

Policy for the Licensing of: Hackney Carriage Drivers and Vehicles Private Hire Operators, Drivers and Vehicles

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1. Introduction

The purpose of this Policy is to draw together and review the current working practices, conditions, procedures, Licensing Committee determinations and policies and re-introduce some previous practices such as the return of the Rossendale Test to nominated authorised garages.

1.1 Objectives

Anyone wishing to act as a hackney carriage (taxi) driver or to use a vehicle as a hackney carriage (taxi) must be licensed by the Council as a driver and must also have the vehicle licensed.

Anyone wishing to act as a private hire driver or to use a vehicle as a private hire vehicle must be licensed by the Council as a driver and must also have the vehicle licensed. In addition to these licences, anyone controlling/operating such vehicles and accepting bookings for them must also be licensed by the Council.

The aim of the licensing process is to regulate the hackney carriage and private hire trade in order to promote the objectives listed below. When considering each policy and procedure that makes up this document we have endeavoured to ensure that each requirement is properly justified by the risk it seeks to address, balancing the cost of the requirement against the benefit to the public.

Hackney carriages and private hire vehicles have a specific role to play in an integrated transport system. They are an important part of the public transport infrastructure of the country, and the purpose of a licensing regime is to ensure that the service to the public is accessible and safe, and seen to be so. Hackney carriage and private hire drivers are persons of trust who maintain contact with the public. They are able to provide services in situations where public transport is either not available or for those with specific mobility requirements.

In setting out this policy, the Council seeks to promote the following objectives:

- The protection of public safety
- Professional and respected hackney carriage and private hire profession
- Increased access to an efficient and effective public transport infrastructure.
- The protection of the environment

This document contains the policies adopted by Rossendale Borough Council for such licences. These policies will normally be applied in every case but where there are exceptional or unusual circumstances then these policies and conditions may be departed from. In particular, where appropriate circumstance require it, additional conditions to those detailed in this document may be applied to licences. Any such departure from this policy will only be as approved by the Director of Business, Monitoring Officer or Unit Manager.

In adopting these policies regard has been given to all current Government advice contained in circulars or suggested good practice. It is the Council's desire to facilitate well-run and responsible businesses who display sensitivity to the desires and needs of the general public.

1.2 Powers and Duties

There is legislation which the Council must either have a regard to or places a duty on the Council to carry out its licensing functions in respect of hackney carriage drivers and vehicles and private hire operators, drivers and vehicles. Some of this is listed below:

- Criminal Justice and Public Order Act 1994
- Criminal Procedures and Investigations Act 1996
- Data Protection Acts 1984 and 1998
- Deregulation (Taxis and Private Hire Vehicles) Order 1998, SI 1998/1946
- Disability at Work Act 1994
- Disability Discrimination Act 1995
- Equalities Act 2010
- Freedom of Information Act 2000
- Health and Safety at Work etc. Act 1974
- Highways Act 1980 (as amended)
- Human Rights Act 1998
- Licensed Taxis (Hiring at Separate Fares) Order 1986, SI 1986/1386
- Local Government Act 1972
- Local Government (Miscellaneous Provisions) Act 1976
- Local Government (Miscellaneous Provisions) Act 1982
- LOLER Regulations 1998
- New Roads and Street Works Act 1991
- Police and Criminal Evidence Act 1984
- Private Hire Vehicles (Carriage of Guide Dogs etc) Act 2002
- Protection from Harassment Act 1997
- Public Passenger Vehicle Act 1981
- Regulation of Investigatory Powers Act 2000
- Regulatory Enforcement and Sanctions Act 2008
- Rehabilitation of Offenders Act 1974
- Road Traffic Act 1972 & 1988
- Road Traffic Regulation Act 1984
- Road Traffic Regulation (Special Events) Act 1994
- Smoke-free (Premises and Enforcement) Regulations 2006
- Smoke-free (Signs) Regulations 2006
- Taximeters (EEC Requirements) Regulations 1979
- The Measuring Instruments (Taximeters) Regulations 2006
- Town Police Clauses Act 1847
- Town Police Clauses Act 1889
- Transport Acts 1968 and 1985
- Transport Act 1980, 1981 & 1985
- Workplace (Health Safety and Welfare) Regulations 1992

1.3 Status

In exercising its discretion in carrying out its regulatory functions, the Council will have regard to this policy document and the objectives listed above.

1.4 Licensing Profile

Rossendale Borough Council currently licences approximately:

- 162 hackney carriages
- 9 private hire vehicles
- 250 hackney carriage drivers
- 19 private hire drivers, and
- 11 private hire operators
(Figures correct at 16.12.2010)

2 General Policy Matters

2.1 Sharing of Information

The Council will share with other enforcement bodies, information supplied by applicants, or acquired in the course of exercising licensing functions, where it is lawful to do so. In particular, personal information will only be disclosed in accordance with the Data Protection Act 1998. This may include requests from the Audit Commission or other regulatory agencies where this is necessary for the detection or prevention of crime or required by law or in connection with legal proceedings. Where applicable, it will be under the relevant Information Sharing Protocol.

2.2 Quantity Restrictions on the issue of Hackney Carriage Licences

This Authority does not restrict the number of hackney carriage vehicles licensed.

2.3. Age restrictions on drivers.

This Authority does not set a maximum age for the issue of licences to hackney carriage or private hire drivers and applicants will be assessed on their merits.

2.4 Criminal Records Bureau Checks

As part of an application process an applicant will be required to complete and submit, through the Council, a Criminal Records Bureau (CRB) disclosure application and also to disclose on their application form any convictions. For a hackney carriage or a private hire driver's licence an enhanced CRB check will be required whereas for a private hire operator a standard CRB check will be required. Disclosures will only be accepted if the disclosure of information from the CRB has been made in the one month period prior to the application. CRB disclosures made through other organisations or for other purposes than for driver licensing will not be accepted. Where the disclosure from the CRB discloses evidence of previous criminal activity then the application may be refused.

Drivers and operators shall be required to submit new CRB checks every three years, although this period may be reduced at the discretion of the Director of Business, Monitoring Officer or Unit

Manager where such checks reveal evidence of previous criminal activity. Interim checks may be required where there is an indication of previous criminal activity.

2.5 Overseas Criminal History Checks

Where the applicant has lived in a country other than the UK for a continuous period of one year or more in the last ten years, then in addition to the CRB disclosure application the applicant will be required to produce a Certificate of Good Conduct issued by the relevant non-UK country. The certificate must be an extract from the judicial record or equivalent document issued by a competent judicial or administrative authority for the relevant country. The certificate must document any convictions recorded against the individual or confirm their “good conduct”. You should contact your relevant Consulate for this.

2.6 Statutory Declaration

Applications for the renewal of a driver licence will require a statutory declaration. The completed declaration must be signed in front of a solicitor or commissioner for oaths. On request, your photograph will be endorsed at the same time. Statutory declarations must be dated within one week of the application.

2.7 Policy Relating to the Relevance of Convictions

A Local Authority must not grant a licence to a hackney carriage or private hire driver unless they are satisfied that the applicant is a fit and proper person. A Local Authority may refuse an application, refuse to renew an application or suspend a hackney carriage or private hire driver licence if:

- Since the grant of the licence, the applicant has been convicted of an offence involving dishonesty, indecency or violence.
- Since the grant of the licence, the applicant has been convicted of an offence under that Act or failed to comply with the Act or any conditions of the licence or,
- There is any other reasonable cause.

For the purposes of obtaining a hackney carriage or private hire driver licence, the Rehabilitation of Offenders Act does not apply and all previous convictions, adult cautions and intelligence revealed by CRB or overseas criminal history checks or from any other reliable sources must be disclosed and will be considered when assessing the applicant’s suitability to be licensed regardless of the date when the matter under consideration occurred.

Since March 2002 all convictions, irrespective of age, remain “live” for the purpose, of a hackney carriage or private hire driver licensing, these occupations being added to the exemptions list from that time. CRB responses or overseas criminal history checks will be assessed against any relevant information and also against the following criteria:

- nature of the offence
- circumstances of offence
- subsequent periods of good behaviour
- overall conviction history
- sentence imposed by the court
- applicants history as an existing licensee (if relevant)

- any other check considered reasonable e.g. personal references

Where an applicant for a licence has a criminal conviction, then this need not permanently disbar them for applying for a licence. Each case will be considered on its merits and due regard will be paid to the Rossendale Borough Council Policy Statement on Guidelines to Convictions including statement of policy about relevant convictions which is appended to this policy document.

2.8 Photographs

1 photograph needs to be submitted to the Council every 3 years (in line with the CRB enhanced disclosure) for the purpose of the licensing regime for drivers, these shall be:

- in colour
- passport size which is to say 45 mm high and 36 mm wide
- in clear and sharp focus
- taken against a plain cream or plain light grey background
- not have red eye
- have been taken within the last 30 days
- free from shadows, reflection or glare off glasses
- shall be taken with the subject facing forward with eyes open and clearly visible with a neutral expression
- show the full head, without any head covering, unless worn for religious beliefs or medical reasons
- be a true likeness of the subject
- spectacles must be worn for the photograph provided they are not tinted and are normally worn by the subject for vision correction purposes
- one photograph must be endorsed with "I certify that this is a true likeness of [the applicant's name] and it should be signed and dated

Any photograph which does not comply with these requirements or is deemed to be unacceptable for any other reason shall be rejected and this may invalidate an application.

2.9 Driving Licences

Applicants for hackney carriage or private hire driver's licences shall have held a driving licence issued by a member state of the European Union for at least one year prior to the date of application. This requirement shall not apply to licences being renewed. This period shall not include any periods when the driving licence has been suspended or revoked. The licence must reflect your current name and address and both parts of the licence must be produced if the licence is a photocard type.

2.10 Driving Standards Agency (DSA) Tests

As part of an application for a hackney carriage or private hire drivers licence the applicant will be required to pass a DSA Private Hire/ Hackney Carriage Assessment Test and submit evidence of that pass with their application. The test must have been passed within the six-month period preceding the application for the licence.

When a licensee accumulates 6 or more points on their DVLA driving licence the licensee shall be required to take, or retake, the DSA test and must pass within 3 months of being notified of the

requirement and shall report the results of all such tests to the Council within one month of the test being taken. Failure to achieve a pass as required above will result in their licence being reviewed and shall normally result in revocation of that licence. Where a person has been required to retake their DSA test more than twice as a result of this policy they shall have their licence reviewed and this will normally result in their licence being revoked. An application to be re-licensed following such a revocation shall not normally be considered until a period of twelve months has elapsed from the date of revocation of their licence.

2.11 Medical Standards

Applicants for hackney carriage or private hire driver's licences shall, as part of their application, submit the Group 2 medical form completed by their own GP within the six months preceding their application, the GP must have had full access to their medical records. Applicants must satisfy the Council as to their medical fitness. Such a medical assessment shall usually last up to the age of 45 years and thereafter a medical shall be submitted to the council every five years from the date of issue of their licence until they reach the age of 65 when it shall be resubmitted annually.

In considering an applicant's medical fitness the Council will apply Group 2 DVLA standards. The Council reserves the right to require the submission of a new medical assessment at any time, at the licensee's expense, especially where information becomes available that suggests that a licensee's medical status has changed. Where a specific medical condition causes concern the Council may seek to obtain specialist medical advice solely on that applicant or licence holder's condition.

2.12 Inspections

Inspections will be carried out according to a risk-based and intelligence led system. Operators will have their records and premises inspected, vehicles will be inspected in respect of condition and documentation and Drivers will have their documentation inspected. Wherever possible, vehicles and documentation will be inspected at the same time.

2.13 Renewals

A renewal application must be received and processed before the expiry of the current licence. If you fail to submit your renewal application at the correct time, we cannot guarantee your licence will be renewed. Only fully completed applications accompanied with the original required supporting documents and correct fee will be accepted, incomplete applications will be returned.

Where a licensed driver fails to apply for a new licence before his existing licence expires, the licensee shall apply for a new licence as if they were a brand new applicant. In such circumstances, a licence will not be granted until such time as all the necessary licensing requirements have been fulfilled.

Where a vehicle proprietor fails to apply for a new licence before the existing vehicle licence expires, the vehicle proprietor shall apply for a new licence as if the vehicle was coming onto the fleet for the first time.

- **Renewals by Appointment**

All appointments for renewal applications must be made 4-weeks prior to the expiry of the licence. If you fail to apply to renew your Licence at the correct time, we cannot guarantee your licence will be renewed.

- **Renewals by Post**

All renewal applications by post must be received at the Council no later than 10 working days prior to the expiry of the licence. If you fail to submit your renewal application at the correct time, we cannot guarantee your licence will be renewed.

2.14 Period of Licences

All licences issued after the adoption of this policy shall last for the following periods.

- a hackney carriage vehicle licence shall last for a period not exceeding one year
- a hackney carriage driver's licence shall last for a period not exceeding one year
- a private hire vehicle operator's licence shall last for a period not exceeding one year
- a private hire vehicle licence shall last for a period not exceeding one year
- a private hire vehicle driver's licence shall last for a period not exceeding one year

All renewal applications must be submitted 4-weeks prior to the expiry of the licence. Where a licensee fails to apply for a new licence before his existing licence expires, the licensee shall apply for a new licence as if they were a brand new applicant. In such circumstances, a licence will not be granted until such time as all the necessary licensing requirements have been fulfilled.

2.15 Test Purchasing

Where appropriate, the Council will carry out test purchasing of hackney carriage and private hire services in order to check that licensing requirements are being complied with.

2.16 Appointments System

Rossendale Borough Council operates an appointments system. Applications for operator, vehicle and driver's licences will be processed at the appointment. A re-booking fee of £35 will be payable for the following circumstances:

- failure to attend the appointment without at least two hours notice,
- failure to attend appointments without reasonable explanation,
- failure to provide the required relevant documents without reasonable explanation ,
- the presentation of unfit vehicles for licensing, and
- any other reasonable cause determined by the Director for Business, Monitoring Officer or Unit Manager

2.17 Vehicle Standards

Vehicles will not be considered suitable for licensing as hackney carriages or private hire vehicles unless they comply with part 4 and part 7 of this policy document and, in addition, the following:

- there shall be a minimum of four doors excluding any tailgate;
- the vehicle shall have a solid roof which may include a solid sunroof,

- convertibles or soft tops will not generally be allowed
- solid roofs incorporating a sunroof shall be permitted if the open able area is not in excess of 50% of the roof area;
- every vehicle shall have an external driving mirror on each side of the vehicle which may be used by the driver of the vehicle;
- private hire vehicles shall not be required to be fitted with a taximeter but where one is fitted then it shall be tested at intervals not more than every twelve months
- vehicles shall be right hand drive vehicles only; and
- any alterations or conversion of the vehicle shall only be carried out by an appropriately qualified installer or vehicle manufacturer and have a European Whole Body Type (M1) approval, Low Volume Vehicle Type Approval or Single Vehicle Type Approval (including a Certificate of Compliance issued by VOSA) as a minimum standard;

2.18 Age of Vehicles

Vehicles which are older than five years and 364 days shall not be licensable. Licensed vehicles will be allowed to be licensed up to the age of 7 years and 364 days. In the case of vehicles classed as a minibus on their registration document, and any purpose built hackney carriage, they will be licensed up to the age of nine years and 364 days.

2.19 Seating Capacity of Vehicles

In determining the number of passengers that a vehicle may be licensed for, the following guidelines will be applied.

- where separate seats for each person are provided one person shall be counted for each separate seat provided,
- where the vehicle is fitted with continuous seats one person shall be counted for each complete length of 410 mm measured in a straight line lengthwise on the front of each seat, however this number shall be reduced where there are insufficient seatbelts provided to accommodate this number,
- where any continuous seat is fitted with arms in order to separate the seating spaces and the arms can be folded back or otherwise put out of use, the arms shall be ignored in measuring the seat

2.20 Advertising on vehicles

Advertising material may be placed on vehicles provided that, before it is placed on the vehicle, the licensee has submitted details of the proposed advertising in writing to the Council, together with any necessary illustrations of the proposed advertising, and has obtained from the Council their written consent to that advertising. Details of how to apply to the Council for consent to display an advertisement, and details of the technical requirements for advertisements, are contained in part 4 and part 7 of this policy document.

2.21 Licence fees

Current fees are advertised on the Council's website; alternatively an applicant may contact Licensing personnel.

- in respect of hackney carriage and private hire driver and vehicle licences, no refunds will be given after the licence had been issued
- in respect of applications for driver's licences, no refund will be given to applicants who are refused a licence after determination by the Council
- in any other case where an administration cost has been incurred, a fee of 25% of the normal fee would be levied

2.22 Vehicle transfers

"Transfers" of vehicles on vehicle licences will only be permitted to take place once in the 12 month cycle of the licence and the transfer will incur an additional fee.

2.23 Documentation

All documentation submitted in support of hackney carriage and private hire driver and vehicle licences, or private hire operators must be original documents which can be verified. No photocopies, faxes or emailed documents will be accepted.

2.24 Vehicle Windows

All windows shall be transparent and be of standard manufacturer's specification and to the satisfaction of the authorised officer.

3 Hackney Carriage Drivers

3.1 General

3.2 First time applications.

The following documents shall be submitted when making an application for a new driver's licence:

- a Driving Standards Agency (DSA) test certificate showing successful completion within the six-month period preceding the application (see 2.10)
- valid passport or proof of entitlement to work in the UK
- overseas criminal history checks where applicable which must have been obtained within the 6 month period preceding the application (see 2.5)
- one photograph of the applicant which complies with the Council's requirements (see 2.8)
- an enhanced CRB disclosure not more than 1 month old (see 2.4)
- a Group 2 medical assessment not more than 6 months old (see 2.12)
- A valid full EU or UK driving licence which must have been held for a minimum period of one year (see 2.9)
- the correct fee

Any application not accompanied by the appropriate documentation shall be rejected as invalid and returned to the applicant together with the fee. All documents provided shall meet the requirements as set out in part 2 of this policy document.

3.3 Renewal Applications

In the case of a renewal of a driver's licence, see 2.14 of this Policy document. The applicant must produce the following documents:

- A valid full EU or UK driver's licence – in the case of a photocard type licence, both parts of the licence – which show the correct name and address of the applicant (see 2.9)
- A Statutory Declaration dated within one week of the application (see 2.6)
- A Group 2 standard medical report, if required (see 2.12)
- one photograph of the applicant which must be endorsed (see 2.8)
- In addition, every three years, the applicant shall also produce an enhanced CRB disclosure application (see 2.4)

Any application not accompanied by the appropriate documentation shall be rejected as invalid and returned to the applicant together with the fee. All documents provided shall meet the requirements as set out in part 2 of this policy document.

3.4 Byelaws

Hackney carriage drivers and proprietors shall comply with the byelaws adopted by the Council relating to hackney carriages as detailed within the appendices of this policy document.

3.5 Driver licence and badge

A driver shall be issued with a hackney carriage drivers Licence and identification badge. These documents remain the property of the Council. At the request of an authorised officer of the Council, the licence and identification badge must be returned to the issuing office. A driver shall upon the expiry (without immediate renewal), revocation or suspension of the licence forthwith return the drivers badge to the Council.

3.6 Convictions

The driver shall within 7 days of conviction disclose to the Council in writing, details of any conviction, police caution or fixed penalty ticket other than a parking fine, imposed on him during the period of the licence.

3.7 Change of address

The driver shall notify the Council in writing of any change of his address during the period of the licence within 7 days of such change taking place.

3.8 Conduct of driver

The driver shall at all times be clean and respectable in their dress and person and behave in a civil and orderly manner

3.9 Animals

A driver unless in possession of an exemption certificate, must accept bookings made by or on behalf of a disabled person who is accompanied by a guide dog, hearing or prescribed assistance dog. Furthermore, a driver must accept a booking by a person who will be accompanied in the hackney carriage vehicle by such a disabled person and a driver must not make an additional charge for carrying the disabled passenger's assistance dog

3.10 Health of driver

The driver of a hackney carriage must inform the Council without delay about the onset or worsening of any health condition likely to cause them to be a source of danger to the public when driving either now or in the future. Examples are contained in the DVLA medical notification guidance.

Drivers who are in doubt about whether or not their health condition is one which should be reported should consult their doctor and refer to the DVLA medical rules and standards updated every 6 months.

4 Hackney Carriage Vehicles

4.1 Licensing of hackney carriages

(Local Government (Miscellaneous Provisions) Act 1976 S.47):

1. A district council may attach to the grant of a licence of a hackney carriage under the Act of 1847 such conditions as the district council may consider reasonably necessary.
2. Without prejudice to the generality of the foregoing subsection, a district council may require any hackney carriage licensed by them under the Act of 1847 to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a hackney carriage.
3. Any person aggrieved by any conditions attached to such a licence may appeal to a magistrates' court.

4.2 General

Hackney carriage vehicles shall comply with the hackney carriage conditions and byelaws adopted by the Council relating to hackney carriages.

4.3 Applications

The following documents shall be submitted when making an application for a new or renewal licence:

- the correct fee
- an original certificate of insurance for the vehicle, valid on the day of application, insuring it for the purpose of its use as a hackney carriage vehicle
- the original Vehicle Registration Document showing the current owners name and address or;
- the original Vehicle Registration Document with the new keeper details completed with the new owners full details (the Council will give you the new keeper supplement and send the rest of the document off to the DVLA on your behalf)
- an MOT certificate issued during a mechanical vehicle inspection at a Council nominated testing station dated within the month preceding the application
- a 'Rossendale Test' pass certificate from the same MOT testing station the MOT certificate was issued from confirming that the vehicle conforms to the standards set by Rossendale Borough Council dated within the month preceding the application
- if applicable, a letter from the registered keeper of the vehicle to the applicant, stating that they have given their permission for the vehicle to be licensed

- any application not accompanied by the appropriate documentation shall be rejected as invalid and returned to the applicant together with the fee

A renewal application must be received and processed before the expiry of the current hackney carriage vehicle licence. Applications must be made 4 weeks preceding the expiry of the licence. If you fail to submit your renewal application at the correct time, we cannot guarantee your licence will be renewed. Any application not accompanied by the appropriate documentation shall be rejected as invalid and returned to the applicant together with the fee. All documents provided shall meet the requirements as set out in part 2 of this policy document

4.4 Hackney Carriage Vehicle Conditions.

The following conditions are attached to a hackney carriage vehicle licence.

4.5 Signs, notices etc.

- a) The vehicle must not be equipped with roof fittings including advertisements, other than a roof sign in accordance with condition 4.5b below, or a wireless aerial which if fitted must be fitted in such a manner to satisfy the Council,
- b) The vehicle must be fitted with a roof sign bearing the words, "Taxi" or "Hackney Carriage" or "For Hire" which may display the company name and telephone number
- c) There shall be no lights, plates, signs or other fitting(s) (other than the licence plate) displayed on, in or from the vehicle, except those approved by the Council or displayed to comply with requirements under the current lighting and licensing regulations approved by the Secretary of State.
- d) The vehicle shall display on the front nearside and the front offside door the Council approved door stickers identifying the hackney carriage in the design and form supplied by the Council with the licence
- e) No markings of any nature, other than standard manufacturer's markings, are permitted, except upon the written authorisation of the Director for Business, Monitoring Officer or Unit Manager and in accordance with the criteria set out below:
 - I. Permitted Markings:
Only the company/organisation name and one contact telephone number may be displayed.
 - II. Permitted Location and size of markings:
Rear passenger doors (total area for markings may not exceed 20.5cm by 32cm in size) on each door and/or the rear boot lid
 - III. Permitted Typeface and colour
Any typeface is permitted provided that the total area of each marking does not exceed the limits above. Markings must be in contrast to the main colour of the vehicle. Applications for this purpose must be made in writing to the Unit Manager and be accompanied by a sample of the proposed markings. Submissions must be in colour and full details of the signage must be provided to demonstrate how it complies with the Council's requirements. No additional markings will be permitted.

4.6 Radio microphone

Any radio microphone installed in the vehicle shall be fitted in such a position that its use by the driver would not impair his control of the vehicle when it is in motion.

4.7 The taximeter

- a) The vehicle shall be provided with a taximeter which must be so constructed, securely fitted and maintained as to comply with the following requirements:
- b) the taximeter shall be fitted with a key, flag or other device, the turning of which will bring the machinery of the taximeter into action and cancel the "FOR HIRE" sign and the roof sign.
- 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 in accordance with the statement of fares set by the Council
- d) 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
- e) The taximeter and all the fittings thereof shall be so affixed to the carriage with appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the appliances

4.8 Statement of fares

The vehicle shall contain the statement of fares issued by the Council, to be fitted and maintained in such a position so as to be clearly visible at all times to the hirer.

4.9 Maintenance of vehicle

The vehicle shall:

- a) be of such design to enable any person in the carriage to communicate with the driver;
- b) be fitted with a roof or covering which can be kept watertight;
- c) each passenger door shall contain a window and a means of opening and closing that window excluding the tailgate;
- d) contain seats which must be properly cushioned or covered, all seats must be forward or rear facing;
- e) subject to current statutory legislation have one seat belt for every licensed passenger;
- f) be provided with a proper carpet, mat or other suitable covering for the floor;
- g) contain fittings and furniture kept in a clean condition, safe and well-maintained and in every way fit for public service;
- h) be fitted in such a way to enable luggage to be secured if the vehicle is so constructed to carry luggage;
- i) be a right hand drive vehicle;
- j) be equipped at all times with an appropriate spare wheel or other similar device and a suitable jack and wheel brace.
- k) The proprietor of the licensed vehicle shall:
 - 1) Keep the licensed vehicle in a mechanical condition suitable for its use as a hackney carriage vehicle.
 - 2) Keep the exterior of the licensed vehicle, including the windows clean and in good condition.
 - 3) All panels on the vehicle shall be painted in the same colour (must not have panels with unmatched colours or in primer).

- 4) All panels of the vehicle should be free of body damage, rust or unsatisfactory repairs which adversely affect the appearance of the vehicle (see the 'Rossendale Test').
- l) Plates provided by the Council identifying the vehicle as a Hackney Carriage vehicle shall be affixed to the exterior of the vehicle at the front and rear of the vehicle and displayed at all times throughout the period that the vehicle is licensed as a hackney carriage. The plate shall be capable of being easily removed by a Constable or duly authorised officer of the Council, should the licence be revoked or suspended.
- m) Upon expiry of the licence, the proprietor shall return to the Council the identification plates supplied by the Council.
- n) Before the expiry of the sixth month after the issue of the licence, but after the expiry of the fifth month after the issue of the licence, the vehicle shall undertake an MOT inspection and the 'Rossendale Test' at a Council approved MOT testing station. It shall be the responsibility of the proprietor of the vehicle to produce these documents to the Authority forthwith.

4.10 Safety equipment

There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a first aid kit containing appropriate first aid dressings and appliances, such equipment to be carried in such a position in the vehicle as to be readily available for immediate use in an emergency.

4.11 Term of licence

Hackney carriage licences shall be granted for a period of 12 months. Applications for renewal should be submitted four weeks before the expiry date of the licence.

4.12 Accidents to vehicle

The proprietor of a hackney carriage shall report to the Council in writing as soon as reasonably practicable, and in any case within 72 hours of the occurrence thereof, any accident to such hackney carriage causing damage materially affecting the safety, performance or appearance of the hackney carriage or the comfort or convenience of persons carried therein. Compliance with this condition does not exempt the proprietor from his statutory liability to report accidents to the police.

4.13 Location vehicle is kept

The proprietor of a hackney carriage licensed by the Council shall, within such period as the Council may by notice reasonably require, state in writing, the address of every place where such hackney carriage is kept when not in use, and shall if the Council so require, afford to them such facilities as may be reasonably necessary to enable them to cause such hackney carriage to be inspected or tested there.

4.14 Transfer of ownership

The proprietor shall notify the Council in writing of any changes in vehicle ownership within 7 days of such change taking place.

4.15 Change of address

The proprietor shall notify the Council in writing of any change of his address during the period of the licence within 7 days of such change taking place.

4.16 Insurance

The proprietor of any hackney carriage licensed by the Council shall at the request of any authorised officer of the Council produce for inspection the vehicle licence for such hackney carriage and the certificate of the policy of insurance or security required by Section 143(2) Road Traffic Act 1988.

4.17 Alteration of vehicle

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

4.18 Convictions

The proprietor shall within 7 days of conviction, caution or fixed penalty disclose to the Council in writing, details of any personal conviction imposed on him/her (or, if the proprietor is a company or partnership, or any of the directors or partners) during the period of the licence.

4.19 Alteration of conditions

The Council may, by notice in writing to the proprietor of the vehicle alter any of the conditions attached to the vehicle licence.

4.20 Rossendale Test

The 'Rossendale Test' element of the vehicle check will be conducted at the same time as the MOT at a Council authorised testing centre within the four weeks preceding the licensing application and at the 6-month test.

5 Private Hire Operators

5.1 General

This Council will only licence Operator's offices that are within the Borough of Rossendale.

5.2 Applications

The following documents shall be submitted when making an application for a new licence or renewal of a vehicle licence:

- a) the correct fee
- b) standard CRB disclosure or the results of a subject access search of the Police National Computer (PNC) – see 2.4
- c) overseas criminal history check where applicable (see 2.5)
- d) Public Liability Insurance if your premises is open to the public
- e) Planning permission / certificate of lawfulness if applicable (contact the Planning Department for advise)
- f) Business radio licence (technically assigned licence) from Ofcom if you are operating through radio transmission

Any application not accompanied by the appropriate documentation, or where the applicant has not attended for an interview, shall be rejected as invalid and returned to the applicant together with the fee. All documents provided shall meet the requirements as set out in part 2 of this policy document.

5.3 Business Premises and Planning Requirements

All licensed operators must operate from business premises specified in the licence. Any telephone number provided in relation to a booking must not be diverted to any other premises without the consent of the Licensing Authority. The operating centre must have the necessary planning permission or certificate of lawful use for a private hire operating centre.

5.4 Records

The following conditions are attached to the private hire operator's licence. A failure to comply with any of the conditions is a criminal offence and may lead to prosecution, revocation or suspension of the operator licence.

5.4.1 The operator shall maintain at his premises particulars of:

- a) The call sign, or other identifying mark used on booking records to identify vehicles and drivers
- b) Each vehicle licence plate number
- c) Each vehicle registration number
- d) The date the vehicle came into use on the licence
- e) The date the vehicle ceased to be operated on the licence
- f) The name and address of the owner of the business if that is not the operator
- g) The date of any transfer of ownership of the business
- h) The name and address of each driver
- i) The badge number of each driver
- j) The date the driver commenced working for the operator
- k) The date the driver ceased working for the operator
- l) The expiry date of each driver's badge

5.4.2 The operator shall maintain a suitable bound book, the pages of which are numbered consecutively, in which the following particulars shall be recorded:

- a) The time and date of each booking
- b) The method the booking was received, i.e. Telephone, Internet or in person
- c) The time and date the journey is to commence
- d) The place the journey is to commence
- e) The destination of the journey
- f) The number of passengers
- g) The name and if given, the address of the hirer
- h) The name of the driver or identifiable call sign by which the driver is identifiable
- i) The plate number of the vehicle or call sign by which the vehicle is identifiable
- j) The record must be made at the time of booking in ink. Pencil is not acceptable

5.4.3 The Operator may use computerised records in addition to a bound book. The bound book will be the primary record of bookings unless a bound book is completely replaced by computerised records. If computerised records replace a bound book, they must:

- a) Be made at the time of booking directly onto the computer programme
- b) Be capable of instantly being printed upon demand of a Police Constable or authorised officer of the Licensing Authority
- c) Include an audit trail within the programme to show the time and dates of deletion, insertion or amendment to entries.

5.4.4 Required records:

- a) All records required under 5.4.1 above shall be kept for a period of not less than six months from the date of disposal of any vehicle or termination of any driver employment.
- b) All records required under 5.4.2 above must be kept for a period of not less than six months from the date of the last entry contained therein.
- c) The records required under 5.4.1 above shall be produced at the operators premises as soon as practicable or in any case within 24 hours of the request from a Police Constable or authorised officer of the Licensing Authority.
- d) The records required under 5.4.2 above shall be produced at the operator's premises immediately upon request from a Police Constable or authorised officer of the Licensing Authority.

5.5 Information as to Charges

Any person seeking to make a booking from the operator shall be informed of the basis of the charge for the hire of the vehicle and be given a quotation or estimate of that charge before the booking is taken. If the operator uses a Hackney Carriage to fulfil a private hire booking, the Hackney Carriage fare meter must be fitted and used the customer shall have the option of using the metered fare or being carried for a fee agreed prior to the commencement of the journey, whichever is lesser.

5.6 Interference with Equipment

The operator shall not interfere with any equipment, including a taxi-meter if fitted, attached to or forming part of his licensed private hire vehicles.

5.7 Term of Licence

A Private Hire Operator's Licence will normally be granted for a period of 12 months. A renewal application must be received and processed before the expiry of the current licence. Applications should be made four weeks preceding the expiry of the licence. If you fail to submit your renewal application at the correct time, we cannot guarantee your licence will be renewed.

5.8 Standards of Service

The operator shall provide a safe, prompt, efficient and reliable service to members of the public at all times and for this purpose shall ensure that:

- a) Only properly licensed drivers and vehicles are used to fulfil any booking

- b) When a private hire vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place.
- c) Keep clean, adequately heated, ventilated and lit any premises which the operator provides and to which the public have access, whether for the purpose of booking or waiting
- d) Any public waiting area provided by the operator has adequate seating facilities
- e) All telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly
- f) No person who is drunk or behaving in a disorderly manner to remain upon the premises in respect of which the licence is in force.

5.9 Change of Address

The operator shall notify the Council in writing of any change of home address within seven days of such change taking place. The operator shall not operate a private hire business from premises other than that shown on the Operator's Licence.

5.10 Criminal Offences, Disqualification as a Company Director, Insolvency

The operator shall notify the Council in writing of any conviction, caution or fixed penalty ticket imposed upon them during the period of the licence within 7 days of the date of conviction, caution or issue of a fixed penalty notice. Furthermore, the operator shall notify the Council in writing of any disqualification under the Company Directors Disqualification Act 1988 to:

- a) Be a director of a company
- b) Be a liquidator or administrator of a company
- c) Be a receiver or manager of a company's property
- d) Be concerned or take part, whether directly or indirectly, in the promotion, formation or management of a company.

5.11 The operator shall notify the Council in writing of any bankruptcy order made against them within 7 days of such an order being made.

5.12 The expression "operator" in the case of a Limited Company or partnership means any director or partner of the business.

5.13 Public Liability Insurance

If the operator has the facility for the public to enter the operator's premises, a certificate of public liability insurance must be produced to the Council on each occasion the licence is granted or renewed.

5.14 Guide Dogs

The operator shall not refuse to carry a guide, hearing or other assistance dog whilst accompanying a disabled person in a private hire vehicle or hackney carriage. No extra fare shall be charged. Where a disabled person has such a dog which they have not disclosed at the time of booking, and the driver sent is exempt from the obligation to carry such a dog, a further vehicle shall be sent to fulfil the contract as soon as possible.

6 Private Hire Drivers

6.1 First time applications.

The following documents shall be submitted when making an application for a new driver's licence:

- a Driving Standards Agency (DSA) test certificate showing your successful completion within the six-month period preceding the application (see 2.10)
- valid passport or proof of entitlement to work in the UK
- overseas criminal history checks where applicable which must have been obtained within the 6 month period preceding the application (see 2.5)
- one photograph of the applicant which complies with the Council's requirements (see 2.8)
- an enhanced CRB disclosure not more than 1 month old (see 2.4)
- a Group 2 medical assessment not more than 6 months old (see 2.12)
- A valid full EU or UK driving licence which must have been held for a minimum period of one year (see 2.9)
- the correct fee

Any application not accompanied by the appropriate documentation shall be rejected as invalid and returned to the applicant together with the fee. All documents provided shall meet the requirements as set out in part 2 of this policy document.

6.2 Renewal Applications

In the case of a renewal of a driver's licence, see 2.14 of this Policy document. The applicant must produce the following documents:

- A valid full EU or UK driver's licence – in the case of a photocard type licence, both parts of the licence – which show the correct name and address of the applicant (see 2.9)
- A Statutory Declaration dated within one week of the application (see 2.6)
- A Group 2 standard medical report, if required (see 2.12)
- One photograph of the applicant every 3 years which must be endorsed if required (see 2.8)
- In addition, every three years, the applicant shall also produce an enhanced CRB disclosure application which is not more than one month old (see 2.4)

Any application not accompanied by the appropriate documentation shall be rejected as invalid and returned to the applicant together with the fee. All documents provided shall meet the requirements as set out in part 2 of this policy document.

6.3 Notes

The following are the conditions attached to the private hire driver's licence.

6.4 Identification of Driver

The driver of a private hire vehicle shall at all times whilst in the course of his duty wear his private hire driver's badge in such a position and manner as to be plainly visible and this badge must be shown, if requested to the hirer of the vehicle and to any "authorised officer" or police officer for the purposes of the Local Government (Miscellaneous Provisions) Act, 1976.

6.5 Use of Taximeter

The driver of a private hire vehicle provided with a taximeter shall:-

- a) as soon as the hirer commences his journey, bring the machinery of the taximeter into action by moving the said key, flag or other device, so that the word 'HIRED' is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring;
- b) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is between sunset and sunrise and also at any other time at the request of the hirer
- c) If a private hire vehicle being driven by the driver is fitted with a taximeter, the driver shall not cause the fare recorded thereon to be cancelled or concealed until the hirer has had a reasonable opportunity to examine it and has paid the fare (unless credit is to be given).

6.6 Interference with Equipment

The driver of a private hire vehicle shall not tamper with or permit any person to tamper with, any taximeter with which the vehicle is provided, with the fittings thereof, or with the seals affixed thereto, nor with any other equipment attached to or forming part of the vehicle.

6.7 Advertisements etc.

The driver of a private hire vehicle shall not place or suffer to be placed any printed, written or other matter by way of advertisement on any part of the vehicle except with the written consent of the Council.

6.8 Shortest Route

The driver of a private hire vehicle when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.

6.9 Driver's Badge

The driver of a private hire vehicle shall, when required to do so by an authorised officer of the Council, return the driver's badge and licence to the Council and obtain a receipt for it. The driver shall upon the expiry (without immediate renewal), revocation or suspension of this licence, forthwith return the driver's badge to the Council.

6.10 Assistance with Luggage

The driver of a private hire vehicle so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the vehicle:-

- a) convey a reasonable quantity of luggage;
- b) afford reasonable assistance in loading and unloading;
- c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such a person.

6.11 Lost Property

The driver of a private hire vehicle shall, immediately after the termination of any hiring or as soon as practicable thereafter carefully search the vehicle for any property which may have been accidentally left therein. Furthermore, the driver of a private hire vehicle shall, if any property accidentally left

therein by any person who may have been conveyed in the vehicle be found by or handed to him, carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to a police station within the district. The driver should report it to the officer in charge of the station. The Operator must record details of all lost of found property and retain those records for examination for a period of 6 months.

6.12 Carriage of Other Persons

The driver of a private hire vehicle shall not permit any person to be conveyed in the vehicle without the consent of the hirer.

6.13 Concealment of Licence Plate

The driver of a private hire vehicle shall not wilfully or negligently cause or suffer any licence plate to be concealed from public view.

6.14 Convictions

The driver shall within seven days of conviction, disclose to the Council in writing, details of any conviction, caution of fixed penalty notice imposed on him during the period of the licence

6.15 Prompt Attendance

The driver of a private hire vehicle shall be in attendance at an appointed time and place if he is aware that the vehicle has been hired to be in attendance at an appointed time and place, or he has otherwise been instructed by the operator or proprietor of the vehicle to be in attendance at an appointed time and place unless delayed or prevented by sufficient cause.

6.16 Copy of Conditions

The driver shall at all times when driving a private hire vehicle carry with him a copy of these conditions and shall make it available for inspection by the hirer or any other passenger on request.

6.17 Fare to be demanded

The driver shall not demand from any hirer of a private hire vehicle a fare in excess of any fare previously agreed for the hiring between the hirer and the operator or, if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare, the fare shown on the face of the taximeter.

6.18 Change of Address

The driver 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.

6.19 Conduct of driver

The driver shall:-

- a) at all times be clean and respectable in his dress and person and behave in a civil and orderly manner;
- b) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him;
- c) not without the express consent of the hirer smoke, drink or eat in the vehicle;

- d) not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.
- e) at no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he is driving, to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.

6.20 Passengers

The driver shall not convey or permit to be conveyed in a private hire vehicle a greater number of persons than that prescribed in the licence for the vehicle.

6.21 Written Receipts

The driver shall if requested by the hirer of a private hire vehicle, provide him with a written receipt for the fare paid.

6.22 Animals

The driver shall not convey in a private hire vehicle any animal belonging to or in the custody of himself or the proprietor or operator of the vehicle. Any animal belonging to or in the custody of any passenger which in the driver's discretion may be conveyed in the vehicle shall only be conveyed in the rear of the vehicle.

6.23 Disabled Passengers

The driver of a private hire vehicle which has been hired:

- a) by or for a disabled person with their guide, hearing or prescribed assistance dog; or
- b) by such a person who will be accompanied in the taxi by such a person;
SHALL
 - I. carry the disabled passenger's dog and allow it to remain with the passenger; and
 - II. not make any additional charge for doing so.

An "assistance dog" is defined by Regulations made under the Disability Discrimination Act 1995 as a dog which is trained by specified charities, i.e., "Dogs for the Disabled", "Support Dogs" or "Canine Partners for Independence", to assist a disabled person with a physical impairment and which at the time that its owner hires a private hire vehicle is wearing a jacket inscribed with the name of one of those charities. This condition shall not apply to a driver who as applied for, and been granted a certificate of exemption.

6.24 Health of Driver

The driver of a private hire vehicle must inform the Council without delay about the onset or worsening of any health condition likely to cause him to be a source of danger to the public when driving either now or in the future. Drivers who are in doubt about whether or not their health condition is one which should be reported should consult their doctor.

6.25 Renewal of Licences

Applications to renew a licence must be submitted at least four weeks prior to the expiry of the licence on the appropriate form.

7. Private Hire Vehicles

7.1 Applications

The following documents shall be submitted when making an application for a new or renewal licence:

- the correct fee
- an original certificate of insurance for the vehicle, valid on the day of application, insuring it for the purpose of its use as a Private Hire vehicle
- the original Vehicle Registration Document showing the current owners name and address or;
- the original Vehicle Registration Document with the new keeper details completed with the new owners full details (the Council will give you the new keeper supplement and send the rest of the document off to the DVLA on your behalf)
- an MOT certificate issued during a mechanical vehicle inspection at a Council nominated testing station dated within the month preceding the application
- a 'Rossendale Test' pass certificate from the same MOT testing station the MOT certificate was issued from confirming that the vehicle conforms to the standards set by Rossendale Borough Council dated within the month preceding the application
- if applicable, a letter from the registered keeper of the vehicle to the applicant, stating that they have given their permission for the vehicle to be licensed
- any application not accompanied by the appropriate documentation shall be rejected as invalid and returned to the applicant together with the fee

A renewal application must be received and processed before the expiry of the current hackney carriage vehicle licence. Applications should be made one month preceding the expiry of the licence. If you fail to submit your renewal application at the correct time, we cannot guarantee your licence will be renewed. Any application not accompanied by the appropriate documentation shall be rejected as invalid and returned to the applicant together with the fee. All documents provided shall meet the requirements as set out in part 2 of this policy document.

7.2 Introduction

The following conditions are attached to a private hire vehicle licence.

7.3 Signs, notices etc.

- a) The vehicle must not be equipped with roof fittings including advertisements, a roof sign or a wireless aerial which if fitted must be fitted in such a manner to satisfy the Council,
- b) There shall be no lights, plates, signs or other fitting(s) (other than the licence plate) displayed on, in or from the vehicle, except those approved by the Council or displayed to comply with requirements under the current lighting and licensing regulations approved by the Secretary of State.
- c) The vehicle shall display on the front nearside and the front offside door the Council approved door stickers identifying the Private Hire vehicle in the design and form supplied by the Council with the licence
- d) No markings of any nature, other than standard manufacturer's markings, are permitted, except upon the written authorisation of the Director for Business, Monitoring Officer or Unit Manager and in accordance with the criteria set out below:

- I. Permitted Markings:
Only the company/organisation name and one contact telephone number may be displayed.
- II. Permitted Location and size of markings:
Rear passenger doors (total area for markings may not exceed 20.5cm by 32cm in size) on each door and/or the rear boot lid
- III. Permitted Typeface and colour
Any typeface is permitted provided that the total area of each marking does not exceed the limits above. Markings must be in contrast to the main colour of the vehicle. Applications for this purpose must be made in writing to the Unit Manager and be accompanied by a sample of the proposed markings. Submissions must be in colour and full details of the signage must be provided to demonstrate how it complies with the Council's requirements. No additional markings will be permitted.

7.4 Radio microphone

Any radio microphone installed in the vehicle shall be fitted in such a position that its use by the driver would not impair his control of the vehicle when it is in motion.

7.5 The taximeter

If the vehicle is fitted with a taximeter, that taximeter must be so constructed, securely fitted and maintained as to comply with the following requirements:

- a) the taximeter shall be fitted with a key, flag or other device, the turning of which will bring the machinery of the taximeter into action;
- 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 vehicle distance;
- d) 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 vehicle and for that purpose, the letters and figures shall be capable of being suitably illuminated during any period of hiring;
- e) the taximeter and all the fittings thereof shall be so affixed to the vehicle 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

7.6 Maintenance of the vehicle

The vehicle shall:

- a) be of such design to enable any person in the vehicle to communicate with the driver;
- b) be fitted with a roof or covering which can be kept watertight;
- c) each passenger door shall contain a window and a means of opening and closing that window excluding the tailgate;
- d) contain seats which must be properly cushioned or covered, all seats must be forward or rear facing;
- e) subject to current statutory legislation have one seat belt for every licensed passenger;
- f) be provided with a proper carpet, mat or other suitable covering for the floor;

- g) contain fittings and furniture kept in a clean condition, safe and well-maintained and in every way fit for public service;
- h) be fitted in such a way to enable luggage to be secured if the vehicle is so constructed to carry luggage;
- i) be a right hand drive vehicle;
- j) be equipped at all times with an appropriate spare wheel or other similar device and a suitable jack and wheel brace.
- k) The proprietor of the licensed vehicle shall:
 - I. Keep the Private Hire vehicle in a mechanical condition suitable for its use as a hackney carriage vehicle.
 - II. Keep the exterior and interior of the licensed vehicle, including the windows clean and in good condition.
 - III. All panels on the vehicle shall be painted in the same colour (must not have panels with unmatched colours or in primer).
 - IV. All panels of the vehicle should be free of body damage, rust or unsatisfactory repairs which adversely affect the appearance of the vehicle (see the 'Rossendale Test').
- l) Plates provided by the Council identifying the vehicle as a private hire vehicle shall be affixed to the exterior of the vehicle at the front and rear of the vehicle and displayed at all times throughout the period that the vehicle is licensed as a private hire vehicle. The plate shall be capable of being easily removed by a Constable or duly authorised officer of the Council, should the licence be revoked or suspended.
- m) Upon expiry of the licence, the proprietor shall return to the Council the identification plates supplied by the Council.
- n) Before the expiry of the sixth month after the issue of the licence, but after the expiry of the fifth month after the issue of the licence, the vehicle shall undertake an MOT inspection and the 'Rossendale Test' at a Council approved MOT testing station. It shall be the responsibility of the proprietor of the vehicle to produce these documents to the Authority forthwith.

7.7 Safety equipment

There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a first aid kit containing appropriate first aid dressings and appliances, such equipment to be carried in such a position in the vehicle as to be readily available for immediate use in an emergency.

7.8 Term of licence

Private hire vehicle licences shall be granted for a period of 12 months. Applications for renewal should be submitted one month preceding the expiry date of the licence.

7.9 Accidents to vehicle

The proprietor of a hackney carriage shall report to the Council in writing as soon as reasonably practicable, and in any case within 72 hours of the occurrence thereof, any accident to such private hire vehicle causing damage materially affecting the safety, performance or appearance of the private hire vehicle or the comfort or convenience of persons carried therein. Compliance with this condition does not exempt the proprietor from his statutory liability to report accidents to the police.

7.10 Location of vehicle

The proprietor of a private hire vehicle licensed by the Council shall, within such period as the Council may by notice reasonably require, state in writing the address of every place where such private hire vehicle is kept when not in use, and shall, if the Council so requires, afford to them such facilities as may be reasonably necessary to enable them to cause such private hire vehicle to be inspected or tested there.

7.11 Transfer of ownership

The proprietor shall notify the Council in writing of any changes in vehicle ownership within 7 days of such change taking place.

7.12 Change of address

The proprietor shall notify the Council in writing of any change of his address during the period of the licence within 7 days of such change taking place.

7.13 Insurance

The proprietor of any private hire vehicle licensed by the Council shall at the request of any authorised officer of the Council produce for inspection the vehicle licence for such private hire vehicle and the certificate of policy of insurance or security required by Section 143(2) Road Traffic Act 1988.

7.14 Alteration of vehicle

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

7.15 Convictions

The proprietor shall within 7 days of conviction, caution or fixed penalty, disclose to the Council in writing, details of any personal conviction imposed on him/her (or, if the proprietor is a company or partnership, or any of the directors or partners) during the period of the licence.

7.16 Alteration of conditions

The Council may, by notice in writing to the proprietor of the vehicle alter any of the conditions attached to the vehicle licence.

7.17 Rossendale Test

The 'Rossendale Test' element of the vehicle check will be conducted at the same time as the MOT at a Council authorised testing centre within the one month preceding the licensing application and at the 6-month test.

7.18 Executive Vehicle Requirements

Vehicles may, at the discretion of the Council and on application by the operator, be categorised as Executive Private Hire Vehicle. The matters that will be taken into account when considering such applications will include the following:

- a) Most (and in this context this means approximately 90%) or all of the work should be for businesses which maintain an account with the operator. This should be demonstrated by reference to records of at least three months existing work.
- b) The vehicle should generally be used exclusively for account work and not used for any other booked work.
- c) The type of vehicle to which the application relates on the basis that executive status should relate only to larger type vehicles.
- d) The compliance record of the operator concerned including details of any complaints lodged against drivers employed by the operator.

7.18. A vehicle classed as an executive vehicle shall, as part of its licence conditions, have the following substituted for Condition 4 of the normal Private Hire Vehicle conditions:

- a) The vehicle shall display an internal executive licence plate on the front windscreen facing outwards and shall also display a second internal licence plate, facing inwards where customers can easily see it but shall not be required to display any other signage on the vehicle.

7.19 Stretched Limousines

Stretched limousines will be considered by the Authority for licensing as a private hire vehicle providing that:

- a) A certificate is produced to show that the vehicle has been examined under the Individual Vehicle Approval inspection regime by Vehicle and Operator Services Agency.
- b) The vehicle will not be licensed to carry more than 8 passengers
- c) All other aspects of licensing a vehicle as a private hire vehicle are complied with.

8. List of policies, procedures and schemes relevant to this policy

Below are the details of policies, procedures and schemes relevant to this policy document as they represent requirements applicable in all cases and are included here for completeness.

- Policy Statement on guidelines to convictions including statement of policy about relevant convictions
- Byelaws relating to hackney carriages
- The Rossendale Test Standards
- Enforcement Policy relating to the Hackney Carriage and Private Hire trade