

**CASTLE POINT  
BOROUGH COUNCIL**

**HACKNEY CARRIAGE VEHICLE  
LICENCE**

**PRE-LICENSING STANDARDS**

**AND**

**CONDITIONS OF LICENCE**

## HACKNEY CARRIAGE VEHICLE LICENCE

### Pre-Licensing Standards

1. A person being considered for a Hackney Carriage (Plate) on the first and subsequent occasions shall be over 21 years and be vetted by the Criminal Records Bureau so as to satisfy conditions 1.10 to 1.13 of the Hackney Carriage Pre-Licensing Standards and shall:
  - 1.1 Have a vehicle, which is not more than seven years old when first licensed, and is not more than ten years old, with the exception of London Type Cab or other wheelchair accessible vehicle, which can be up to fifteen years old. Existing Private Hire Vehicles will be exempt from the seven-year rule if they are upgrading to a Hackney Carriage vehicle.
  - 1.2 Have a vehicle that is right-hand drive in good mechanical order and body condition, and is in full and proper operational order in every respect.
  - 1.3 Have a vehicle, which is suitable in type size and design for use as a Hackney Carriage and according to the manufacturer's unaltered specification has:
    - 1.3.1 Rear seat accommodation for at least 3 persons, with a minimum of 43cm (17") per person.
    - 1.3.2 In addition to the driver up to two passenger seats in the front of the vehicle, provided each seat has separate lap/diagonal seat belts.
    - 1.3.3 Except with minibuses and similar vehicles, no less than three doors in addition to any door provided for the driver, each adjacent to and allowing direct access to and from the passenger seats
    - 1.3.4 An overall height of not less than 135cm (53") for saloon or estate type vehicles, 173cm (68") for Multi-purpose vehicles and wheelchair accessible vehicles. All vehicles should have an overall length of not less than 432cm (170")
    - 1.3.5 A rating of not less than 1550cc
  - 1.4 Submit the vehicle for mechanical inspection when requested and at least:
    - 1.4.1 Upon initial application.
    - 1.4.2. Annually in respect of vehicles up to seven years old.
    - 1.4.3. Six monthly in respect of vehicles over seven years old and up to ten years old at an approved MOT testing Centre of your choice and expense.
    - 1.4.4. Four monthly in respect of vehicles over ten years old defined under condition 1.1 at an approved MOT testing Centre of your choice and expense.
2. Produce the current Vehicle Inspectorate MOT Test Certificate immediately following each mechanical inspection and upon request.
3. Produce such insurance documents as may be required, specifying that the vehicle is insured for public hire.
4. Produce vehicle registration documents or any other evidence of proprietorship of the vehicle as may be required by the Council.
5. Have been a licensed Hackney Carriage or Private Hire Vehicle driver for a continuous period of at least three years to the date when an application is lodged for a Hackney Carriage licence.
6. Not be a person who would be refused a Hackney Carriage Driver's Licence by reason of a conviction recorded against him.

7. Not be a person who already holds a current taxi licence

### **Wheelchair Accessible Vehicles**

8. A proprietor of a current Hackney Carriage Vehicle Licence may also hold one additional vehicle licence providing that the additional vehicle is wheelchair accessible
  - 8.1 This licence will be issued to a wheelchair accessible vehicle and will not be permitted to be replaced at any time by another vehicle other than a wheelchair accessible type.
    - 8.1.1. The licence holder shall ensure that the licensed vehicle is to transport mobility impaired passengers at their request whenever not already hired by another person.
    - 8.1.2. The vehicle must have at least two doors giving access to the area in the vehicle where the wheelchair and its occupants are to be accommodated. Each of these doors must have an aperture of at least 1250mm in height and an aperture width of at least 735mm.
    - 8.1.3. The vehicle must be provided at all times with a ramp or other mechanism to permit the safe entry and egress of a passenger seated in a wheelchair. The ramp or other mechanism must be capable of transporting a combined wheelchair and occupant mass of 300 kg minimum between the road and the vehicle interior without the assistance of any person but the driver of the vehicle. A ramp, where used must be such as to provide at least 3.6 units of length for each unit of height, measured at its highest point.
    - 8.1.4. The vehicle must be side loading, rear loading will not be allowed.
    - 8.1.5. The wheelchair and its occupant must be accommodated in either a forward facing or rear facing position in such an area of the vehicle that the occupant has an unrestricted view of the taximeter. This area must be at least 1400 mm in height measured from the floor to the roof lining and have a length of at least 1200 mm and a width of at least 750 mm available for the exclusive accommodation of a wheelchair and its occupant at all times while the vehicle is standing or plying for hire.
    - 8.1.6. The area designated for the accommodation of the wheelchair and its occupant must be provided with a restraint system or systems fixed to the structure of the vehicle by an appropriate means for the purpose of securing the wheelchair and its occupant.
  - 8.2. All proprietors of wheelchair accessible vehicles must have available in the vehicle a copy of the guidance notes on the carriage of passengers using wheelchair in taxis together with the code of practice for the carriage of passengers in wheelchairs in taxis.

### **Trailers**

9. A proprietor of a current Hackney Carriage Vehicle Licence may also licence a trailer for the vehicle. This trailer must conform to the following conditions:-
  - 9.1 The trailer must be over 750 kg carrying capacity.
  - 9.2. The trailer must be completely covered to protect luggage.
  - 9.3. The trailer must have an overrun braking system and a safety cable breakaway system.
  - 9.4. All lighting must comply with the Road Vehicle Lighting Regulation 1992 and have at least one fog lamp fitted.

All relevant facts will be taken into account when consideration is given to an application for a Hackney Carriage Vehicle Licence (Plate) and it may be that additional or higher standards will be imposed. A Licence will not be issued in the name of a Company.

**Note:** After the issue of a Hackney Carriage Vehicle licence, the vehicle may only be driven by a driver holding a current Hackney Carriage Drivers Licence.

## **Conditions of Licence**

### ***Introduction***

The proprietor of the vehicle must ensure that the vehicle complies with the following conditions at all times.

#### **1. Pre-Licensing Standards**

Satisfy the Pre-Licensing Standards for Hackney Carriages.

#### **2. Safety Equipment**

- 2.1 An efficient fire extinguisher shall be carried of a type conforming to BS5423 1997,98,99 with a minimum rating of 8A – 21B (type AFFF 2 litre minimum capacity recommended). It must be readily available for use in case of emergency.
- 2.2 Vehicles specifically adapted to carry wheelchairs should carry two efficient fire extinguishers conforming to BS5423 1997,98,99 with a minimum rating of 8A – 21B (type AFFF 2 litre minimum capacity recommended). They must be readily available for use in case of emergency.

#### **3. Interior Markings**

The Proprietor shall ensure that the following are clearly displayed inside the vehicle:

- 3.1 The number of the licence
- 3.2 The table of fares currently in operation.
- 3.3 Where a “FOR HIRE” flag is installed it must be situated at the bottom left side of the front windscreen, of which the illuminated area does not exceed 16 square inches.
- 3.4 Where in-car video surveillance is installed, a notice to this effect must be clearly displayed inside the vehicle, the wording of which shall be approved by Castle Point Borough Council.
- 3.5 A panel not exceeding ten inches by six inches inside such carriage for advertisement purposes provided that such panel is not illuminated and is not readily visible from outside the carriage.

#### **4. Exterior Signs**

The Proprietor shall ensure that:

- 4.1 The plate bearing the number of the licence granted shall be displayed on the outside of the vehicle near to the rear number plate.
- 4.2 Castle Point Borough Council’s official emblem must be permanently fixed on the panels of the front passenger doors.
- 4.3 A “TAXI” sign on the roof of such carriage and is to illuminated when the carriage is not available for hire; save for purpose built vehicles, which have an integral “TAXI” roof sign.
- 4.4 Where an inscription which identifies the circuit or company of the vehicle is to be displayed, it may be positioned either:
  - 4.4.1 In the rear screen of the vehicle, and must not obstruct the view to the rear, and/or
  - 4.4.2 On the panel of each rear door, and/or
  - 4.4.3 On the boot lid or hatch back door or any of these combinations.

4.5 Vehicles may display the flag of St. George or the Union Flag at any time. It shall not exceed in size 18” x 12” and not obscure the Drivers vision.

4.6 No Christmas decorations to be displayed in the front window.

## **5. Advertisements**

5.1 Advertisements may be placed on the outside of the rear doors or on the boot lid or hatchback door or moulded rear bumper but restricted to no more than three.

5.2 Display advertising on the rear door panels of such content that has been approved by the Licensing Manager.

5.3 Advertising on the rear boot of the vehicle.

5.4 The written approval of Castle Point Borough Council shall be obtained as to the content and layout of any advertisement before it is fitted or displayed.

## **6. Inspection**

The Proprietor will submit the vehicle for mechanical inspection when requested to the Licensing Department and at least:

6.1 On first application for a licence.

6.2 Annually in respect of vehicles up to seven years old.

6.3 Six monthly in respect of vehicles over seven years old and up to ten years old.

6.4 Four monthly in respect of vehicles over ten years old defined under condition 1.1 of the Pre-Licensing Standards.

6.5 After any repair made necessary by an accident affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers.

## **7. Taximeter**

7.1 The vehicle shall be fitted with a taximeter visibly recording the approved passenger fare payable.

7.2 The position of the taximeter shall be agreed by the Council’s inspecting officer and shall be maintained at all times so that the fare displayed can readily be seen by the passenger.

7.3 The operation of the taximeter shall accord with any byelaws made by the Council.

7.4 The taximeter shall be tested for accuracy on initial application and following any changes to the table of fares or as required. Meters will be sealed by Council staff after each inspection.

## **8. Usage**

8.1 The vehicle will be available for business at all reasonable times.

8.2 Whilst a vehicle is licensed and plying for hire as a Hackney Carriage, it shall not be driven by any person other than a driver properly licensed by Castle Point Borough Council.

8.3 If the proprietor permits or employs any other person to drive the vehicle, that person must deposit a copy of his/her Hackney Carriage Drivers licence with the proprietor, before he/she commences to drive the vehicle. The proprietor will record the details of the licence in a register for that purpose. The copy of the Hackney Carriage Drivers licence will be retained until such time as the driver ceases to be permitted or employed to drive the vehicle.

## **9. Carriage of Assistance Dogs**

The Proprietor shall ensure the Drive of the vehicle complies with the requirement to carry a Guide, Hearing or Assistance Dog when requested, unless the Driver is a holder of an Exemption Certificate.

## **10. Residence and Change of Address**

A Proprietor, who changes the place at which he/she lives, or in the case of a Company, operates, shall notify the Council of such change of address within seven days of the date of the event.

## **11. Production of Documentation**

When requested, a proprietor shall:

- 11.1 Produce the current Vehicle Inspectorate MOT Test Certificate following each mechanical inspection and upon request.
- 11.2 Produce within 7 days of a request, such insurance documents as may be required, specifying that the vehicle is insured for public hire.
- 11.3 Produce vehicle registration documents or any other evidence of proprietorship of the vehicle.

## **12. Accidents**

The Proprietor must notify the Licensing Department at Castle Point Borough Council of any accident in which the vehicle has been involved within 72 hours of the occurrence.

## **13. Byelaws and Regulations**

- 13.1 The Proprietor shall ensure that any Driver complies with the Council's Byelaws and Conditions.
- 13.2 The proprietor should make themselves familiar with statutory requirements relating to Hackney Carriage Licensing in the Town Police Clauses Act 1847 (as amended), Public Health Acts, 1875 and 1936 and the Local Government (Miscellaneous Provisions) Act 1976.

## **14. Surrender of Licence**

- 14.1 If the Proprietor ceases to use the vehicle for the purpose for which it is licensed they shall surrender the licence and return the plate, which remains the property of Castle Point Borough Council.
- 14.2 The Licence may be revoked upon the breach, by the Licence Holder, of any terms and conditions of the Licence.

## **5. Appeals**

- 15.1 An Appeal may be brought against the Licensing Conditions within 21 days from the date on which notice of the Condition is served on the applicant to the Rochford and Southend Magistrates' Court.
- 15.2 An applicant disappointed by a decision of the Authority in respect of an application also has a right of appeal initially to the Hearings and Appeals Panel and subsequently to the Magistrates' Court.