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Bridgend County Borough Council



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

*Rydym yn croesawu gohebiaeth yn Gymraeg.
Rhowch wybod i ni os mai Cymraeg yw eich
dewis iaith.*

*We welcome correspondence in Welsh. Please
let us know if your language choice is Welsh.*



**Gwasanaethau Gweithredol a Phartneriaethol /
Operational and Partnership Services**

Deialu uniongyrchol / Direct line /: 01656 643148
Gofynnwch am / Ask for: Mr. Mark Anthony Galvin

Ein cyf / Our ref:
Eich cyf / Your ref:

Dyddiad/Date: Wednesday, 18 October 2017

Dear Councillor,

LICENSING COMMITTEE

A meeting of the Licensing Committee will be held in Committee Rooms 2/3, Civic Offices, Angel Street, Bridgend, CF31 4WB on **Tuesday, 24 October 2017 at 9.30 am.**

AGENDA

1. Apologies for Absence
To receive apologies for absence from Members.
2. Declarations of Interest
To receive declarations of personal and prejudicial interest (if any) from Members/Officers in accordance with the provisions of the Members Code of Conduct adopted by Council from 1 September 2008.
3. Approval of Minutes 3 - 4
To receive for approval the minutes of the Licensing Committee dated 23 May 2017.
4. Hackney Carriage/Private Hire Vehicle Testing Policy 5 - 14
5. Hackney Carriage/Private Hire Vehicle Age Policy Guidelines 15 - 30
6. Urgent Items
To consider any other item(s) of business in respect of which notice has been given in accordance with Rule 4 of the Council Procedure Rules and which the person presiding at the meeting is of the opinion should by reason of special circumstances be transacted at the meeting as a matter of urgency.

Yours faithfully

P A Jolley

Corporate Director Operational and Partnership Services

By receiving this Agenda Pack electronically you will save the Authority approx. 0.60p in printing costs

Councillors:

PA Davies
DRW Lewis
JE Lewis
DG Owen
RM James

Councillors

SE Baldwin
RJ Collins
DK Edwards
B Jones
G Thomas

Councillors

AA Pucella
JE Williams
MJ Kearns
A Hussain

LICENSING COMMITTEE - TUESDAY, 23 MAY 2017

MINUTES OF A MEETING OF THE LICENSING COMMITTEE HELD IN COMMITTEE ROOMS
2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 23 MAY 2017
AT 10.00 AM

Present

Councillor – DRW Lewis

PA Davies	MJ Kearn	JE Lewis	DG Owen
RJ Collins	DK Edwards	B Jones	G Thomas
AA Pucella	JE Williams	RM James	

Officers:

Yvonne Witchell	Team Manager Licensing
Kelly Watson	Group Manager Legal & Democratic Services
Julie Ellams	Democratic Services Officer - Committees

37. DECLARATIONS OF INTEREST

None

38. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of the Licensing Committee of 7 March 2017 be approved as a true and accurate record.

39. APPOINTMENT OF LICENSING SUB-COMMITTEE(S)

The Team Manager Licensing presented a report proposing the membership of the Licensing Committee Sub-Committees following the Annual Meeting of Council 2017. The proposals were required to effectively discharge the functions of the authority in respect of general licensing applications, the majority of which related to taxi licensing. The range of functions was set out within the Council's Constitution in Part 3 Responsibility for Functions relating to the Licensing Committee and Sub-Committees. These functions included taxi licensing, street trading, and other general licensing regimes as required. A separate report was being submitted in respect of Licensing Act 2003 and Gambling Act 2005 functions.

It was proposed that the Licensing Committee continue with the existing arrangements and approve the formation of two panels sitting on a rota basis, each consisting of seven Members of the Licensing Committee and chaired by the Chairperson and Vice Chairperson of the Licensing Committee where possible. In the event that the Chair or Vice Chair were not able to attend their respective sub-committee meeting, a chair would be elected from those in attendance.

RESOLVED: That the Committee approve the formation of two panels sitting on a rota basis each consisting of seven Members of the Licensing Committee and chaired by the Chairperson and Vice Chairperson of the Licensing Committee where possible. In the event that the Chair or Vice chair were not able to attend their respective subcommittee meeting, a chair would be elected from those in attendance. The Licensing Sub-Committees would undertake licensing functions,

including taxi licensing and street trading as set out in the Council's Constitution.

Sub-Committee A:

Councillor D Lewis
Councillor P Davies
Councillor S Baldwin
Councillor A Pucella
Councillor J Williams
Councillor D Owen
Councillor K Edwards

Sub-Committee B:

Councillor M Kearns
Councillor G Thomas
Councillor J Lewis
Councillor R Collins
Councillor T Giffard
Councillor B Jones
Councillor M James

40. URGENT ITEMS

None

The meeting closed at 10.15 am

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING COMMITTEE

24 OCTOBER 2017

REPORT OF THE CORPORATE DIRECTOR OPERATIONAL AND PARTNERSHIP SERVICES

HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE TESTING POLICY

1. Purpose of Report.

1.1 The purpose of the report is to:

- Consider the risk to public safety presented by the current testing regime for hackney carriage and private hire vehicles;
- Obtain members' approval to consult with the local taxi trade and the public to amend the vehicle testing policy.

1.2 The proposed policy amendments are part of a wider piece of work and as such this report should be read in conjunction with the Hackney Carriage/Private Hire Vehicle Age Policy Guidelines report.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

2.1 The proposals are necessary to enable the Council to discharge its functions as a taxi licensing authority.

3. Background.

3.1 The Council is the licensing authority for hackney carriage and private hire vehicles by virtue of the provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. The Authority sets licence conditions that must be complied with for a licence to be granted. Conditions include the age at which a vehicle can be presented for first time licensing and, once licensed, the frequency at which it must be presented for testing. For routine testing this may be up to a maximum of 3 tests a year, as specified in the Local Government (Miscellaneous Provisions) Act 1976.

3.2 As part of the licensing regime, vehicles are tested to ensure that they meet the standards required by Bridgend County Borough Council (CBC).

3.3 It is an offence under the Road Traffic Act 1988 to use a vehicle without a Ministry of Transport (MOT) certificate on a public road. However, there is an allowance for hackney carriage or private hire vehicles to be exempt from the MOT testing regime. The rationale for this being that the Licensing Authority has direct control over the condition of its fleet and as such can impose their own testing regime and issue an MOT test exemption certificate.

3.4 The Driver and Vehicle Standards Agency (DVSA) are responsible for administering the MOT scheme on behalf of the UK government. To become an MOT tester,

applicants must be qualified as a mechanic with at least 4 years' full-time employment servicing and repairing vehicles. They must also have no unspent convictions for offences connected with the motor trade or MOT testing and be 'of good repute' (as decided by the Driver and Vehicle Standards Agency). Eligible applicants must then successfully complete a course before being authorised by the DVSA as an MOT tester. Once they become a tester, they must also undertake continual professional development (CPD) to maintain their competencies.

- 3.5 To help ensure the MOT testing scheme is robust, the DVSA carry out investigations on MOT testers and testing stations if they have reason to believe that tests are not being carried out satisfactorily. This can result in a tester or testing station being removed from the scheme for up to 5 years.
- 3.6 All MOT test results are logged electronically on a national database and are publically accessible on the Government website.

4. Current situation / proposal.

- 4.1 The current policy is for hackney carriage and private hire vehicles to be tested at the Council's testing facility at the Fleet Services Division, Newlands Avenue, Bridgend.
- 4.2 Vehicles are currently tested in accordance with the requirements of Bridgend County Borough Council and are issued with an Exemption Test Certificate. This test is of no lesser standard than an MOT test and also includes additional items that are specific to licensed vehicles, for example the function of a vehicle's door locks. A copy of the Bridgend Exemption Test Certificate is detailed in Appendix A.
- 4.3 At present, the frequency of the test depends on the age of the vehicle. Vehicles under 5 years old (from date of first registration) are tested bi-annually, any vehicle older than this is tested tri-annually.
- 4.4 It is proposed that hackney carriage and private hire vehicles will be tested in accordance with the MOT regime administered by the DVSA.
- 4.5 Alongside the MOT test, hackney carriage and private hire vehicles will also be required to undertake an additional compliance test. This is an enhanced test in accordance with the Hackney Carriage and Private Hire Vehicles National Inspection Standards, produced by the Freight Transport Association, that are in use by many authorities throughout the UK. A draft copy of the proposed compliance test is detailed at Appendix B.
- 4.6 It is proposed that all vehicles up to 10 years old will be tested bi-annually. Vehicles 10 years or older will be tested tri-annually.
- 4.7 Should the policy be implemented, the current testing policy will be withdrawn and vehicles will no longer be issued with an MOT Exemption Test Certificate. Vehicle's will instead be issued with an MOT certificate and a copy of the completed compliance test results.
- 4.8 It is envisaged that the proposed testing regime will provide the following benefits:

- A robust complaints procedure will be in place, administered by the DVSA, in the event of an unsatisfactory test;
- The DVSA will have the power to remove the testing station's ability to carry out MOT tests;
- As the results of each MOT test are published online, it provides an easily accessible digital record for the Licensing department
- Licensed vehicles are less likely to be stopped by the police for failing to have a valid MOT and having to produce their exemption certificate.

4.9 A request for information was sent out to all Welsh local authority Licensing departments to ask whether they currently require an MOT test and if so, whether their authority carries out the MOT in-house at their own Council testing station. The responses provided data for 15 Welsh local authorities. 12 of the 15 authorities currently require an MOT certificate for Hackney Carriage and Private Hire Vehicles. The responses received are detailed in Appendix C.

4.10 The vehicle proprietors will still be required to use Council's testing facility at the Fleet Services Division, Newlands Avenue, Bridgend.

4.11 If approved, a public consultation will be carried out and a letter sent to all vehicle proprietors inviting their comments.

5. Effect upon Policy Framework & Procedure Rules.

5.1 None

6. Equality Impact Assessment

6.1 There are no equality implications arising from this report.

7. Financial Implications.

7.1 Fees for taxi tests are recharged to the Licensing Section by Joint Fleet Services and recovered by the Licensing service through the licence fee. The Joint Fleet Services Manager has been involved with the initial discussions regarding these proposals, but the potential for a decrease in income arising from the changes in test frequency will be discussed in more detail with Joint Fleet Services as part of this consultation.

8. Recommendation.

8.1 It is recommended that the Licensing Committee approve that a consultation exercise be conducted with the public and the local taxi trade on the proposals to amend the testing requirements in respect of hackney carriage and private hire vehicles

P A Jolley
Corporate Director Operational and Partnership Services
18 October 2017

Contact Officer: Daniel Cook
Licensing Policy Officer

Telephone: (029) 2087 1022

E-mail: licensing@bridgend.gov.uk

Postal Address Licensing
Bridgend County Borough Council
Civic Offices
Angel Street
Bridgend
CF31 4WB

Background documents

The Driver and Vehicle Standards Agency MOT Testing Guide

BRIDGEND COUNTY BOROUGH COUNCIL
ROAD TRAFFIC ACT 1988 SECTION 47
EXEMPTION TEST CERTIFICATE

The Hackney Carriage/Private Hire Vehicle Registration number has this day been examined by an inspector appointed by a Council designated by the Secretary of state for the purpose of Section 45 of the Road Traffic Act 1988, and it is certified that at the date of the examination the vehicle complied with the requirements of Bridgend County Borough Council, which are not of a lesser standard than the Regulations made under the aforementioned Act.

- 1. Vehicle testing station Number.....
- 2. Date of Issue.....
- 3. Date of Expiry.....
- 4. Make of Vehicle.....
- 5. Year of Manufacture.....
- 6. Recorded Mileage.....

Signature of Inspector.....

Designated Council

FLEET SERVICES DIVISION
BRIDGEND C.B.C
NEWLANDS AVENUE
BRIDGEND
CF31 2XA
V.T.S. V109519

VEHICLE CHECK LIST

Hackney Carriage Testing Station No.
 Private Hire Firm Date of Test
 Vehicle Reg. No. Make & Model APPROX. Year of Manufacture Recorded Mileage
 or Chassis No. Colour No. of Seats Eng. Size

Testable Item	Manual Reference	Pass	Fail	Remarks
01 Section I—Lighting Equipment				
02 Oblig. Front Lamps	1/1			
03 Oblig. Rear Lamps	1/1			
04 Oblig. Headlamps	1/2			
05 Headlamp Aim	1/5			
06 Stop Lamps	1/3			
07 Rear Reflectors	1/4			
08 Direction Indicators & Hazard Lights	1/5			
09 Fog Lights—Int. Lights—Rev. Lights				
010				
011 Section II—Steering & Suspension				
012 Steering Controls	11/1			
013 Steering Mechanism	11/2			
014 Power Steering	11/3			
015 Transmission Shafts	11/4,4			
016 Stub Axle Assemblies	11/5			
017 Wheel Bearings Front & Rear	11/4			
018 Suspension Front & Rear	11/5,6,7,8,9			
019 Shock Absorbers Front & Rear	11/10			
020				
021 Section III—Braking System				
022 Service Brake Condition	11/3,4			
023 Parking Brake Condition	11/1,2			
024 Service Brake Efficiency	11/5,6,7,8			
025 Parking Brake Efficiency	11/5,6,7,8			
026 Service Brake Balance	11/5,6,7,8			
027 ABS Warning System				
028				
029 Section IV—Tyres & Wheels				
029 Tyre Type	IV/1			
030 Tyre Condition	IV/1			
031 Roadwheels	IV/2			
032 Spare Wheel				
033				
034 Section V—Seat Belts & Seats				
035 Security of Mountings	V/1			
036 Condition of Belts	V/1			
037 Operation	V/1			
038 Condition of Seats				
039 Engine Oil Leaks				
040 Section VI—General Items				
041 Windscreen/Wipers/Washers	VI/1			
042 View of Road	VI/2			
043 Horn—Electric Wiring—Battery	VI/4			
044 Exhaust System including Silencers	VI/3			
045 Exhaust Emissions	VI/3			
046 Body—Exterior/Interior				
047 Mirrors/Registration Plates				
048 Door Locks & Hinges				
049 Taxi Meter & Fares Table (H/C only)				
050 Taxi Sign—illuminated (H/C only)				
051 Fuel System including Cap				
052 Fire Extinguisher				
053 Medical Kit				
054 Licence Plates (renewal only)				

At the test on this vehicle the defects mentioned below were noticed, which in the opinion of the tester, render the vehicle **DANGEROUS** for use on the road.

19: A person who drives a dangerously defective vehicle on the road is liable to prosecution and the insurance may not be operative.

nr. No.
 re of Tester
FLEET SERVICES DIVISION
BRIDGEND C.B.C
NEWLANDS AVENUE
BRIDGEND
CF31 2XA
V.T.S. V109519
 Fail Cert. No.

BRIDGEND COUNTY BOROUGH COUNCIL
HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE INSPECTION FORM

Vehicle Reg..... Owner.....
 Plate number..... Make and model.....
 Last inspection date..... Colour.....
 Number of passenger seats..... VIN No.....

ITEM	TESTABLE ITEM	PASS	FAIL	COMMENTS/REASONS FOR FAILURE
	Section 1 - Lamps, reflectors and electrical equipment			
01	Lamps front			
02	Lamps rear			
03	Direction indicators			
04	Hackney light			
05	Electrical wiring and equipment			
	Section 2 - Steering and suspension			
06	Steering control			
07	Steering mechanism/system			
08	Power steering			
09	Transmission			
10	Wheel bearings			
11	Front suspension			
12	Rear suspension			
13	Shock absorbers			
	Section 3 - Braking system			
14	Controls/ABS warning system			
15	Footbrake and handbrake			
	Section 4 - Tyres and road wheels			
16	Tyre type and condition			
17	Road wheels			
18	Section 5 - Seat belts			
19	Mountings			
20	Condition			
	Section 6 - Body, structure and general items			
21	Vehicle body and condition (exterior)			
22	Vehicle body, security, condition and cleanliness (interior)			
23	Doors and seats (security, operation and cleanliness)			
	Section 7 - Exhaust, fuel and emissions			
24	Exhaust system			
25	Fuel system - pipes and tanks			
	Section 8 - Driver's view of the road			
26	Mirrors and view to rear			
27	Windscreen and window glass (inc. window operation)			
28	Windscreen washers/wipers			
	Section 10 - Additional requirements			
29	Oil and water leaks			
30	Ancillary equipment			
31	Meter - test and seal			
32	Speedo			
33	Roof sign/For Hire sign			
34	Licence plates/discs			
35	Table of fares displayed			
	Section 11 - Ancillary equipment			
36	Wheelchair restraint and access equipment (if applicable)			
37	Spare bulb kit			

Mileage..... MOT Test Cert No.....

Passed for plate Failed as above (tick as appropriate)

I have examined this vehicle and certify that in my opinion this report is correct at the time of examination

Examiner (print name).....

Date.....

Signature.....

Appendix C

Table detailing the testing regimes for Hackney Carriage/Private Hire Vehicles in Welsh local authorities from the responses received.

Authority	MOT certificate required?	In-house testing	Comment
Bridgend	No	Yes	
Caerphilly	Yes	Yes	Both MOT and Compliance Test carried out in-house
Cardiff	Yes	No	Any MOT testing station can carry out both MOT & Compliance Test
Carmarthenshire	Yes	Partial	Compliance Test must be carried out in-house (MOT can be carried out at any testing station)
Ceredigion	Yes	No	MOT & Compliance Test carried out at Council nominated MOT testing stations
Denbighshire	Yes	No	MOT & Compliance Test carried out at Council nominated MOT testing stations
Flintshire	Yes	No	MOT & Compliance Test carried out at Council nominated MOT testing stations
Newport	No	No	Single testing facility, drivers can request an MOT cert if they pay an additional £3.
Pembrokeshire	Yes	Yes	
Powys	Yes	No	
RCT	Yes	Partial	Compliance Test must be carried out in-house (MOT can

			be carried out at any testing station)
Swansea	Yes	Partial	In-house testing station can be used to inspect for mechanical and standards test.
Torfaen/Blaenau Gwent	No	No	Contracted to local garages in the borough who carry out CoE & Compliance Test.
Vale of Glamorgan	Yes	Yes	Both MOT and Compliance Test carried out in-house
Wrexham	Yes	Yes	Both MOT and Compliance Test carried out in-house

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING COMMITTEE

24 OCTOBER 2017

REPORT OF THE CORPORATE DIRECTOR OPERATIONAL AND PARTNERSHIP SERVICES

HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE AGE POLICY GUIDELINES

1. Purpose of Report.

1.1 The purpose of the report is to:

- Consider the fitness of the current age policy for hackney carriage and private hire vehicles;
- To obtain members' approval to consult on a proposal to amend the vehicle age policy guidelines.

1.2 The proposed policy amendments are part of a wider piece of work and as such this report should be read in conjunction with the Hackney Carriage/Private Hire Vehicle Testing Policy report.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

2.1 The proposals are necessary to enable the Council to discharge its functions as a taxi licensing authority.

3. Background.

3.1 The Council is the Licensing Authority for hackney carriage and private hire vehicles by virtue of the provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. The Authority has a Licensing Policy that sets out the criteria for first registration that must be complied with for a licence to be granted. Conditions include the age at which a vehicle can be presented for first time licensing.

3.2 The authority currently operates a policy in relation to the age and mileage at which a vehicle can first be licensed.

4. Current situation / proposal.

4.1 The current policies in relation to the age at which hackney carriage and private hire vehicles can first be licensed were approved by the Licensing Committee on 10 March 2008. A copy of these policies are attached at Appendix A and B.

4.2 In summary, the current policies requires hackney carriage and private hire vehicles to be new when presented for their first licence. However, there are provisions for older private hire vehicles to be considered by the Licensing Sub-Committee on their own merits and wheelchair accessible vehicles up to three years old may also

be licensed as a hackney carriage or private hire vehicle, provided a full service history and safety certification can be provided.

- 4.3 It is proposed to amend the age policy guidelines to introduce two classes of vehicle; class one being either a standard saloon, multi-purpose vehicle (MPV) or wheelchair accessible vehicle not fitted with an automated wheelchair lift, and class two being a wheelchair accessible vehicle that has been fitted with an automated wheelchair lift.
- 4.4 Class one vehicles, when presented for their first licence, will be under 5 years old, class two vehicles, when presented for their first licence, will be under 10 years old. This is in recognition of the prohibitive cost of purchasing a class two vehicle and the nature of the work that they carry out, as it is less likely to cause as much wear on the vehicle.
- 4.5 The local trade has asked the Council to review what is seen as a burden that requires them to purchase brand new vehicles to obtain their first licence. It has been commented that the proposed policy would allow proprietors to replace their vehicles more frequently, and when they do replace their vehicle, they will be able to purchase a higher quality vehicle for their budget which would improve the overall standard of vehicles licensed in the County Borough.
- 4.6 The Licensing department have received comments from disability groups that they have difficulty in accessing wheelchair accessible vehicles. The department does not currently have a clear picture of the needs of disabled passengers, it is therefore proposed that questions will be asked as part of the consultation for ways to improve provisions for travelling disabled passengers.
- 4.7 The proposed age policy guidelines would harmonise the policy between Bridgend and The Vale of Glamorgan, which forms part of the Shared Regulatory Service.
- 4.8 If approved, a public consultation will be carried out and a letter sent to all vehicle proprietors inviting their comments.

5. Effect upon Policy Framework & Procedure Rules.

- 5.1 None.

6. Equality Impact Assessment

- 6.1 The proposal has been screened for the potential impact on protected groups within the community and human rights. We do not consider on the basis of the above that a detailed Equality Impact Assessment is required for this proposal at this stage, but the position will be reviewed at the end of the consultation process.

7. Financial Implications.

- 7.1 The Council must set the fees for these licences on the basis that it only recovers costs which it is entitled statutorily to recover. It is not envisaged that the proposal will have an impact on income, but fees will be reviewed to take into account any surplus or deficit accrued from taxi vehicle licensing.

8. Recommendation.

- 8.1 It is recommended that the Licensing Committee approve that a consultation exercise be conducted with the public and the local taxi trade on the proposals to amend the age policy in of respect of hackney carriage and private hire vehicles

P A Jolley
Corporate Director Operational and Partnership Services
18 October 2017

Contact Officer: Daniel Cook
Licensing Policy Officer

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E-mail: licensing@bridgend.gov.uk

Postal Address Licensing
Bridgend County Borough Council
Civic Offices
Angel Street
Bridgend
CF31 4WB

Background documents

Bridgend County Borough Council Hackney Carriage Guidance Notes
Bridgend County Borough Council Private Hire Guidance Notes

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BRIDGEND COUNTY BOROUGH COUNCIL

APPLICATION FOR HACKNEY CARRIAGE LICENCE
GUIDANCE TO APPLICANTS

1. MAKING AN APPLICATION

Application forms should be returned to the Assistant Chief Executive of Legal and Regulatory Services (L.A.R.S.) Legal and Regulatory Services Department, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend. CF31 4WB

The Council must be satisfied that the applicant is a fit and proper person to hold a Hackney Carriage Proprietor's Licence.

The vehicle for which application is made must be registered under the Vehicles (Excise) Act 1949 or the Vehicles (Excise) Act 1971. A policy of insurance on a minimum of a third party basis or such security as complying with the requirements of Part VI of the Road Traffic Act 1988 must be obtained in respect of the vehicle concerned. The Certificate of Registration and insurance together with a Motor Vehicle Test Certificate (where appropriate) must be available for examination by the Council.

If a vehicle does not meet current policy guidelines, you are advised not to purchase it until a decision has been made on your application.

2. CURRENT VEHICLE POLICIES

The following policy relates to the age limits on the first licensing of hackney carriage and private hire vehicles which was approved by the Licensing Committee on 10 March 2008. As from 1st June 2004, upon grant of licence ALL hackney carriage vehicles shall be white in colour, including "London Type" taxis. Private hire vehicles must NOT be white in colour.

2.1 Applications for the first licensing of a hackney carriage or private hire vehicle should be submitted to the Council within 14 days of the first registration of the vehicle at the DVLA. The mileage at the time of application should be no greater than 500 miles. The applicant may be the second or a subsequent registered keeper but the applicant must demonstrate that there is no more than 14 days between the first registration and transfer to the applicant's name. Applications will normally be dealt with under the Scheme of Delegation to Officers.

2.2 Applications for the first licensing of vehicles falling outside the above policy guidelines will normally be refused but a relaxation of the policy may be considered in exceptional circumstances. The general guidelines for relaxation of the policy are as follows but each case will be dealt with on its merits:

2.2.1 A relaxation of the policy in respect of hackney carriages is likely to relate only to evidenced delay in the DVLA registration process or minor variations in delivery mileage. Applications will normally be dealt with under the Scheme of Delegation to Officers.

2.2.2 In recognition of the exceptional nature of vehicles which are classed as "stretch limousines" or prestige limousine marques no age limit will apply on first licensing as a private hire vehicle provided that a full service history and appropriate safety certification is provided with the application and the vehicle is fit for purpose as a private hire vehicle. Applications of this type will normally be dealt with under the Scheme of Delegation to Officers.

- 2.2.3 In order to ensure that customers can hire taxis with the minimum delay and inconvenience, the policy may be relaxed to allow the licensing of wheelchair accessible hackney carriage or private hire vehicles up to three years old on application, provided that a full service history and safety certification, including a satisfactory conversion certification is provided with the application and the vehicle can satisfy the general licensing requirements. Applications of this type will normally be dealt with under the Scheme of Delegation to Officers.
- 2.2.4 The licensee of any vehicle licensed under the Council's special policy for wheelchair accessible vehicles must ensure that the vehicle is wheelchair accessible at all times and carry such ramps etc that are necessary. The maximum capacity of the vehicle will be specified in the licence and must include provision for at least one wheelchair.
- 2.2.5 A relaxation of the policy will also be considered in exceptional circumstances for applications relating to the first licensing of private hire vehicles. The Council does not seek to limit or define a particular vehicle which is suitable but will adhere to the minimum standards for the size of seats and legroom etc which are available on request. Irrespective of the age of the vehicle it must be capable of satisfying the general licensing conditions and be fit for purpose as a private hire vehicle in terms of passenger safety and comfort. Each application will be reported to the Licensing Sub-Committee for determination on its merits having regard to the following criteria:
- That the vehicle presented is in an exceptional condition in relation to its exterior and interior appearance with no evidence of defects, chips, marks or other evidence of unreasonable wear and tear or damage.
 - That the vehicle presented offers an exceptional standard of safety and comfort for passengers in terms of features offered for example ABS, passenger airbags and ability to meet current requirements on emissions testing.
 - That the application includes evidence that the vehicle has been serviced at the intervals recommended by the manufacturer and at an approved garage. Other relevant documentations such as an MOT certificate should also be provided.
- 2.3 These provisions are not intended to affect the special policy adopted by the Licensing Committee on 16 November 2007 in respect of private hire vehicles affected by the repeal of Section 75 of the Local Government (Miscellaneous Provisions) Act 1976 by the Road Safety Act 2006. (Contract exemption vehicles). This special policy only applies to a specific type of application and is not affected by the proposals contained within this report.
- 2.4 All applicants should be satisfied that they can meet all current policy requirements before submitting an application and are advised that they submit an application which falls outside the above policy guidelines at their own risk. Acceptance of an application does not infer that it will be granted. Applicants are strongly advised not to purchase a vehicle or make any other financial commitment until the application is determined.
- 2.5 Applicants are reminded that if they fail to make application to renew an existing licence before the expiry date any subsequent application must be treated as one of grant. Any relaxation of current policies will only be granted in very exceptional circumstances. The responsibility for making an application rests solely with the licence holder. All applications of this type will normally be reported to the Licensing Sub-Committee for determination.

3. TESTING OF VEHICLES

- (a) A vehicle which has failed the vehicle inspection test must be submitted for re-test, if the application has not been withdrawn, within 14 days from the date of the test or such further period as may be agreed with the Council.
- (b) The part of the licence fee relating to the cost of the vehicle inspection test carried out by the Council is not refundable in the event that the application is not granted by the Council.
- (c) As from 21 February 2002, any applicant whose vehicle is five or more years old (from date of first registration) is required to present the vehicle for testing **THREE** times a year. In all other cases the number of inspections per year will be **TWO**.

4. VEHICLE SPECIFICATIONS

The vehicle must be fitted with four road wheels, at least three doors and be of right hand drive.

The vehicle must be of sufficient seating capacity to carry at least four and not more than eight passengers in addition to the driver. The seating capacity, head and knee room shall be as follows:-

- (a) Height (Inside): From the top of the seat cushion to the lowest part must be not less than 30".
- (b) Knee Space: The measurement between the front of the rear seat and the rear of the driver's seat be not less than 8" when the driver's seat is in a position for a driver of average height.
- (c) Seat Width: The width of the back seat from the squab to the front edge must not be less than 17".

Condition (c) above does not apply to rear facing seats in Council approved purpose built vehicles.

- (d) Rear Seat (Length): The length of the rear seat measured in a straight line over the majority of its length be such as to allow adequate seating accommodation to the extend of at least 16" per person.

All vehicles, other than mini-buses, **must** have rear seat belts fitted in accordance with Motor Vehicles (Fitting of Seat Belts) Regulations 1987

All mini-buses licensed from 1 March 1999 **must** have seat belts fitted to all seats and where fitted **must** comply with the technical and installation requirements of Regulations 46-48 of the Road Vehicles (Construction and Use) Regulations 1986 (as amended).

The vehicle may be fitted with or have use of an ordinary domestic or car wireless receiving set subject to such set not causing any annoyance to other persons for reason of loud continuous or repeated use.

All remould/retread tyres, as from 3 February 1999, **must** be marked and comply with the current BS number.

If the vehicle is an estate car, it must be fitted with a grill sufficient to prevent luggage carried in the rear compartment from coming into contact with persons in the rear seat.

Every "estate car" type vehicle which has more than four seats must have a means of opening the rear tailgate from the inside and signs indicating "Emergency Exit" and the method of operation to open the door must be clearly marked on the inside of the door.

No signs or advertisements shall be displayed in, on or from the vehicle unless first approved by the Council in writing.

5. METER AND EQUIPMENT

The proprietor of a hackney carriage shall cause the same to be provided with a taxi meter so constructed, attached and maintained as to comply with the following requirements: that is to say:-

- (a) the taximeter shall be fitted with a key, flag or other device the turning of which will bring the machinery of the taxi meter into action and cause the word "HIRED" to appear on the face of the taximeter;
- (b) such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
- (c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate of fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance on pursuance of the bylaw in that behalf;
- (d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as to clearly apply to the fare recorded thereon;
- (e) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring.
- (f) the taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

The hackney carriage must be fitted with an illuminated roof sign, so constructed to bear the word "TAXI" in plain letters at least two inches in height, with a further fluorescent sign of similar dimensions bearing the words "FOR HIRE" such sign being affixed to the front windscreen of the vehicle and wired to the taximeter so as to enable it to be extinguished during the carrying of a fare, for which the meter is in operation. The design of these signs is to be approved by the Council. This condition will not relate to the 'London type Taxi' where the flag indicating "FOR HIRE", attached to the meter is plainly visible.

An appliance for extinguishing fire must be carried in such a position as to be readily available for use and maintained in good working order at all times. It must be a minimum of 2.0 kg dry powder meeting the requirements of European Standards BS EN3:1996. Any previously approved appliance may continue to be carried until its expiry date has elapsed or is found to be in an unserviceable condition.

The proprietor of a hackney carriage shall cause to be carried within the vehicle, a first aid kit of no less a standard than the "Industrial Size No. 1 Kit" required under the Office, Shops and Railways Premises Act 1963.

Proprietors should also read a copy of the Council's Byelaws before making an application.

DATED : APRIL 2008

A copy of this leaflet is available at www.bridgend.gov.uk

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BRIDGEND COUNTY BOROUGH COUNCIL

APPLICATION FOR PRIVATE HIRE VEHICLE LICENCE **GUIDANCE TO APPLICANTS**

1. MAKING AN APPLICATION

Application forms should be returned to the Assistant Chief Executive of Legal and Regulatory Services (L.A.R.S.) Legal and Regulatory Services Department, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend. CF31 4WB

The Council must be satisfied that the applicant is a fit and proper person to hold a Private Hire Vehicle Licence.

The vehicle for which application is made must be registered under the Vehicles (Excise) Act 1949 or the Vehicles (Excise) Act 1971. A policy of insurance on a minimum of a third party basis or such security as complying with the requirements of Part VI of the Road Traffic Act 1988 must be obtained in respect of the vehicle concerned. The Certificate of Registration and insurance together with a Motor Vehicle Test Certificate (where appropriate) must be available for examination by the Council and accompany the application form.

If a vehicle does not meet current policy guidelines, you are advised not to purchase it until a decision has been made on your application.

2. CURRENT VEHICLE POLICIES

The following policy relates to the age limits on the first licensing of hackney carriage and private hire vehicles which was approved by the Licensing Committee on 10 March 2008. As from 1st June 2004, upon grant of licence ALL hackney carriage vehicles shall be white in colour, including "London Type" taxis. Private hire vehicles must NOT be white in colour.

2.1 Applications for the first licensing of a hackney carriage or private hire vehicle should be submitted to the Council within 14 days of the first registration of the vehicle at the DVLA. The mileage at the time of application should be no greater than 500 miles. The applicant may be the second or a subsequent registered keeper but the applicant must demonstrate that there is no more than 14 days between the first registration and transfer to the applicant's name. Applications will normally be dealt with under the Scheme of Delegation to Officers.

2.2 Applications for the first licensing of vehicles falling outside the above policy guidelines will normally be refused but a relaxation of the policy may be considered in exceptional circumstances. The general guidelines for relaxation of the policy are as follows but each case will be dealt with on its merits:

2.2.1 A relaxation of the policy in respect of hackney carriages is likely to relate only to evidenced delay in the DVLA registration process or minor variations in delivery mileage. Applications will normally be dealt with under the Scheme of Delegation to Officers.

2.2.2 In recognition of the exceptional nature of vehicles which are classed as "stretch limousines" or prestige limousine marques no age limit will apply on first licensing as a private hire vehicle provided that a full service history and appropriate safety certification is provided with the application and the vehicle is fit for purpose as a private hire vehicle. Applications of this type will normally be dealt with under the Scheme of Delegation to Officers.

- 2.2.3 In order to ensure that customers can hire taxis with the minimum delay and inconvenience, the policy may be relaxed to allow the licensing of wheelchair accessible hackney carriage or private hire vehicles up to three years old on application, provided that a full service history and safety certification, including a satisfactory conversion certification is provided with the application and the vehicle can satisfy the general licensing requirements. Applications of this type will normally be dealt with under the Scheme of Delegation to Officers.
- 2.2.4. The licensee of any vehicle licensed under the Council's special policy for wheelchair accessible vehicles must ensure that the vehicle is wheelchair accessible at all times and carry such ramps etc that are necessary. The maximum seating capacity of the vehicle will be specified in the licence and must include provision for at least one wheelchair.
- 2.2.5 A relaxation of the policy will also be considered in exceptional circumstances for applications relating to the first licensing of private hire vehicles. The Council does not seek to limit or define a particular vehicle which is suitable but will adhere to the minimum standards for the size of seats and legroom etc which are available on request. Irrespective of the age of the vehicle it must be capable of satisfying the general licensing conditions and be fit for purpose as a private hire vehicle in terms of passenger safety and comfort. Each application will be reported to the Licensing Sub-Committee for determination on its merits having regard to the following criteria:
- That the vehicle presented is in an exceptional condition in relation to its exterior and interior appearance with no evidence of defects, chips, marks or other evidence of unreasonable wear and tear or damage.
 - That the vehicle presented offers an exceptional standard of safety and comfort for passengers in terms of features offered for example ABS, passenger airbags and ability to meet current requirements on emissions testing.
 - That the application includes evidence that the vehicle has been serviced at the intervals recommended by the manufacturer and at an approved garage. Other relevant documentations such as an MOT certificate should also be provided.
- 2.3 These provisions are not intended to affect the special policy adopted by the Licensing Committee on 16 November 2007 in respect of private hire vehicles affected by the repeal of Section 75 of the Local Government (Miscellaneous Provisions) Act 1976 by the Road Safety Act 2006. (Contract exemption vehicles). This special policy only applies to a specific type of application and is not affected by the proposals contained within this report.
- 2.4 All applicants should be satisfied that they can meet all current policy requirements before submitting an application and are advised that they submit an application which falls outside the above policy guidelines at their own risk. Acceptance of an application does not infer that it will be granted. Applicants are strongly advised not to purchase a vehicle or make any other financial commitment until the application is determined.
- 2.5 Applicants are reminded that if they fail to make application to renew an existing licence before the expiry date any subsequent application must be treated as one of grant. Any relaxation of current policies will only be granted in very exceptional circumstances. The responsibility for making an application rests solely with the licence holder. All applications of this type will normally be reported to the Licensing Sub-Committee for determination.

3. TESTING OF VEHICLES

- (a) A vehicle which has failed the vehicle inspection test must be submitted for re-test, if the application has not been withdrawn, within 14 days from the date of the test or such further period as may be agreed with the Council.
- (b) The part of the licence fee relating to the cost of the vehicle inspection test carried out by the Council is not refundable in the event that the application is not granted by the Council.
- (c) As from 21 February 2002, any applicant whose vehicle is five or more years old (from date of first registration) is required to present the vehicle for testing **THREE** times a year. In all other cases the number of inspections per year will be **TWO**.

4. VEHICLE SPECIFICATIONS

The vehicle must be a vehicle fitted with four road wheels and at least four doors and be of right hand drive.

There is not to be visible from the outside of the vehicle any sign, notice, device or livery, whether painted on or fixed to the vehicle, other than any sign, device or livery which may have been previously agreed by the Council.

Stickers indicating the owners name only may be affixed to the inside of the front windscreen of private hire vehicles subject to the Council being satisfied as to their size and that they are made of suitable reflective material.

The vehicle must not resemble the London-type cab, or otherwise be of such design or appearance as to lead any person to believe the vehicle is a hackney carriage.

The vehicle must be of sufficient seating capacity to carry at least four and not more than eight passengers in addition to the driver. The seating capacity, head and knee room shall be as follows:-

- (a) Height (Inside): From the top of the seat cushion to the lowest part must be not less than 30".
- (b) Knee Space: The measurement between the front of the rear seat and the rear of the driver's seat be not less than 8" when the driver's seat is in a position for a driver of average height.
- (c) Seat Width: The width of the back seat from the squab to the front edge must not be less than 17".

Condition (c) above does not apply to rear facing seats in Council approved purpose built vehicles.

- (d) Rear Seat (Length): The length of the rear seat measured in a straight line over the majority of its length be such as to allow adequate seating accommodation to the extend of at least 16" per person.

All vehicles, other than mini-buses, **must** have rear seat belts fitted in accordance with Motor Vehicles (Fitting of Seat Belts) Regulations 1987.

All mini-buses licensed from 1 March 1999 **must** have seat belts fitted to all seats and where fitted **must** comply with the technical and installation requirements of Regulations 46-48 of the Road Vehicles (Construction and Use) Regulations 1986 (as amended).

The vehicle may be fitted with or have use of an ordinary domestic or car wireless receiving set subject to such set not causing any annoyance to other persons for reason of loud continuous or repeated use.

All remould/retread tyres, as from 3 February 1999, **must** be marked and comply with the current BS number.

If the vehicle is an estate car, it must be fitted with a grill sufficient to prevent luggage carried in the rear compartment from coming into contact with persons in the rear seat.

Every "estate car" type vehicle which has more than four seats must have a means of opening the rear tailgate from the inside and signs indicating "Emergency Exit" and the method of operation to open the door must be clearly marked on the inside of the door.

5. EQUIPMENT

The proprietor of a Private Hire Vehicle shall cause to be carried within the vehicle, a first aid kit of no less a standard than the "Industrial Size No. 1 Kit" required under the Office, Shops and Railway Premises Act 1963.

An appliance for extinguishing fire must be carried in such a position as to be readily available for use and maintained in good working order at all times. It must be a minimum of 2.0 kg dry powder meeting the requirements of European Standards BS EN3: 1996.

6. EXEMPTIONS FOR SPECIALIST VEHICLES **Effective from 1 August 2000**

Where a private hire vehicle has been licensed and approved as a specialist vehicle exemptions to the above conditions will apply. These exemptions are listed below and will form part of the conditions of licence.

EXEMPTION 1

Approved specialist vehicles only may be white in colour.

EXEMPTION 2

Approved specialist vehicles only are exempt from the requirement to display a licence plate at all times. All other conditions requiring display of licence discs shall remain.

EXEMPTION 3

Approved specialist vehicles only may be **left hand drive**.

7. OPERATING FROM A PREMISES

The proprietor shall obtain shall obtain any necessary planning permission for the use of premises from which the business of operating Private Hire Vehicles is intended to be carried on and shall not engage in or allow such business to be carried on from any premises until any necessary planning permission has been so obtained.

This condition shall apply to:-

- (a) the grant of all new operators' licences on after the 22 December 1988;
- (b) the renewal of operators' licences on or after the 22 December 1988, but only to the extent that the premises intended to be used in connection with the business of operating Private Hire Vehicles were not being so used on the said date.

DATED APRIL 2008

A copy of this leaflet is available at www.bridgend.gov.uk

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