

HACKNEY CARRIAGE VEHICLE LICENCE
Conditions of Licence

In order that a good and reliable taxi service is provided in the Borough, a person being considered for a Hackney Carriage Licence on the first occasion and subsequently shall:-

1. a) Have a vehicle or possession of a vehicle which is a saloon motor car, hatch back motor car or an estate car which is the subject of a hiring agreement or hire purchase agreement in a form satisfactory to an Authorised Officer of Southend on Sea Borough Council providing that the vehicle is not more than **five** years old when first licensed and not more than **eight** years old when subsequently licensed (unless a limousine or a specially approved vehicle) which according to the manufacturers specifications has:
 - (i) **rear seat accommodation for at least three persons with a minimum of 45.7 cm (18 inches) per person, or if the vehicle is fitted with side impact bars, 43.18 cm (17 inches) per person**
 - (ii) **separate front seats to accommodate only one person in addition to the driver**
 - (iii) **four doors**
 - (iv) **an overall height of not less than 135 cm (53 inches)**
 - (v) **a length of not less than 432 cm (170 inches)**
 - (vi) **a rating of not less than 1550 cc**
 - (vii) **seat belts for all passengers**
 - (viii) **If the vehicle is an estate car, a substantial protective shield should be fitted to the rear section**
 - (ix) **No seat shall need to be moved or tilted before passengers can enter or exit the vehicle**
- b) Have a purpose built cab or possession of a purpose built cab which is the subject of a hiring agreement or hire purchase agreement in a form satisfactory to an Authorised Officer of Southend on Sea Borough Council providing that vehicle is not more than **six** years of age when first licensed and on subsequent occasions not more than **twenty** years of age.
- c) Submit the vehicle for mechanical examination }
d) Produce appropriate insurance documentation } **WHEN REQUESTED**
- e) Produce such documents as the Council may require to provide satisfactory evidence of:-
 - (i) ownership of the vehicle
 - (ii) any arrangements for the use of the vehicle
 - (iii) any arrangements for the letting for hire of the vehicle
- f) Have been a licensed Hackney Carriage or Private Hire Vehicle driver for at least three years.
- g) Live within the Borough or within three miles by road of the Borough boundary.
- h) Not be a person who would be refused a Hackney Carriage Driver's licence by reason of a conviction recorded against him/her.*

2. Transfer of a Licence

On the application for renewal of a Licence after the transfer of a licensed vehicle from the person to whom the licence was granted, the application will only be granted if:-

- a) the person to whom it was granted had carried on business satisfactorily during the previous five years; and
- b) the person to whom it was transferred (i) complies with the pre-licensing standards applicable to the issue of a Hackney Carriage Licence, and (ii) is not the holder of any other Hackney Carriage Licence.

The above conditions apply to a person entering into a partnership with the person to whom the Licence was granted and to a partner applying for a Licence in his own name after a partnership has been dissolved.

3. Except as hereby required or permitted or otherwise required by law, no advertisement, sign or light shall be placed either inside or outside the vehicle.
 - a) The plate bearing the number of the licence granted shall be displayed on the outside of the vehicle adjacent to the rear number plate and the number of the licence shall be displayed on the inside of the vehicle in such a position as to be plainly visible to persons travelling in the vehicle.
 - b) A sign provided by the Council for the purpose of indicating that the vehicle is a licensed Hackney Carriage shall be securely attached to each rear door panel of the vehicle.
 - c) A taxi sign not exceeding 36" x 6¼" x 6½", which shall not be illuminated when the vehicle is not available for hire, may be secured to the roof of a vehicle.
 - d) Advertisements may be displayed on the outside of front doors or on the boot lid or hatchback door or rear window, provided it does not obscure the view to the rear, or roof of the vehicle, provided that the advertisement does not exceed 1044mm x 95mm x 360mm (41" x 4" x 14").
 - e) An inscription identifying the proprietor or the association of proprietors may be displayed on the boot lid or hatchback door if and only if it does not appear on the outside of the front doors.
 - f) Advertisements may be displayed on two panels inside the vehicle provided that the panels are not illuminated.

- g) A for hire flag, the illuminated area of which does not exceed 16 square inches, may be displayed in the bottom left hand side of the front windscreen.
- h) A sign not larger than 4" high and 12" wide identifying the proprietor or association of proprietors may be displayed in the rear windscreen provided that it does not obscure the view to the rear and provided that no other advertisement appears on the said windscreen.
- i) The licensee shall obtain the approval of the Council to the type and content of any advertisement hereby permitted before it is fitted or displayed.
- j) The outside of the vehicle shall be clean and free from damage. The inside of the vehicle shall be clean, well maintained and free from damage.
- k) An efficient 1 kg dry powder fire extinguisher shall be firmly fixed in the driver's compartment or boot and shall be easily accessible.
- l) A Licensee who changes the place at which he lives shall notify the Council of such change of address within seven days.
- m) The Licensee shall be a full time Hackney Carriage Driver, earning his living wholly or mainly in the taxi trade.
- n) The Licensee shall be in direct control of the day to day running of the carriage.
- o) The appropriate insurance documents shall be produced within seven days when inspection of these documents is required by the Council.
- p) Convictions, Police cautions or other formal cautions or Fixed Penalty Notices recorded since the completion of the application form for this Licence shall be reported to the Council within seven days.
- q) The Licensee shall, throughout the period of the Licence, comply with the Licensing Conditions and shall, within 7 days of a written request by the Council, provide such documents and other information as may be required by the Council to show compliance with the Conditions of the Licence.
- r) If the Council is satisfied that the Licence has been issued to a person who is not an owner or hirer of the vehicle and the person maintaining the insurance, the taxi meter and all the equipment necessary for the vehicle's use as a taxi, the Council may revoke the Licence and issue a new Licence to a person who is an owner or hirer of the vehicle provided that the owner or hirer complies with all the Conditions of the Licence.
- s) Vehicles failing a mechanical examination for serious body or mechanical defects shall be subject to prohibition by written notice from use as a Hackney Carriage until such time as the defect has been corrected to the satisfaction of the Council.
- t) Vehicle emissions shall comply with MOT standards at all times.
- u) The Licence may be revoked upon the breach by a Licence holder of any of the terms and Conditions of the Licence. **The Conditions may be relaxed by prior approval of the Council in exceptional cases.**
- v) A motor powered Hackney Carriage shall not wait on, or ply for hire on, a Hackney Carriage stand reserved for Horse Drawn Hackney Carriages.

* **The Council's Hackney Carriage Conditions relating to convictions and cautions are as follows:**

- 1) Not have accrued more than 12 penalty points during the previous three years.
- 2) Not have been convicted or received a Police caution or other formal caution for a serious motoring offence during the previous three years.
- 3) Not have been convicted or received a Police caution or other formal caution for dishonesty during the previous four years.
- 4) Not have been convicted or received a Police caution or other formal caution of a sexual offence during the previous five years.
- 5) Not have been convicted or received a Police caution or other formal caution for a serious assault (eg grievous bodily harm) during the previous seven years.
- 6) Not have been convicted or received a Police caution or other formal caution for a drugs related offence during the previous three years.

Previous convictions, Police cautions or other formal cautions or Fixed Penalty Notices for driving offences are applied to all vehicle licences issued or applied for, provided that if the licensee does not drive the licensed vehicle, convictions/cautions or Fixed Penalty Notices relating to driving offences only may be disregarded.

All relevant facts will be taken into account when consideration is given to an application for a Hackney Carriage licence and it may be that additional or higher standards will be imposed. The standards may be relaxed in exceptional cases. A licence will not be issued in the name of a company.

An appeal may be brought against the Licensing Conditions within 21 days from the date on which notice of the Conditions is served on the applicant.

In respect of your application under the Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976, please note:

This Authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.