

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