



## **PRIVATE HIRE VEHICLE LICENCE**

### **CONDITIONS OF LICENCE**

**Effective from: 01 October 2011**

#### **1.0 Vehicles**

Vehicles must not seat more than eight Passengers (not including the driver) and:

- (a) Be a Light Passenger Vehicle as defined by section 85 of the Road Traffic Act 1988 and have a minimum of 4 wheels;
- (b) Provide sufficient means by which any person in the carriage may communicate with the driver;
- (c) Have a watertight roof or covering;
- (d) Provide at least two windows on each side of the vehicle of which one window on one side must have a means of opening/closing. Tinted windows will only be permitted in accordance with the manufacturers or specialist coachbuilder's specification and must comply with the Road Vehicles (Construction & Use) Regulations 1986 as amended.
- (e) Have seats that are properly cushioned and covered;
- (f) Have a floor provided with a proper carpet, mat, or other suitable covering.
- (g) Have fittings and furniture in a clean condition and be well maintained and in every way fit for public service.
- (h) Provide means for securing luggage if the carriage is so constructed as to carry luggage;
- (i) Where tilting passenger seats are fitted the seat must :-
  - Be forward facing
  - Designed for use by an adult
  - Have a three point seatbelt
- (j) Have a minimum of four passenger doors including an entry/exit point for the driver if a vehicle other than a taxi approved to the specifications of the Public Carriage Office.

## **2.0 Test Requirements**

- 2.1 All vehicles shall meet the Council's fitness requirements and for this purpose will be required to attend a six-monthly MOT inspection (and any other inspection deemed necessary by an authorised officer)
- 2.2 Once the vehicle reached the age of 9 years it is required to have 3 MOT tests per year, tests being spaced evenly throughout the year at four monthly intervals.
- 2.3 MOTs can be undertaken by any 'Nominated Tester' or Authorised Vehicle Examiner at a Vehicle Testing Station appointed under Section 45 of The Road Traffic Act 1988. The cost of all tests being met by the vehicle operator.
- 2.4 Any mechanically operated ramp must undergo a systematic and detailed examination at regular intervals and at least every six months by a competent person in accordance with the Lifting Equipment and Lifting Operations Regulations 1998 to ensure it is fit for purpose. Non-mechanical ramps will be inspected by a licensing officer.
- 2.5 MOT certificates will only be accepted by the Licensing Authority within 10 working days of issue.
- 2.6 If the inspection determines that the vehicle is not fit for the purpose of carrying passengers the proprietor should notify the Licensing Authority soon as reasonably practicable, and in any case within seventy-two hours of the occurrence. The Licensing Authority may at that time suspend the licence and by issue of notice require the proprietor of that private hire vehicle to return the plate to them within seven days after the service of that notice.

### **Trailers.**

- 2.7 To ensure that a trailer used with a PHV (when undertaking the licensable activity) is maintained to an appropriate standard, they are required to be inspected annually with the vehicle to which it relates and issued with a plate that relates to the towing vehicle(s). Advice on trailers can be found in the guidance notes for private hire and hackney carriages.
- 2.8 In the event of an operator failing to present to the Licensing Authority an MOT test certificate as required in accordance with paragraph 2.5 unless delayed or prevented by sufficient cause approved by the Licensing Officer, the Licensing Authority may suspend the licence and by issue of notice require the operator of that hackney carriage to return the plate to them within seven days after the service of that notice.

## **3.0 Appearance**

- 3.1 The plate identifying the vehicle as a Private Hire Vehicle as issued by the Council and required to be exhibited on the vehicle pursuant to Section 48(6) of the Local Government (Miscellaneous Provisions) Act 1976 (unless exempted by the Council) shall be securely fixed to the outside rear of the vehicle in a conspicuous position, kept clean and displayed at all times and in such a manner as to be easily removable by an authorised Officer of the Council or a constable.

### **Advertisement**

- 3.2 Advertisements are permitted to be carried on the vehicle in accordance with the guidelines below.

- 3.3 Materials that may be used for advertisements should be of a quality not easily defaced, soiled or detached. Reflective material is not to be used for advertising purposes. The advertisement may be affixed directly onto the body of the vehicle.
- 3.4 Use of magnetic panels is discouraged for anything other than short term use (less than one week) as they lack adequate adhesion.

### **3.0 Signs and Notices.**

- 3.5 No vehicle shall display a roof sign.
- 3.6 All vehicles (with the exception of executive style vehicles) will be required to display Council issued signage on the side of the vehicle. This will carry the Council logo, PHV licence number and the words 'Prebooked Only'.

### **4.0 Alteration of Vehicles.**

- 4.1 No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the written approval of the Council at any time while the licence is in force.

### **5.0 Interior Markings.**

- 5.1 The proprietor shall cause to be clearly marked and maintained inside the vehicle in such a position as to be visible at all times the maximum number of persons licensed to be conveyed therein and the number of the licence.

### **6.0 Safety Equipment.**

- 6.1 There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a suitable and efficient fire extinguisher complying with the current BS standard and suitable first aid kit complying with the current BS standard, such equipment to be carried in such a position in the vehicle as to be readily visible or in other suitable position, it must be available for immediate use in the event of an emergency.
- 6.2 Individuals or operators are permitted to install a CCTV camera in a licensed vehicle, in accordance with the appropriate legal framework, but they should first notify the Council of their intention to do so.

### **7.0 Documentation.**

- 7.1 Prior to licensing and thereafter, as required, satisfactory evidence must be produced that there is in force for the use of the vehicle a policy of insurance covering the carriage of passengers for reward or such security as complies with the requirements of Part VI of the Road Traffic Act 1972 along with a satisfactory MOT certificate. The proprietor must ensure that at all times a list is maintained of all licensed drivers authorised under the policy to drive the vehicle and must make such a list available to an authorised officer of the Council or Constable at all reasonable times, when so required.

### **8.0 Change of Address.**

- 8.1 The proprietor shall notify the Council in writing of any change of address during the period of the licence within seven days of such change taking place.

### **9.0 Convictions.**

- 9.1 The proprietor shall within seven days disclose to the Council in writing details of any conviction of any type imposed on him (or, if the proprietor is a company or partnership, on any of the directors or partners) during the period of licence.

## 10.0 Advertisements.

No operator shall cause or permit any advertisement in respect of their business on their private hire vehicles used for that purpose the words "taxi" or "cab" in the singular or plural or hire unless the word "hire" forms part of the company name. or any word or similar meaning or appearance to any of these words, whether alone or as part of another word.

## Trailer Guidance

Private Hire and Hackney Carriage vehicles licensed by the Council are permitted to tow trailers when undertaking the licensed activity providing that the following conditions are complied with at all times: -

1. The use of trailers is only permitted for vehicles of the multi-passenger type (more than 4 passenger seats) and on pre-arranged journeys where passenger's luggage cannot be safely accommodated within the vehicle.
2. The licensed towing vehicle's insurance must cover the towing of a trailer.
3. Trailers must not be left unattended anywhere on the highway.
4. The speed restrictions applicable to trailers must be observed at all times.
5. A spare wheel for the trailer and adequate tools to change a wheel must be carried at all times by a licensed vehicle whilst towing a trailer.
6. The towing of a trailer by a licensed vehicle shall only permit the conveyance of luggage and belongings owned by a passenger whilst the vehicle is hired by a passenger within the vehicle.
7. The tow bar must comply with the type approval regulations in respect of all tow bars fitted to cars after August 1998.
8. Drivers of vehicles towing trailers must ensure that they have the correct driving licence group to permit them to tow the relevant trailer, as per the DVLA guidance (info 30) Driving Licensing Requirements for Towing Trailers in Great Britain.
9. Trailers must be inspected at initial licensing and annually thereafter by a garage approved by the Council for that purpose.
10. An additional plate will be issued by the Council for each vehicle licensed to tow trailers and the relevant plate must be affixed to the rear of the trailer near the vehicle number plate.
11. Un-braked trailers shall be less than 750 KGs gross weight.
12. Trailers over 750 KGs gross weight shall be braked acting on at least two road wheels.
13. The towing vehicle must have a kerb weight of at least twice the gross weight of the trailer.
14. A suitable lid or other approved means of enclosure shall be fitted to secure the contents within the trailer when in use and to keep it watertight.
15. The maximum permissible length of the trailer shall be 7 metres including the drawbar and coupling.
16. The width of the trailer shall not be greater than the towing vehicle subject to no trailer being wider than 2.3 metres.
17. The maximum length for braked twin axle trailers is 5.54 metres.

18. The trailer must at all times comply with all Road Traffic legislation requirements, in particular those as laid down in the Road Vehicles (Construction and Use) Regulations 1986.
19. The trailer shall not display any form of sign or advertisement not required or approved by the Council or Road Traffic legislation.

### **Stretched Limousine Guidance**

For the purpose of licensing a limousine by the Council, a limousine is described as a luxurious vehicle that has been stretched by the insertion of an additional section not exceeding 3048 millimetres to extend the length of the vehicle. The vehicle shall be capable of carrying up to but not exceeding eight passengers.

This type of vehicle will be subject to all the private hire vehicle conditions detailed above and will also be required to produce a number of additional documents. The following documentation in original form or certified copies (not photocopies) shall be produced prior to licensing:

- Completed importation documentation – Single Vehicle Approval (SVA) or
- A qualified Vehicle Modifier certificate – (QVM). This is issued by the Coach Builder
- DVLA registration document (V5)
- Insurance documents covering Hire and Reward, Public Liability Insurance and where drivers other than the proprietor are used, Employer Liability Insurance
- Vehicles converted to run on LPG must produce an installation certificate from a LPGA approved UK vehicle conversion company
- Documentation to show the overall weight of the vehicle (as displayed on the vehicle.)

### **Advertising on Vehicles**

Advertisements will not be permitted by Shropshire Council if, in Shropshire Council's reasonable opinion, the advertisement falls within any of the following categories.

- (a) The advertisement does not comply with the law or incites someone to break the law.
- (b) The advertisement does not comply with the British Code of Advertising, Sales Promotion and Direct Marketing.
- (c) The advertisement is likely to cause widespread or serious offence to members of the public on account of the nature of the product or service being advertised the wording or design of the advertisement or by way of inference.
- (d) The advertisement depicts men, women or children in a sexual manner or displays nude or semi-nude figures in an overtly sexual context.

*For example, while the use of underdressed people in most underwear advertising may be seen as an appropriate context, gratuitous use of an overtly sexual nature will be unacceptable.*

- (e) The advertisement depicts or refers to indecency or obscenity or uses obscene or distasteful language including that set out in a foreign language.

- (f) The advertisement relates to lap-dancing, 'gentlemen's clubs', escort agencies or massage parlours.
- (g) The advertisement depicts direct or immediate violence to anyone shown in the advertisement.
- (h) The advertisement condones or provokes anti-social behaviour.
- (i) The advertisement relates to films that have not been granted permission for public exhibition.
- (j) The advertisement contains images or messages, which relate to matters of public controversy and sensitivity.
- (k) The advertisement refers to or portrays (or gives the impression of portraying) a living person unless the written consent of that person is obtained and is produced to Shropshire Council.
- (l) The advertisement contains negative references to Shropshire Council's services or those services provided or regulated by other Local Authorities.
- (m) The advertisement relates to a political party or parties or a political cause.
- (n) In the case of digital media, the advertisement must not pose a health and safety risk as a result of flickering or other visual imagery.