

**THESE CONDITIONS APPLY TO ALL TYPES OF PRIVATE HIRE VEHICLES
UNLESS INDICATED OTHERWISE**

1 Qualifying Proprietors

- 1.1 The applicant must be the proprietor of the vehicle which is the subject of the application.
- 1.2 The word “proprietor” includes a part proprietor and, in relation to a vehicle which is the subject of a hiring agreement, means the person in possession of the vehicle which is under that agreement.
- 1.3 No person including the proprietor of a private hire vehicle may drive the same unless he holds a current single status driving licence issued by the Council

2 Qualifying Vehicles

- 2.1.1 In these conditions:

“Minimum usable luggage space” means minimum internal usable luggage space which must be calculated with reference to the comfort and needs of passengers and may result in less passengers being carried at any particular time than the permitted maximum allowed under the licence.

Minimum useable luggage space shall mean that the vehicle must be capable of accommodating as a minimum within its boot space two large suitcases and one fold up wheelchair (“the luggage requirement”)

In establishing compliance with the minimum useable luggage space requirement there shall be disregarded any ‘boot space’ higher than the top of any rear seat within the vehicle.

The luggage requirement is in addition to any boot space which may be taken up by any spare wheel or space saver tyre.

The calculations for establishment compliance with the luggage requirements shall be as follows;

- 1) A folded wheelchair shall be assumed to be not less than (in inches) (43.5 x 12.5 x 13) = 729 cubic inches (or 11.95 litres)
- 2) One large suitcase shall be assumed to be not less than (in inches) 30 x 19 x 12 = 14409 cubic inches (or 236.1 litres)

“vehicle” means the vehicle which is the subject of a Private Hire Vehicle Licence

“Standard vehicle” means any saloon, hatchback, estate or multi-purpose vehicle that is not fully wheelchair accessible and meets the criteria required by Halton Borough Council.

“Fully wheelchair accessible” means any vehicle capable of carrying a wheelchair in a folded and stored condition with the wheelchair passenger seated in a standard seat or at the election of the wheelchair passenger capable of carrying the passenger while sitting in the wheelchair and meets the criteria required by Halton Borough Council.

2.1.2 To qualify for a Private Hire Vehicle Licence the vehicle must:

2.1.3 Fully Wheelchair Accessible Vehicles

- (1) Have a full M1 type approval.
- (2) Must have European Community Whole Vehicle Type Approval. If a vehicle holds a European Community Small Series Type Approval or a National Small Series Type Approval then permission must be obtained before a licence may be granted.
- (3) A ramp for the loading of a wheelchair and occupant via the nearside passenger door (or in the case of rear loading fully wheelchair accessible vehicles, via the rear door) must be carried in the vehicle at all times. The ramp must be of a design that is able to be effectively secured to the vehicle when being used.
- (4) The vehicle must be fitted with a suitable independent restraint system for both wheelchair and passenger.
- (5) Doorways which are to be used by passengers in wheelchairs (nearside only) must be constructed as to permit an unrestricted opening across the doorway of at least 75cm. The height of the doorway must be at least 120cm. Where a hinged door is fitted, it must open to a minimum angle of 90 degrees.
- (6) Be no more than **13 years** old when first licensed by Halton Borough Council.
- (7) Be under **16 years** old (this will be calculated on the basis of the expiry of the vehicle licence which falls within the **sixteenth** anniversary of first registration of that vehicle).
- (8) Be painted any colour other than black.
- (9) Fold up seats within the boot area of any vehicle must be kept in the folded down position and covered with a suitable boot mat, carpet or liner.
- (10) Have a minimum of 4 usable wheels.

2.1.4 Standard Vehicles (Non Fully Wheelchair Accessible Vehicles)

- (1) Be no more than **5 years** old when first licensed by Halton Borough Council.
- (2) Be under **10 years** old (this will be calculated on the basis of the expiry of the vehicle licence which falls within the tenth anniversary of first registration of that vehicle).
- (3) 4/5 doors.
- (4) minimum knee room spacing (the distance between the front surface of all seat backs and the back(s) in front): 650mm (25.61").
- (5) minimum front knee room spacing (the distance between the front surface of the front seat back(s) and the surface of the front console: 650mm (25.61").
- (6) minimum foot space (the clear space in front of the seat): 300mm long, 250mm wide and 80mm high (11.82" x 9.85" x 3.15").
- (7) minimum rear cabin width: 1346mm (53").
- (8) be wheelchair accessible.
- (9) painted any colour other than black.
- (10) Fold up seats within the boot area of any vehicle must be kept in the folded down position and covered with a suitable boot mat, carpet or liner.

2.1.5 Be any other type of vehicle, such as a limousine, which may be approved by the Council from time to time subject to any special requirements deemed appropriate to such vehicle.

2.1.6 Calculation of Age (For the avoidance of doubt)

Vehicle ages shall be calculated using the following principles;

- Ages shall be calculated from the date of first registration of the vehicle.
- The maximum and minimum ages specified in these conditions relate to the date when the first application is made in respect of the vehicle or (as the case may be) the date when the current licence applicable to a vehicle is due to expire;
- Where a vehicle has not reached its maximum age when the first application is made in respect of the vehicle a licence granted in respect of such vehicle shall continue for a period of 12 months notwithstanding that the vehicle shall have exceeded its maximum age by the date of expiry of such licence;
- Where a vehicle has not reached its maximum age when the date when the current licence applicable to such vehicle is due to expire a licence granted in respect of such vehicle shall continue for a period of 12 months notwithstanding that the vehicle shall have exceeded its maximum age by the date of expiry of such licence provided that no renewal licence shall be granted in respect of such vehicle if the vehicle shall not have qualified for renewal by such date of expiry.

2.2 Passenger Numbers and Seat Configuration

2.2.1 The permitted number of passengers shall be one passenger per permitted passenger seat and the number of permitted passenger seats shall be calculated in accordance with the following rules:

- Fold up seats within the boot area of any vehicle must be kept in the folded down position and covered with a suitable boot mat, carpet or liner.
- In all vehicles the permitted passenger seats shall be in accordance with manufacturer's specifications except where a vehicle has 3 rows of seats in which case the nearside seat on the middle row shall be permanently removed and the connecting points sealed.

2.3 In all cases the above rules are subject to (1) the right of proprietors to request fewer passenger numbers to be licensed and (2) to the minimum sizes specified elsewhere in these Conditions.

2.4 Trailers

2.4.1 Trailers shall be subject to prior approval by the Council.

2.4.2 An identity plate supplied by the Council shall be affixed to the rear of the trailer.

2.4.3 A trailer shall only be used in conjunction with one licensed vehicle.

2.4.4 Trailers shall be tested initially before use at the Council's testing facility and thereafter shall be tested annually at the same time as the towing vehicle.

2.5 Storage Roof Pods

2.5.1 Storage roof pods shall be subject to individual prior approval

2.5.2 Privacy Glass

Privacy glass shall be permitted subject to the following rules:

- The permitted degree of tinting of glass in front of the 'B - Pillar' shall be in accordance with national standards

- The permitted degree of tinting of glass behind the vehicles 'B - Pillar' shall not exceed the vehicle manufacturer's specification for the vehicle in question.

3 Fittings Applicable to all Vehicles

- 3.1 The vehicle **must** be fitted with approved permanent mounting brackets which must be positioned externally on the front near side or centre of the vehicle and the rear off side or centre of the vehicle in an upright position above or below the bumper bar where it is clearly visible and not obstructing lights or indicators.
- 3.2 The vehicle **must not** be fitted with any roof sign and mounting. This includes roof signs or "pods" previously fitted to the vehicle for any reason.
- 3.3 The vehicle **must not** be fitted with any signs or adverts using the words "For Hire" or "Taxi" (or any derivative) unless authorised by the Council where it is incorporated into an advertisement or door sign.
- 3.4 The vehicle must be equipped with a full spare tyre or a space saver tyre with the necessary tools for their use as a minimum requirement.
- 3.5 There is no requirement for a full size spare tyre or a space saver to be carried where the vehicle is fitted with 4 approved run-flat tyres and is equipped with a tyre pressure monitoring system. In the case of a run-flat tyre getting a puncture, the tyre must be replaced (or repaired in accordance with the manufacturers guidelines) prior to carrying any further clients or before the maximum number of miles recommended by the manufacturer is travelled.
- 3.6 Tyres that are 10 years old or over from the date of manufacture must not be fitted to any licensed vehicle or used as a spare/space-saver tyre. This applies to both new and re-treaded tyres.

4 Vehicle Testing

- 4.1 Prior to the issue of a Private Hire Vehicle Licence all vehicles other than brand new vehicles will be tested to ascertain their condition. Brand new vehicles will be checked to establish compliance with taximeter (and its sealing), signs, fire extinguishers and seat belts requirements only;
- 4.2 All vehicles three years old and over will be subject to automatic six-monthly testing.
- 4.3 Vehicle tests and checks will take place at the Council's Vehicle Testing Facility at Lowerhouse Lane, Widnes. On passing the annual test a Certificate of Compliance will be issued by the tester in lieu of an MOT Certificate
- 4.4 Vehicle test fees are payable in accordance with the Council's current scale of charges.
- 4.5 Arrangements for vehicle testing are entirely the responsibility of the licence holder and in particular, the dates and times of six-monthly tests shall be arranged at each preceding annual test between the licence holder and the Council's Vehicle Testers. No further reminders will be issued by the Council's Legal Services Division.
- 4.6 **Expiry of Licences**

Private hire vehicle licences last for 12 months.

4.7 Certificate of Compliance

- Halton Council is entitled to issue Certificates of Compliance.
- Hackney carriage vehicles and private hire vehicles are exempt from having to have an MOT if a Certificate of Compliance has been issued.
- The exemption only applies while (1) the Certificate of Compliance is in force AND (2) the hackney carriage vehicle licence or private hire vehicle licence is in force.
- An MOT is therefore required if a vehicle licence is revoked or expires but not if it is suspended.

5 Taximeters

A taximeter cannot be fitted in a Private Hire Vehicle unless the Private Hire Operator from where jobs are dispatched uses the Hackney Carriage tariff set by Halton Borough as its fare structure. When a taximeter is allowed to be fitted in a Private Hire Vehicle then it must be tested and approved by the Council and shall be fitted in a position approved by the Council. A taximeter shall be deemed to be approved if it bears the EU Pattern Approval Sign or the EU Partial Initial Verification Mark. In other cases specific approval will be required from the Council. All taximeters shall be 'calendar' type. Taximeters must not be used unless sealed by the Council.

6 Display of Items Supplied by the Council

The following items will be supplied by the Council and shall be permanently displayed on the vehicle in an approved manner:

- licence plates (front and rear)
- an interior licence number plate
- a sign on adhesive plastic of a size, colour, design and wording approved by the Council shall be required to be positioned on the upper half of both front doors (i.e. immediately below the windows) indicating that the vehicle is a licensed Private Hire Vehicle
- On 'Chauffeur type' vehicles a 'gold plate' may be fitted following consultation with and permission from the Council. No advertisement whatsoever will be permitted on these vehicles.

7 Return of Vehicle Plates

Licence plates front, rear and internal shall be returned to the Council within 24 hours of a vehicle licence expiring.

8 Fire Extinguishers

A fire extinguisher shall be maintained within the vehicle in a position approved by the Council. The extinguisher shall comply with BSEN3 1996, bear a K mark and licence number and have a gauge. The extinguisher shall be subject to annual test by a qualified tester and the test certificate shall be produced to the Council when the vehicle tested by the Council.

The fire extinguisher shall be permanently marked with the vehicle registration number and/or plate number.

9 Display of Table of Fares for Vehicles Fitted with Taximeters

If a taximeter is fitted to the vehicle the licence holder shall ensure that a copy of the fare table supplied by the Council from time to time is exhibited inside the vehicle at all times and that the same is not concealed from view or rendered illegible.

10 Maintenance of the Vehicle

The licence holder shall ensure that the vehicle shall be maintained in a sound mechanical and structural condition **at all times** and be capable of satisfying the Council's mechanical and structural inspection at any time during the continuance of the vehicle licence.

11 Mechanical and Structural Alterations to the Vehicle

The licence holder shall not allow the mechanical and structural specifications of the vehicle to be varied without the written consent of the Council's Solicitor. No equipment or object shall be placed above the dashboard in a position contrary to the relevant test regulations.

12 Signs and Advertisements

No signs or advertisements shall be displayed on any Private Hire Vehicle except that:

- a one line display on the rear windscreen (top or bottom so as not to interfere with rear visibility), provided that letters within the advertisement shall not exceed two inches in height and provided that the display shall only contain a telephone number and the identity of the system shall be permitted.
- A sign or advertisement covering the whole (or part) of the rear windscreen may be allowed only where prior approval has been given by the Council. In respect of authorised adverts for rear windscreens, only one way film may be used.
- Where the Private Hire Operator requires a door sign which has been approved by the Licensing Section, they must be fitted to the upper section of the nearside and offside rear door panels. The door signs must be attached by appropriate adhesive and not by magnet. Under these circumstances it becomes a condition of licence and failure to display the signs correctly may result in action being taken against the vehicle licence-holder and/or driver.

12.1 The Licence Holder shall ensure that before driving a licensed hackney carriage or private hire vehicle
or renting a vehicle to a licensed hackney carriage driver or private hire driver that the customer
feedback notice, issued by the Council, is displayed in the vehicle in a prominent location so that it can
be seen by all passengers.

13 Duration of Licences

The licence period stated on the vehicle licence shall apply unless the licence is revoked earlier except that the licence period shall expire six months after the commencement of the licence period if for whatever reason the vehicle requires a six monthly test and does not pass its six-monthly test.

14 Notification of Transfer

The licence holder shall notify the Council in writing immediately of any transfer of the interest in the vehicle.

Licensed Hackney Carriages/Private Hire Vehicles may be “transferred” on payment of a fee, from one proprietor to another on either a permanent or a temporary basis. (See temporary transfers).

In the trade this is known as “transferring the plate” but it is important to clarify that the transfer actually relates to the Licensed Vehicle and to the right to be the proprietor of that vehicle.

The plate is merely a physical indication that a particular vehicle is licensed, and it always remains the property of the Licensing Authority.

Any financial arrangements between transferor and transferee are personal matters in which the Local Authority has no involvement.

PLEASE NOTE IT IS PARTICULARLY IMPORTANT THAT ALL PARTIES ARE FULLY AWARE OF THE EXPIRY DATE OF THE LICENCED VEHICLE WHICH IS THE SUBJECT OF THE TRANSFER.

For renewal of Hackney Carriage and Private Hire vehicle licences please refer to point 4.6 of the Hackney Carriage and Private Hire Vehicle Conditions.

15 Temporary Transfers

In certain circumstances, a Vehicle Licence may be subject to a Temporary Transfer. This would occur if the Licensed Vehicle was “off the road” for an extended period. (For example, this situation might arise if the licensed vehicle was involved in a road traffic collision and required extensive repairs.)

These Temporary Transfers will normally be instigated by the Insurance Company which is dealing with the incident, and will only be permitted between Official bodies who are directly concerned with any incident.

A Temporary Transfer will last for an initial period of 2 months.

Should the period of repair take longer than 2 months the licence holder should contact the Licensing Section and a further fee will be payable for a further temporary licence to be issued for 2 months.

Failure to contact the Licensing Section and pay the required fee will result in the temporary vehicle being unlicensed.

A second compliance test is not required.

16 Temporary Licences

All temporary licence plates (front, rear and internal) shall be returned to the Council in exchange for permanent licence plates. No new licence will be issued to a proprietor unless the temporary plates have been returned.

17 Notification of Damage to the Vehicle

The licence holder shall report to the Council within 72 hours of the occurrence thereof any damage to the vehicle (whether involving an accident or otherwise).

18 Notification of Change of Address

The licence holder shall give notice in writing to the Council's Solicitor on any change of address during the period of the licence within seven days of such change taking place.

19 Retention of Single Status Drivers Licences

The licence holder shall retain a copy of the Single Status Drivers Licence of all drivers using the vehicle and produce the same to an authorised Officer of the Council or Constable on request.

20 Copy Insurance Certificates to System Operator

The licence holder shall ensure that a copy of the certificate of insurance in respect of the vehicle is deposited with the licensed operator through which the vehicle is working.

21 Security Cameras in Vehicles

Security cameras in the vehicle shall be permitted provided that:

- the existence of the camera is clearly indicated by a notice displayed on the passenger window; and
- images obtained from the security cameras shall not be used for commercial purposes or in contravention of data protection legislation.

22 Compliance with Legislation

This licence is issued subject to compliance with relevant provisions in the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976 and the Transport Act 1985.

23 Non-compliance with Conditions

Failure to comply with any of the conditions attached to this licence may result in prosecution.

24 Discretion of the Council

The Council reserves the right to exercise its discretion at any time in connection with any of these conditions.