire Vehicle (proprietor) licences can be held by limited companies, limited liability partnerships (LLP) and conventional partnerships as well as individuals, this policy must be read to give effect to that. Any reference to a “person”, “you”, “licensee” or “proprietor” is taken to mean the proprietor of the private hire vehicle.

There is a power to attach conditions to Private Hire Vehicle (proprietor) licences, and the Council has standard conditions which attach to these licences. These are contained within this document.

There is also a list of the main legislation that applies to Private Hire Vehicle Proprietors.

Introduction

- 6.1 The purpose of licensing private hire vehicles is to protect the public, including passengers and others who may otherwise be placed at risk from unlicensed and potentially dangerous vehicles.
 - 6.2 It is a privilege to hold a Private Hire Vehicle (Proprietor) Licence and licensees have responsibilities to their drivers, passengers and customers, other road users and the public generally. The Council has been satisfied that when you applied for your licence the vehicle was suitable and safe for use as a private hire vehicle and that you were a safe and suitable person to have that licence granted (please see **Appendix 1** for the Councils’ Convictions and Behaviour Policy). In assessing that, the Council took into account the type of the vehicle, the condition of the vehicle and your entire character and behaviour.
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- 6.3 As a vehicle proprietor this assessment of your character not only includes times when you are working within the private hire trade, but it all other times as well. This can include your use of social media as well as other forms of communication. The requirement to satisfy the Council that you are a safe and suitable person continues throughout the duration of the licence. If at any time the standard of the vehicle or your behaviour falls below the standards expected for new applications, the Council will consider taking action against that licence. This could be suspension, revocation or refusal to renew that licence. In relation to your personal actions, it is no defence to argue that your actions took place when you were not working within the Private Hire trade. You should appreciate that under the Convictions and Behaviour Policy (available at appendix 1), if the unacceptable or criminal behaviour took place whilst you were working within the private hire trade that will be viewed as an aggravating feature by the Council.
- 6.4 In many cases a private hire vehicle is the first vehicle that a visitor to the Borough will encounter following arrival at an airport, railway station or bus station. As a consequence, the appearance of private hire vehicles can affect a person for their entire visit. Private hire vehicle proprietors should be aware of this and ensure that their vehicle is maintained to the highest standard at all times.
- 6.5 Please note, this section reminds you of some of the important legal requirements with which you must comply. This is not a comprehensive list. You should familiarise yourself with the Local Government (Miscellaneous Provisions) Act 1976 and all other relevant legislation.
- 6.6 The Council has decided to attach conditions to Private Hire Vehicle (Proprietor) Licences that it considers reasonably necessary under the powers contained in section 48(2) of the 1976 Act. The conditions are in addition to the statutory requirements of the legislation. Section 48(7) of the 1976 Act gives the right of appeal to the Magistrates' Court to any person aggrieved by any of the conditions attached to their licence within 21 days of receipt of the licence.
- 6.7 You must understand and comply with the legal requirements relating to the private hire vehicle licensed in your name, a limited company in which you are a director or secretary, a limited liability partnership in which you are a partner, or in joint names when you are one of the named individuals. Failure to comply with the requirements may result in your Private Hire Vehicle (Proprietor) Licence being suspended or revoked.
- 6.8 The Council office for hackney carriage and private hire licensing purposes is the Licensing section is located at 1 Time Square, Warrington and for the purpose of
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written communication, the Town Hall, East Annex, Sankey Street, Warrington WA1 1UH. Office opening times at Times Square are 09:00am to 5:00pm Monday and Thursday, 09:00 – 4:30pm on Fridays and can be contacted by phone on 01925 984728 (Lines are closed on Tuesdays and Wednesdays). They can also be contacted by email at: taxiqueries@warrington.gov.uk, taxidrivers@warrington.gov.uk. and taxivehicles@warrington.gov.uk

- 6.9 All applications, notices, reports of incidents and any other communications with the Council must be sent to the email addresses above.

Sanctions against the Private Hire Vehicle (proprietor) licence

- 6.10 Where a proprietor breaches any legislation or condition of the licence, they may be referred to the Taxi Sub-Committee. Where the breach is a criminal offence, prosecution will also be considered.
- 6.11 Whenever, and in what circumstances a proprietor is brought before the Taxi Licensing Sub-Committee, the Sub-Committee will decide each case on its merits, after hearing the facts.
- 6.12 The Committee, Sub-Committee and officers may also suspend or revoke the Private Hire Vehicle (proprietor) licence (see below)

Power to take action against a Private Hire Vehicle (proprietor) licence

- 6.13 Under section 60 of the 1976 Act, the Council may suspend, revoke or refuse to renew a Private Hire Vehicle (proprietors) licence on the following grounds:
- a. that the private hire vehicle is unfit for use as a private hire vehicle;
 - b. any offence under, or non-compliance with, this Part of this Act by the operator or driver; or
 - c. any other reasonable cause.
- 6.14 An Authorised Officer of the Council, an authorised officer of another council where there is a reciprocal arrangement, or a police constable can immediately suspend a Private Hire Vehicle (proprietor) licence under section 68 of the Local Government (Miscellaneous Provisions) Act 1976 on the grounds of
- a. the vehicle is unfit

- b. the taximeter is inaccurate
- 6.15 Failure to comply with any private hire vehicle legislation or other road traffic legislation is an offence and you may be liable to prosecution. In addition (irrespective of whether you were prosecuted or convicted of the offence(s)), the Council may take action against your licence which could lead to your Private Hire Vehicle (proprietor) licence being suspended revoked or the renewal refused.
- 6.16 Failure to comply with the Council's conditions may result in your Private Hire Vehicle (proprietor) licence being suspended, revoked or the renewal refused.
- 6.17 If any information given by you on the application form for this licence proves to be false, or you fail to disclose any relevant information on your application form, the licence may be revoked, and you may also be prosecuted under section 57(3) of the 1976 Act.
- 6.18 The Private Hire Vehicle (proprietor) licence remains the property of the Council.
- 6.19 In the event that you lose your proprietor's licence, Private Hire Vehicle (Proprietor) Licence plates or additional signage, or if they are damaged or defaced, you must get a replacement licence or plates on payment of a fee determined by the Council, and you cannot use the private hire vehicle until such replacements are obtained and fitted.
- 6.20 It must be understood that a decision to grant a Private Hire Vehicle (Proprietor) Licence is made on the basis of the condition and suitability of the vehicle and the suitability of the proprietor(s) on the particular facts of the case on the day of the decision. That suitability can be lost at any time in the future and you must ensure that the condition of your vehicle and your behaviour remains of the highest standard to protect your vehicle licence and therefore your livelihood.

POLICY

General

Applicants

- 6.21 Private Hire Vehicle (proprietor) licences can be held by individuals, limited liability partnerships (LLP), conventional partnerships (two or more people in business together) or limited companies. Usually, the vehicle must be registered to one of those, but there will be occasions where the vehicle is leased or hired. In all cases the applicant(s) must demonstrate that they have ownership of the vehicle, a financial interest in the vehicle or permission to use the vehicle on an extended basis (in the case of a lease or hire). A V5 registration document is not proof of ownership and other documentation will be required. This can include, but is not limited to
- a) Receipt for the purchase of the vehicle
 - b) Lease/hire contract
 - c) Partnership agreement between 2 or more individuals

Character of the applicant

- 6.22 The licensee of a Private Hire Vehicle can exert control over those who drive that vehicle, and as a consequence it is essential that they satisfy the Council that they are a suitable person to hold a Private Hire Vehicle (proprietor) licence.
- 6.23 All applicants (new and on renewal) will be required to provide a Basic Disclosure and Barring Service check at their own expense, as part of the application process. The same will be required of all partners in a limited liability or conventional partnership and all directors and secretary of a limited company when the application is made, or the licence is held, by a limited liability or conventional partnership or limited company.
- 6.24 Applicants who are foreign nationals and who have not been continuously resident in the UK for more than 10 years since the age of 18 must obtain and produce (at their expense) a certificate of good conduct authenticated by the relevant embassy for each and every country in which they have resided for more than 6 months from the age of 18 until arrival in the UK. Such certificates must be less than 3 months old, and the Council will verify the authenticity of any documentation that is provided.
- 6.25 UK citizens who have lived outside the UK for more than 6 months at a time since the age of 18 must obtain and produce (at their expense) a certificate of good conduct
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authenticated by the relevant embassy for each and every country in which they have resided for more than 3 months from the age of 18 until arrival in the UK. Such certificates must be less than 3 months old, and the Council will verify the authenticity of any documentation that is provided. This requirement will not apply once a person has lived continuously in the UK for 10 years (with no separate periods outside the UK exceeding 3 months).

- 6.26 You must declare all criminal convictions, criminal cautions, fixed penalty notices, CBO's (Criminal Behaviour Orders) CPNs (Community Protection Notices), requirements to attend a speed awareness course, injunctions, restraining orders or any other form of sanction or restriction that you have received or has been imposed on them to the Council on the initial application form.
- 6.27 The application will then be considered in the light of the Council's Convictions and Behaviour Policy (**available at Appendix 1**).
- 6.28 In addition, the Council will take into account the compliance and maintenance history of previous and existing vehicles licensed by the applicant. The Council does not regard licensees whose vehicles fail regular tests as being a safe and suitable person to have responsibility for private hire vehicles. All vehicles must be maintained to a satisfactory standard at all times and should pass any test at any point.
- 6.29 To enable the Council to make a decision as to whether or not an applicant is a suitable person to be granted or continue to hold a private hire vehicle (proprietors) licence the following test will be used:
- “Without any prejudice, and based on the information before you, would you be comfortable allowing this person to have control of a licensed vehicle that can travel anywhere, at any time of the day or night without arousing suspicion, and be satisfied that they would not allow it to be used for criminal or other unacceptable purposes, and be confident that they would maintain it to an acceptable standard throughout the period of the licence?”

Convictions

- 6.30 If you or anybody else with an interest in the vehicle or who is named on the licence is arrested in connection with, charged with or convicted of any criminal offence including motoring offences, that must be reported to the Council within 72 hours (including weekends and bank holidays). The same requirement applies in relation to any fixed penalty notices, speed awareness courses, Community Protection Notices, civil

injunctions, Criminal Behaviour Orders or other sanctions or restrictions that you receive, have to attend or that are imposed on you.

Vehicles

- 6.31 It is the applicant's responsibility to ensure that any vehicle presented for licensing as a private hire vehicle meets the Council's criteria which are detailed below. As the Council will not be liable for any loss as a result of a vehicle not being licensed, it is vital that applicants ensure that any vehicle that they are considering purchasing meets these criteria.

Licensed Vehicle Type, Age and Emissions

- 6.32 Any vehicle submitted to be licensed as a private hire vehicle must be of Category M1 (as shown on the registration document) unless either of the following apply:
- Category M2 or N1 vehicles (as shown on the registration document) will be acceptable provided the vehicle has passed an IVA test and there is evidence to show that no modification to be made to that vehicle since the date of that test.
- 6.33 The Council believes that vehicle standards should be based around quality control rather than a specific age of a vehicle. Therefore, there are no requirements relating to how old a vehicle must be when first presenting for licensing and there are no upper age limits to continue to license a vehicle.

Exceptional Condition Criteria

- 6.34 A vehicle will be considered to be in 'exceptional condition' if **all** of the following apply:
- a. The mileage for the vehicle is no higher than the average mileage that could be expected for a similar vehicle if that vehicle was used solely for social, domestic and pleasure purposes.
 - b. The vehicle passes the Council's vehicle inspection.
 - c. The bodywork is in near perfect condition with no signs of panel age deterioration, dents, scratches, stone chips, or rust or any other abrasions that may detract from the overall appearance of the vehicle.
 - d. The general paint condition should show no signs of fading, discolouration or mismatching that may detract from the overall appearance of the vehicle.

- e. The interior trim, panels, seating and carpets and upholstery are in excellent condition, clean and free from damage and discolouration.
- f. The boot or luggage compartment is in good condition, clean and undamaged.
- g. Passenger areas are free from damp or any other odours that may cause passenger discomfort.
- h. The vehicle must be in excellent mechanical condition and in all respects safe and roadworthy, with no signs of corrosion to the mechanical parts, chassis, underside or bodywork.
- i. The vehicle must have a complete service record to show that it has been properly serviced and maintained in accordance with the manufacturer's service specification.

Low Emission Vehicles

- 6.35 The Council aims to encourage the uptake of low emission vehicles in the District, and will examine the feasibility of introducing differential licensing fees for electric, hybrid and ultra-low emission vehicles.
- 6.36 Warrington Borough Council is committed, through the EV Taxi Strategy and the Local Transport Plan to provide specific on street charging points for private hire vehicles.

Vehicle specification

- 6.37 There are 3 different types of vehicles that can be licensed as private hire vehicles: those which are Wheelchair Accessible Vehicles (WAV), those which are not and stretched limousines. Non- WAV vehicles can be licensed as "Additionally Conditioned Vehicles" exclusively used for Executive Hire work.
- 6.38 The Council maintains a list of all WAV (both private hire vehicles and hackney carriages). Drivers of those vehicles must then provide mobility assistance to wheelchair-bound passengers (please see the dual drivers licence documentation for details).
- 6.39 The following specifications detail the minimum requirements for each type of vehicle, together with the requirements for all private hire vehicles.

Non-Wheelchair accessible vehicles

6.40 If the vehicle is to be licensed as a non-WAV (saloons, estate cars, people carriers (MPV), sports utility vehicles (SUV) and any other vehicle that cannot carry a passenger whilst they remain in their wheelchair excluding stretched limousines) it must be approved by the Council and comply with the following specification:

- a. Be a right-hand drive vehicle.
 - b. Have at least four doors that can be opened from both inside and outside the vehicle. Each door (except the driver's door) must be capable of being opened by passengers.
 - c. Have a minimum seating capacity for one adult passenger, and vehicles that seat more passengers must provide at least four adult passengers based on a width of not less than 410 mm per person across the rear seat.
 - d. Must be so constructed as to provide adequate space within its structure for the safe carriage of each passenger's luggage or any equipment. If that is not possible or practical, then e. below will apply
 - e. Roof racks, towbars and trailers will be permitted. Any luggage carried on the roof rack must be protected from the elements by a waterproof cover and properly secured. A properly fitted roof box is an acceptable alternative.
 - f. Tow bars (if fitted) must be fitted in accordance with the manufacturer's instructions.
 - g. Any trailer that is used must meet the following requirements and be tested by the Council (the charge to be paid by the licensee) and will be issued with a "trailer plate" which must be displayed on the rear of the trailer and clearly visible whenever the trailer is being used by the private hire vehicle. The trailer can only be used on the specified private hire vehicle. Trailers must comply with the following standards:
 - i. Unbraked trailers must be less than 750kgs gross weight.
 - ii. Trailers over 750kgs gross weight must be braked, acting on at least two road wheels.
 - iii. The towing vehicle must have a kerb weight of at least twice the gross weight of the trailer.
 - iv. A suitable lid or other approved means of enclosure must be fitted to secure the contents within the trailer whenever in use and keep the contents dry.
 - v. The maximum permissible length of the trailer cannot exceed 7 metres, including the drawbar and coupling.
 - vi. The width of the trailer must not be greater than width of the towing vehicle, subject to no trailer being wider than 2.3m.
 - vii. The maximum length for braked twin axle trailers is 5.54m.
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- viii. The trailer must at all times comply with all Road Traffic legislation requirements.
 - ix. The vehicle insurance must cover towing a trailer.
 - x. Trailers must not be left unattended anywhere on the highway.
 - xi. The speed restrictions applicable to trailers must be observed at all times.
 - xii. The registration number plate of the hackney carriage and the Council issued “trailer plate” must be attached to the rear of the trailer.
 - xiii. The trailer must be inspected annually and must be considered to be satisfactory by the Licensing Authority.
 - xiv. Only drivers with the appropriate DVLA driving licence category may drive a vehicle with a trailer. The vehicle proprietor must check any driver’s DVLA licence for the required category, prior to allowing the use of a trailer.
- h. Passengers must be able to communicate with the driver via a sliding screen, mesh or hole in any division between the drivers and passenger compartments.
 - i. Any vehicle which is a convertible must meet all other requirements and have a waterproof roof and side windows which must be raised at the request of any passenger.

Additional requirements for minibus and MPV type vehicles

- 6.41 In order to be licensed as a private hire vehicle, any Minibus/MPV-type vehicles must be fitted, in addition to the front driver and passenger doors, with at least:
- a. one other side loading door plus a rear door/doors or tailgate that can be opened from inside the vehicle; or
 - b. two side loading doors that can be opened from the inside.

Wheelchair Accessible Vehicles (WAV)

- 6.42 The vehicle must be capable of carrying a wheelchair bound passenger which meets the following specification. It cannot look like a hackney carriage.
- 6.43 Any vehicle, before it can be considered to be licensed as a Wheelchair Accessible Vehicle, must have European Community Whole Vehicle Type Approval (ECWVTA), or Individual Vehicle Type Approval, including an inspection certificate issued by the Driver and Vehicle Standards Agency (DVSA) as a minimum standard:

- a. The interior of the vehicle must be able to accommodate a wheelchair and its user riding seated within the wheelchair itself.
- b. The passenger compartment must have a minimum unobstructed available width of 0.74 metres (including at the point of entry).
- c. The passenger compartment must have a minimum unobstructed available length of 1.2 metres for a wheelchair and user.
- d. The passenger compartment must have a minimum unobstructed available height for a wheelchair and user of 1.3 metres at the point of entry and 1.4 metres when in the travelling position.
- e. The passenger compartment must be fitted with suitable wheelchair anchorages, either chassis or floor linked.
- f. The passenger compartment must be fitted with a suitable 3-point belt or harness, either chassis or floor linked, for a wheelchair and its user. The belt/harness must be independent of the wheelchair anchorages.
- g. The vehicle must have suitable ramps for a wheelchair user. The vehicle must have a secure and safe place for the ramps to be stored when they are not being used. Alternatively, the vehicle may be fitted with a tail lift or some other mechanical means of access, approved by the Council.
- h. Where the vehicle is a rear loading wheelchair accessible vehicle a suitable ramp will be carried in the vehicle to be used at the commencement and end of a journey to ensure that the passenger is delivered safely onto the pavement.
- i. At least one door entrance must be designed and constructed to help elderly and disabled passengers get in and out of the vehicle. The door entrance and any steps must be conspicuously marked where appropriate, to help visually impaired passengers.
- j. All passenger door entrances must have grab handles or rails suitably located to help elderly and disabled passengers. All handles/rails must be conspicuously marked to help visually impaired passengers.
- k. To assist elderly and disabled passengers, at least one passenger seat must be of a “swivel” or other design and construction, approved by the Council.

Stretched Limousines

- 6.44 The term “stretched limousine” in this policy will be taken to mean any vehicle that has been modified after manufacture with an additional body section, extending the vehicle length.

- 6.45 Any vehicle, before it can be considered to be licensed as a stretched limousine, must have European Community Whole Vehicle Type Approval (ECWVTA), or Individual Vehicle Type Approval, including an inspection certificate issued by the Driver and Vehicle Standards Agency (DVSA) as a minimum standard¹.
- 6.46 Stretched limousines will only be licensed to carry a maximum of 8 passengers.
- 6.47 All passenger seats must be equipped with a 3-point seat belt.

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All vehicles

- 6.48 The following are the minimum requirements for all Private Hire Vehicles, irrespective of their type:
- a) The vehicle must be wind and water-tight (with the roof raised and properly secured and fastened in the case of a convertible vehicle).
 - b) The vehicle must have a floor properly covered with carpet or other suitable covering.
 - c) The vehicle must have an adequate internal light to enable passengers to enter and leave the vehicle safely.
 - d) The vehicle's bodywork and paintwork must be in good condition, free from dents or other damage or rust.
 - e) The vehicle must not be fitted with any additional external accident protection devices (e.g. bull bars or additional bumpers).
 - f) The vehicle must carry a spare wheel and tyre of the correct size to fit the vehicle, together with equipment to change the wheel including a spare wheel and tyre, jack and wheel brace, all of which must be securely stored. If the manufacturer's specification when the vehicle was new did not include a spare wheel, the manufacturers alternative (e.g. spray can) will be acceptable.
 - g) The vehicle must be fitted with tyres which meet the specifications detailed by the manufacturer in terms of size and speed rating. They must have at least 2 mm of tread across the entire contact surface.
 - h) The vehicle must be fitted with nearside and offside exterior rear view mirrors.
 - i) The vehicle must have at least one window on each side of the passenger compartment which is capable of being opened and closed.
 - j) All seats must be permanently fixed to the vehicle and must be factory fitted with a 3-point seat belt or, where that was not a manufacturer's option when the vehicle was manufactured, a factory fitted lap belt. Any retrospectively fitted seat belts must be approved by the Council.
 - k) The vehicle must be fitted with glass which complies with current Construction and Use Regulations (the Road Vehicles (Construction and Use) Regulations 1986 as amended). These regulations require that the front windscreen allows 75% of light to be transmitted and the front door windows allow 70% of light to be transmitted. No self-adhesive material (tinted or clear) can be affixed to any part of the glass without the approval of the council.
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- l) The vehicle must not be fitted with any additional lights other than those originally fitted by the manufacturer unless they have been approved by the Council.
- m) The minimum unobstructed distance between the uncompressed seat cushion and the roof must be 0.9 metres (measured 0.25 metres from and parallel with the seat back) in relation to the front passenger and driver seats, and 0.84 metres in relation to any other passenger seats.
- n) The minimum unobstructed distance between the seat back and the footwell bulkhead/facing seat back must be 0.95 metres in relation to the front passenger and driver seats, and 0.6 metres in relation to any other passenger seats.
- o) The minimum unobstructed interior width of the vehicle must be 1.3 metres (excluding any arm rests).
- p) Any vehicle that has been converted to run on liquid petroleum gas (LPG) must be accompanied by a certificate stating that the conversion was undertaken in accordance with the LPG gas Association's code of practice, and if the conversion was undertaken more than one month before the application for the licence, an annual installation check which is not more than one month old.
- r) Any private hire vehicle must not be black or white in colour so they can be readily distinguished from a Warrington Hackney Carriage vehicle.

6.49 In addition, in all types of Private Hire Vehicle the following requirements must be met.

Seating

6.50 In any vehicle all exits must be easily accessible. Any seats that require passengers to move any part of another seat to gain access or egress will be subject to review should any access/egress problems be brought to the attention of the Council. The seating configuration and number of passengers that can be carried is subject to assessment by the Council.

Documents

- 6.51 A vehicle licence will only be issued where the vehicle has evidence of:
- a. A valid vehicle insurance certificate specifically stating that the vehicle is to be used for private hire use.
 - b. A Compliance Certificate issued by a garage approved by the Council which is less than one month old.

- c. A V5 vehicle registration document. In case of a new vehicle, the sales invoice, which must show engine and chassis numbers, shall be produced at the time of application and the registration document when it is received from DVLA. The registration document must in all cases be produced within 6 weeks of the licence being issued.
- d. All documentation must be originals and accompanied by the application form to grant or renew.

Engine/Chassis Numbers

6.52 The Chassis/Vehicle Identification Number Plates and engine numbers must match the numbers recorded with the DVLA as detailed on the V5 Document. Vehicle applications cannot be accepted without a copy of the vehicle registration document, or in the case of new vehicle purchase, the sales documentation indicating the engine and chassis numbers. In the event of a vehicle being presented with numbers that do not correspond to the paperwork the Council will inform the Police Vehicle Identification Section who may undertake checks to ensure the vehicle is not stolen. If the engine is changed at any time whilst the vehicle is a licensed private hire vehicle, the Council must be notified within 72 hours of that change and the updated V5 must be produced as soon as it is received from DVLA.

Maintenance and servicing

6.53 Vehicles must be maintained correctly and serviced in accordance with the manufacturer's recommendations.

Vehicle tests

- 6.54 A licence will be granted or renewed only if the vehicle is considered by the Council to be roadworthy, fit for purpose and meets the criteria specified.
- 6.55 Vehicles will be tested before the licence is initially granted, then every 6 months
- 6.56 Tests in relation to new applications, renewals and interims are carried out at the Council's testing Centre on Dallam Lane Warrington.
- 6.57 The applicant or licensee must make an appointment for the vehicle to be tested as part of the application process. It is the responsibility of the applicant/licensee to do this and

then to ensure that the vehicle is presented at the specified location and time. If the vehicle is presented late, there is no guarantee that the test will be able to be conducted on that day and a further test must be arranged. In that case the initial test fee will be forfeited and a second fee must be paid for the rearranged test.

- 6.58 A test appointment can be cancelled only if at least two clear working days' notice (excluding Saturday, Sunday and Bank Holidays, the day on which notice is given and the day of the test) is given to the testing station.
- 6.59 If the consequence of missing the test means that the licence cannot be renewed before expiry, this will prevent the vehicle being used until such time as the licence is renewed, with loss of income to the licensee. If the delay is considerable, this may result in the renewal application being treated as a new application for a Private Hire Vehicle (proprietor) licence.

Dual Plating

- 6.60 Once a vehicle has been licensed as a Private Hire Vehicle by Warrington Borough Council, it cannot be licensed as a Private Hire Vehicle (or Hackney Carriage) by any other local authority or Transport for London during the duration of the Warrington Borough Council licence.
- 6.61 The Council will not licence a vehicle that is licensed as a Private Hire Vehicle or Hackney Carriage by another local authority or Transport for London.

Insurance “write-offs”

- 6.62 The Council will not licence any vehicle as a private hire vehicle that has been written off by an insurance company.

Vehicle Use

- 6.63 You must maintain a policy of insurance for your licensed vehicle in accordance with section 143 of the Road Traffic Act 1988.
- 6.64 If your vehicle has an accident which results in damage which may affect its safety, performance, appearance or the comfort or convenience of your passengers, you must report this to the Council within 72 hours (including weekends and bank holidays) (section 50)(3) of the 1976 Act).

- 6.65 You must not obstruct any Authorised Officer of the Council or Police officer. You must provide any assistance or information they may reasonably require (section 73 of the 1976 Act).
- 6.66 Any person driving a private hire vehicle at any time, for any purpose and anywhere in the United Kingdom, must be licensed to drive a private hire vehicle under section 51 of the 1976 Act, even if the vehicle is not being used for private hire purposes. Any person driving a private hire vehicle without the required private hire driver's licence (this Council issues a combined Hackney Carriage and Private Hire driver's licence) will be committing an offence under section 46(1)(b) of the 1976 Act. There are no exceptions to this even in relation to testing the vehicle.
- 6.67 If any private hire vehicle proprietor permits a person who does not hold a private hire vehicle driver licence to drive the vehicle for any hiring the proprietor commits an offence under s46(1) (c) of the 1976 Act and the Council will consider this a serious matter and action may be taken against the Private Hire Vehicle (proprietor) licence (whether or not a criminal prosecution or conviction ensued)
- 6.68 Once a vehicle has been licensed as a private hire vehicle by Warrington Borough Council, it retains that status at all times for the duration of the licence (24 hours a day, 7 days a week). In addition to the requirement that it is only driven by a private hire driver licensed by Warrington Borough Council (see above) the proprietor must ensure that at all times and wherever it may be located it complies with all requirements contained within the legislation and conditions. This includes the cleanliness of the vehicle, display of licence plates and additional signage.
- 6.69 If the Private Hire Vehicle (Proprietor) Licence is suspended, revoked or not renewed, the proprietor must return the licence plates to the Council. This must be done immediately after the end of the appeal period (21 days from the written notification of the decision, or after any such appeal is determined or abandoned). If the suspension is immediate (under section 68 of the 1976 Act) this requirement must be complied with immediately.
- 6.70 If the proprietor refuses to surrender the vehicle plates, a written notice shall be sent to the proprietor, recorded on file and the relevant agencies informed. Replacements must be purchased from the Council if and when the suspension is lifted.

WARNING NOTICE

- 6.73 If there is anything in the design, construction, form or working appearance of a vehicle which, in the opinion of the Council or its officers or testers, renders the vehicle unfit for use as a private hire vehicle then Warrington Borough Council will not licence that vehicle.

- 6.74 Warrington Borough Council is not liable for any expense incurred in preparing or testing a vehicle which cannot be licensed for whatever reason.
- 6.75 Any unauthorised modifications made since a previous licence was issued may lead to the suspension, revocation or refusal to renew a licence.

Taximeters

- 6.76 There is no requirement for a private hire vehicle to be fitted with a taximeter. As there is equally no prohibition on taximeters being fitted to private hire vehicles, any taximeter that is fitted must meet the following specifications:
- a) must be of a type that are compliant with the requirements laid down in the Measuring Instruments Directive (MID) 2014/32/EU and the annex for taximeters OIML R21 which was enacted in the UK by The Measuring Instrument (taximeter) Regulation 2006.
 - b) must be of a type approved by the Council
 - c) must be calendar controlled
 - d) must be locked and sealed by the manufacturer or supplier so that tariff rates change automatically and cannot be changed or tampered with manually by the driver.
 - e) must be positioned so that passengers in the vehicle can easily read the display.
- 6.77 The taximeter must be accurate, be capable of showing that the vehicle is or is not hired, it must be fitted with a key or other device that, when turned, will operate the taximeter and display the word “HIRED”. This key or device must be capable of locking the taximeter so it does not work and no fare is recorded on it.
- 6.78 When the taximeter is in use, the fare must be clearly legible on the face of the taximeter. This fare must be unambiguous.
- 6.79 The word “FARE” must be clearly printed on the taximeter so it clearly indicates the fare displayed.
- 6.80 All private hire vehicles being operated by an operator where the driver may be expected to take payment for the fare must be equipped (either permanently or provided by the driver) with equipment to enable fares to be paid by credit or debit card. Such payments cannot be refused and no additional charge can be made for any such payment. This requirement will not apply to Executive Hire/Additionally Conditioned Vehicles.

Duration and renewal of the licence

- 6.81 The licence expires 12 months from the date of issue. Any application for renewal must be made at least one month before the licence expires. If you do not apply to renew the vehicle licence in time there may be a period when you will be unable to use the vehicle as a private hire vehicle. If the renewal application is not received before the expiry of the current Private Hire Vehicle (Proprietor) Licence, it will be treated as a new application rather than a renewal and you will have to provide all the information that is required for a new application.
- 6.82 Renewals are generally dealt with by officers under delegated powers and can be processed quite quickly. However, if there have been any changes since the last grant of the licence (e.g. if the vehicle's age or emissions exceed the policy or you or any of your joint proprietors (or directors or secretary in the case of a limited company) have been convicted of any offence, or there have been complaints or causes for concern about your behaviour) the renewal application may need to be considered by the Taxi Sub-Committee. If your vehicle does not meet the current requirements, or you or any joint proprietors have been convicted etc as detailed above, you should apply earlier than one month before expiry to avoid a period when the vehicle cannot be used.

The licence is issued to you but it can be transferred to another individual, partnership or limited company. Notification of any transfer must be made in writing and indicate the consent of all interested parties. The Council will then issue a revised licence identifying the new licensee(s).

- 6.83 Following any transfer of licence to another person, on expiry of that licence, renewal will be at the Council's discretion. The Council may also review the licence following transfer.

Plates and Additional Signage

- 6.84 The licence plates and other additional signage required by the Council must be displayed on the vehicle at all times, in accordance with the Council's policy. This does not apply to any Additionally Conditioned Vehicle, where a small, discrete, ID card is displayed.
- 6.85 If you lose or damage the plates or additional signage, replacements must be purchased from the Council.
- 6.86 Any complaint regarding fares, vehicles etc, should be made via email to the licensing complaints@warrington.gov.uk or in writing to the Licensing Section, Warrington

Borough Council, Town Hall, East Annexe, Sankey Street, Warrington, WA1 1UH (01925 984728 quoting the number shown on the front, rear or dash of the vehicle.

Vehicle substitution

- 6.87 If you wish to change the vehicle that is licensed the following procedures must be followed:
- a) You must complete an application form for the “replacement” vehicle.
 - b) You must pay the stated fee for a 12-month period.
 - c) You must surrender the original licence. Any refund against a licence will be calculated by the Council, taking into account the period of time for which the licence has been held and the administration costs incurred, and will be subject to a minimum level below which no refund will be made.
 - d) Your replacement vehicle must be presented for test and subsequently pass.
 - e) Written proof of consent to the change of vehicle must be provided from all interested parties (joint proprietors).
 - f) You must maintain and produce evidence of a continuous policy of insurance, which clearly states that the vehicle is to be used as a private hire vehicle. This can often apply where a temporary insurance has been given and then lapsed. The new policy must run from the date of the lapsed insurance to show that the vehicle was continuously covered. All such policies must be in the name of the licensee of the vehicle.

Letting/leasing of vehicles

- 6.88 You must not lease or let or hire a licensed private hire vehicle to any other person, other than a fare paying passenger, without first notifying the Council in writing. If you do enter into a leasing arrangement you will remain the licensee and will still be responsible for the vehicle.
- 6.89 You must notify the Council in writing of anyone no longer having an interest in the vehicle within 72 hours of the event.
- 6.90 The licence only relates to the vehicle specified in that licence, and at all times the vehicle must be owned by the licensee (or 1 person in a partnership). In the case of a vehicle which is leased to the proprietor by leasing company, the proprietor’s name

must be on the DVLA registration document (V5) and the applicant must provide supporting paperwork to show the leasing arrangement.

Advertisements

- 6.91 No advertisements may be displayed in or from the vehicle unless prior written approval of the Council has been obtained. Any advertising must comply with all legislation and the British Code of Advertising Practice.

Maps and navigational devices

- 6.92 Any electronic navigational device which is being used must be securely located within the vehicle and must not be operated by the driver while the vehicle is moving. No handheld devices can be used unless they are securely located in a suitable cradle or other mounting device.

Radios and other equipment

- 6.93 Any radio, booking systems/data heads and/or GPS equipment provided must be maintained in a safe condition and any defects must be repaired promptly. The licensed private hire operator must ensure that the licence issued by Ofcom for all radio equipment used is current and valid. All equipment must only be used on the frequencies stipulated in the Ofcom licence and the licensed private hire operator must allow the Council access to inspect all equipment and Ofcom licenses.
- 6.94 Any radio, booking systems/data heads and/or GPS equipment provided must not interfere with any other radio or telecommunication equipment.
- 6.95 Where apparatus for the operation of a two-way radio, booking system/data heads and/or GPS systems are fitted, no part of the apparatus can be situated in a way which could cause accident or injury to a passenger, nor can it be placed in the rear boot compartment if LPG tanks are situated in there.

Signs

- 6.96 No sign or advertisement is permitted on the vehicle, and no flag or other emblem can be flown from the vehicle, except as detailed below, unless required by law, or has been agreed by the Council in writing (see above in relation to advertisements).

- 6.97 The vehicle must not be fitted with any sign on the roof of the vehicle.
- 6.98 An adhesive sign must be permanently fixed to both front doors and may not be magnetised.
- 6.99 It must incorporate the name, and telephone number of the private hire operator accepting bookings for the private hire vehicle, together with the words “**Private Hire Only**”. Lettering must be at least 1cm in size and be clearly legible. Should a request be made to the Taxi Licensing Team to extend the Private Hire Operator door sign beyond the front door (to the rear door) the request will be automatically refused where the sign goes up further than half way up the rear door and/or there is insufficient space for the Council door sign. This provision does not apply to additionally conditioned private hire vehicles.

CCTV

6.100 In relation to CCTV systems proprietors must:

- (a) have approved CCTV equipment installed and ensure that it is operated in accordance with the Licensing Authority’s Policy
- b) ensure no CCTV system shall be installed in a vehicle unless it has previously been approved by the Licensing Authority.
- c) declare to the Licensing Authority the number and location of all cameras fitted in the vehicle. The number and location of the cameras shall not be varied without the prior written consent of the Licensing Authority
- d) have a minimum of 3 warning signs clearly and prominently displayed inside the vehicle advising passengers that a CCTV system is in operation in the vehicle. The notices shall be positioned in a prominent (though not obstructive) position where they can be easily read by persons both inside and outside of the vehicle. 1 warning sign for front seat passengers and 2 for rear seated passengers. The proprietor shall ensure that the notices are maintained in a clean and legible condition.
- e) ensure that the system is properly and regularly maintained and serviced in accordance with the manufacturer’s instructions. Written records of all maintenance and servicing shall be made and retained by the proprietor for a minimum of 24 months. Such written records shall be made available on demand by an authorised officer of the Licensing Authority.
- f) Upon request for image retrieval by an officer of the Licensing Authority or a police officer, the proprietor shall ensure that the CCTV system is made available to the officer as soon as reasonably practicable, and in any event within 7 days of the request.

g) Shall take all reasonable steps to ensure that any driver of the vehicle is made aware of every condition in relation to any installed CCTV system and has been given adequate instruction regarding the need for the system to be made available as soon as reasonably practicable, and in any event within 7 days of any authorised request for any image retrieval.

Seating Arrangements

- 6.101 There must be unobstructed access to an exit from every seat in a vehicle. There is a requirement to have a gap of at least 250mm width for all rows of seats to access an exit (150mm is allowed to the off-side rear door with the seat back in an upright position).
- 6.102 The only exception to this rule is in the case of vehicles that are mass manufactured (not purpose built) and have 3 rows of seats. In this instance the lever to move the seat must be fluorescent in colour and be clearly visible. No Tape allowed.
- 6.103 If these criteria are not met then the nearside seat of the middle row must be permanently removed.

Incident logs

- 6.104 The proprietor must maintain an incident log in an accessible format (either on a computer, other electronic device or a notebook). This must be used to record all incidents affecting the use of the Private Hire Vehicle including, but not limited to:
- a) collisions or accidents.
 - b) damage to the vehicle.
 - c) problems with the taximeter .
 - d) refusals by any driver to carry a passenger (including the date, time, location, and reason for the refusal).
 - e) any events, circumstances or incidents which lead the driver or proprietor to suspect that a passenger is involved in or is a victim of child sexual abuse or exploitation or any other abuse, modern slavery or trafficking of people, County Lines movements of drugs, any other abuse or supply of drugs, involvement in terrorism or any other criminal activity.
- 6.105 Incidents must be recorded immediately, or as soon as possible thereafter and must state the date time and location of the incident, the names (if known) of any third parties

and the date and time on which the incident was recorded and reported to the Council within the 72 hours.

- 6.106 This log must be available for inspection by an Authorised Officer of the Council or a Police constable at all times on request.

Stretched limousines

- 6.107 Any stretched limousine (any vehicle which has been modified to be longer than the manufacturer's original specification) which is presented for licensing as a private hire vehicle must be covered by:
- a. A UK Single Vehicle Approval Certificate; or
 - b. A European Whole Vehicle Approval Certificate; or
 - c. A UK Low Volume Type Approval Certificate; or

CONDITIONS

- 6.108 The following Conditions are attached to your Private Hire Vehicle (Proprietor) Licence and must be complied with at all times. Failure to comply with conditions may lead to penalty points being imposed on your Private Hire Vehicle (Proprietor) Licence, suspension, revocation or refusal to renew the Private Hire Vehicle (Proprietor) Licence.
- 6.109 You must return your licence if paper copy and the plates to the Council immediately if:
- a) You change your home or business address.
 - b) If the licence expires, or is suspended or revoked.
 - c) You wish to surrender your licence
 - d) When required to do so by an Authorised Officer of the Council.
- 6.110 You must notify the Council within 72 hours of the event (including weekends and bank holidays) if you or anybody named on the licence as a joint proprietor (or any director or secretary of a limited company, or partner in a Limited Liability Partnership when the licence is held by such a body) is arrested in connection with, charged with, investigated in connection with or convicted of any criminal offence. The same requirement applies in relation to any fixed penalty notices, speed awareness courses, community protection notices or civil injunctions.
- 6.111 If your vehicle has an accident which results in damage which may affect its safety, performance or appearance or the comfort or convenience of your passengers, you must report this to the Council within 72 hours (including weekends and bank holidays). If you are in doubt as to whether the vehicle is affected, you must notify the Council.

Drivers

- 6.112 You must notify the Council of the details (name, address and taxi driver's licence number) of any person who is permitted by you to drive your Private Hire Vehicle for any purpose (this does not include mechanics undertaking vehicle maintenance). This notification must be made as soon as possible and in any event within 72 hours of that permission being given. If you no longer permit that person to drive your private hire vehicle you must notify the Licensing Section in writing, using the Council's approved forms, within 72 hours.

- 6.113 Before you allow anyone to drive your private hire vehicle you must ask that person to email you a copy of their Warrington Council Taxi Driver's licence and retain that copy whilst that person is permitted to drive your vehicle. You must ensure that they understand and will observe the law, conditions and Code of Conduct that regulate their conduct and the conditions attached to the vehicle licence.
- 6.114 Note - No person may drive a private hire vehicle, unless they hold a Dual or Private Hire Drivers' Licence issued by Warrington Council. Anyone found driving a Private Hire Vehicle without a Dual Private Hire Drivers' Licence, may be prosecuted.
- 6.115 If your Private Hire Vehicle is an Additionally Conditioned Vehicle, you must only allow it to be driven by a driver who holds a private hire driver's licence issued by Warrington Borough Council.

Insurance

- 6.116 You must ensure that a valid policy of comprehensive insurance for private hire work is in place for the vehicle and covers anyone who drives your private hire vehicle. This includes operators who utilise a fleet policy.

Production of Documents

- 6.117 You must not obstruct any Authorised Officer of the Council or police officer. You must provide any assistance or information they may reasonably require.
- 6.118 If an Authorised Officer of the Council (or another council with whom a reciprocal arrangement is in place) or a police officer asks you, you must produce within 5 days beginning with the day following the day when the request is made:
- a) Your licence
 - b) The taxi driver licence of any person authorised to drive your private hire vehicle
 - c) The vehicle registration document
 - d) A valid certificate of insurance

Licence Plates

- 6.119 The licence plates and additional signage remain the property of the Council and must be returned to the Council whenever the vehicle is not licensed as a private hire vehicle.

- 6.120 You must secure and display the exterior licence plates permanently to the outmost front and rear part of the vehicle using the fittings provided by the Council (unless it is An Additionally Conditioned Vehicle – see next paragraph). The method of fixing must prevent the plates being removed without the need for tools. Both plates must at all times must be displayed so that it can be clearly read by pedestrians and road users. The licence plates must not be displayed in any window of the vehicle.
- 6.121 In an Additionally Conditioned Vehicle, a discrete ID card must be displayed in the front window.
- 6.122 You must display the additional signage on the near side and offside front doors and the internal signs issued by the Council inside the vehicle so that they are visible to front and rear passengers at all times.
- 6.123 You must display notice referring to the complaint’s procedure and link to the licensing sections website in the vehicle where it can be clearly seen by all passengers.
- 6.124 You must report the theft or loss of the licence plates or additional signage to the Police immediately and as soon as possible, and in any event within 24 hours of becoming aware of the theft or loss, to the Council by email. You must also obtain a crime or lost property number from the police and present this to the Council. You must then obtain duplicate licence plates and/or additional signage for which a charge will be made.
- 6.125 You must not wilfully or negligently cause or suffer any plates or additional signage on your vehicle to be concealed from public view at any time.
- 6.126 You must return the licence plates to the Council If the Private Hire Vehicle (Proprietor) licence is suspended, revoked or not renewed. If you do not surrender the plates immediately, a written notice will be issued and recorded on file and relevant agencies informed.

Vehicle inspection

- 6.127 You must allow an Authorised Officer of the Council, or Police Officer, to inspect your vehicle at any reasonable time.
- 6.128 You must ensure the vehicle is presented for test in accordance with instructions from the Council
- 6.129 You must produce the vehicle registration document and last MOT, Certificate of Compliance and certificate of insurance at the test.

Specification to be maintained during the currency of a licence for a Private Hire Vehicle

- 6.130 No change in the specification, design, condition or appearance, or any modification, conversion or alteration of the vehicle can be made unless prior written approval has been given by the Council.
- 6.131 The vehicle must fully comply with all relevant road traffic legislation and in addition:
- a) All doors must function correctly and be capable of being opened from the outside and within the vehicle.
 - b) All opening windows must function correctly and be capable of being opened from within the vehicle.
 - c) All luggage must be properly secured inside a vehicle that does not have a separate and self-contained boot.
 - d) If a roof rack (or roof box) is being it must be securely fitted to the roof in accordance with the manufacturer's instructions. All luggage must be properly secured and in the case of a roof rack a waterproof cover must be fitted. Any roof box must be correctly closed before moving off.
 - e) If a trailer is being used the driver must ensure that the lights on the trailer are working correctly and that the trailer plate is properly displayed on the rear of the trailer. A waterproof cover must be used to protect any luggage.
 - f) Passengers must be able to communicate with the driver via a sliding screen, mesh or hole in any division which may be fitted between the drivers and passenger compartments.
 - g) If the vehicle is a convertible, the driver must close the roof and raise the side windows if requested to do so by any passenger.

- h) The vehicle and all seats, door handles and trim, and all internal and external parts of the vehicle must be maintained at all times in a clean, comfortable, safe, and mechanically sound condition and be in every way suitable for public service.
- i) The floor covering must not be torn or frayed.
- j) The vehicle must have an adequate functioning internal light to enable passengers to enter and leave the vehicle safely.
- k) The vehicle's bodywork and paintwork must be maintained to an acceptable standard free of dents or rust.
- l) The vehicle must carry a spare wheel to fit the vehicle, and the wheel together with equipment to change the wheel, jack and wheel brace must be securely stored. This does not apply if the manufacturers specification when new did not include a spare wheel, in which case the manufacturer's alternative (e.g. spray can) will be acceptable.
- m) The vehicle must be fitted with tyres which meet the specifications detailed by the manufacturer in terms of size and speed rating. Tyres should be checked at regular intervals for wear and damage.
- n) The vehicle must be fitted with nearside and offside exterior rear view mirrors which must be maintained in a serviceable condition
- o) The glass in the vehicle must not be replaced with glass that is different from the glass fitted when the vehicle passed the Council's vehicle test. Any unapproved (by the Council) self-adhesive material (tinted or clear) must not be affixed to any part of the glass
- p) The vehicle's power output must not be less than power output when the vehicle was new, and any replacement engine must be of the same or greater power output. In the case of a replacement engine, the Council must be notified of that within 72 hours of the fitting, and the revised V5 must be presented to the Council as soon as it is received.
- q) The vehicle must not be fitted with any additional lights other than those originally fitted by the manufacturer unless they have been approved by the Council.

Additional Conditions for wheelchair accessible Private Hire Vehicles

6.132 At all times, the vehicle must carry in a safe, usable condition suitable ramps for a wheelchair user. If the alternative tail lift or some other mechanical means of access is fitted it must be maintained in a safe, functioning condition.

- 6.133 The driver must ensure before the commencement of the journey that the passenger is correctly seated and the wheelchair is correctly secured and the passenger is correctly restrained, and at the end of the journey must ensure that the passenger is delivered safely onto the pavement
- 6.134 The door entrance and any steps must always be conspicuously marked where appropriate, to help visually impaired passengers.
- 6.135 All grab handles or rails must always be conspicuously marked to help visually impaired passengers.

Sliding doors

- 6.136 Where sliding doors are an integral part of a vehicle and a locking device has not been fitted, the child locking systems must be engaged by the driver at all times when the vehicle is in motion and carrying passengers.

Lost property

- 6.137 The driver must search the vehicle after each hiring has been completed, and any lost property found must be recorded. If the driver knows the identity and/or whereabouts of the last passenger, they can return the property to them. If not, it must be delivered to the operator within 24 hours.

The taximeter

- 6.138 Any taximeter that is fitted to the vehicle must be mounted in such a way as to avoid injury to the driver or passengers in the case of any collision and where it is visible to passengers. This must be in a safe and practical position in the vehicle where all letters and figures displayed on the taximeter are clearly visible to any passenger. The letters and figures must therefore be illuminated when in use.
- 6.139 The taximeter must be accurate, be capable of showing that the vehicle is or is not hired, it must be fitted with a key or other device that, when turned, will operate the taximeter and display the word “HIRED”. This key or device must be capable of locking the taximeter so it does not work and no fare is recorded on it.

- 6.140 When the taximeter is in use, the fare must be clearly legible on the face of the taximeter. This fare must be unambiguous and the word “FARE” must be clearly printed on the taximeter so it clearly indicates the fare displayed.
- 6.141 If this is the arrangement for charging for a private hire journey (as agreed between the operator and the hirer), the taximeter must only be brought into action and the fare or charge must only commence from the point at which the hirer starts their journey.
- 6.142 If the taximeter fails or does not comply with the conditions, the taximeter must be removed from the vehicle before it is used as a private hire vehicle.
- 6.143 If the Private Hire Vehicle is being operated by an operator where the driver may be expected to take payment for the fare, it must be equipped (either permanently or provided by the driver) with equipment to enable fares to be paid by credit or debit card. Such payments cannot be refused and no additional charge can be made for any such payment. This requirement will not apply to Executive Hire/Additionally Conditioned Vehicles.

Maps and navigational devices

- 6.144 Any electronic navigational device which is being used must be securely located within the vehicle and must not be operated by the driver while the vehicle is moving. No handheld devices can be used unless they are securely located in a suitable cradle or other mounting device.

Signage

- 6.145 No sign or advertisement is permitted on the vehicle, and no flag or other emblem can be flown from the vehicle, except as detailed below, unless required by law, or has been agreed by the Council in writing.
- 6.146 No sign can be displayed on or above the roof of the vehicle.

No Smoking

- 6.148 The vehicle must have at least 2 “no smoking” signs displayed inside the vehicle in separate locations of the vehicle but clearly visible to passengers.

CCTV

6.149 In relation to CCTV systems proprietors must:

- (a) have approved CCTV equipment installed and ensure that it is operated in accordance with the Licensing Authority's Policy.
- b) ensure no CCTV system shall be installed in a vehicle unless it has previously been approved by the Licensing Authority.
- c) declare to the Licensing Authority the number and location of all cameras fitted in the vehicle. The number and location of the cameras shall not be varied without the prior written consent of the Licensing Authority
- d) have a minimum of 3 warning signs clearly and prominently displayed inside the vehicle advising passengers that a CCTV system is in operation in the vehicle. The notices shall be positioned in a prominent (though not obstructive) position where they can be easily read by persons both inside and outside of the vehicle. 1 warning sign for front seat passengers and 2 for rear seated passengers. The proprietor shall ensure that the notices are maintained in a clean and legible condition.
- e) ensure that the system is properly and regularly maintained and serviced in accordance with the manufacturer's instructions. Written records of all maintenance and servicing shall be made and retained by the proprietor for a minimum of 24 months. Such written records shall be made available on demand by an authorised officer of the Licensing Authority.
- f) Upon request for image retrieval by an officer of the Licensing Authority or a police officer, the proprietor shall ensure that the CCTV system is made available to the officer as soon as reasonably practicable, and in any event within 7 days of the request.
- g) Shall take all reasonable steps to ensure that any driver of the vehicle is made aware of every condition in relation to any installed CCTV system and has been given adequate instruction regarding the need for the system to be made available as soon as reasonably practicable, and in any event within 7 days of any authorised request for any image retrieval.

LEGAL REQUIREMENTS (contained in national legislation) relating to a Private Hire Vehicle

- 6.150 The Private Hire Vehicle Proprietor must ensure that the vehicle is always displaying the plates in accordance with the conditions (section 48 (6) of the 1976 Act).
- 6.151 The Private Hire Vehicle Proprietor must notify any transfer of the vehicle licence to another proprietor within 14 days (section 49 of the 1976 Act).
- 6.152 The Private Hire Vehicle Proprietor must present the private hire vehicle for inspection as required by the Council (section 50(1) of the 1976 Act).
- 6.153 The Private Hire Vehicle Proprietor must inform the Council where the private hire vehicle is stored if requested to do so (section 50(1) of the 1976 Act). (including weekends and bank holidays.)
- 6.154 The Private Hire Vehicle Proprietor must report any collision that has caused damage to the safety performance or appearance of the vehicle to the Council within 72 hours (section 50(3) Local Government (Miscellaneous Provisions) Act 1976).
- 6.155 The Private Hire Vehicle Proprietor must produce the vehicle licence and insurance if requested to do so by an Authorised Officer of the Council (section 50(4) of the 1976 Act).
- 6.156 The Private Hire Vehicle Proprietor must return the plate to the Council once you receive notice to do so after expiry revocation or suspension of the proprietor's licence (section 58(2) of the 1976 Act).
- 6.157 The Private Hire Vehicle Proprietor must ensure that the vehicle is not permitted to stop or wait on any hackney carriage stand (section 64 of the 1976 Act).
- 6.158 It is an offence to interfere with a taximeter (section 71 of the 1976 Act).
- 6.159 The Private Hire Vehicle Proprietor must not obstruct, fail to comply with any requirement made by, or fail to give any information to, an Authorised Officer of the Council, an authorised officer of another Council with which there is a reciprocal enforcement arrangement, or a police constable (section 73 of the 1976 Act).