



CYNGOR  
*Sir Ddinbych*  
*Denbighshire*  
COUNTY COUNCIL

# **HACKNEY CARRIAGE & PRIVATE HIRE**

## **LICENSING CONDITIONS**

**APRIL 2011**

**ALSO CONTAINS DRIVER LICENSING CONDITIONS**

# **Licensing Conditions**

## **Private Hire Vehicle Operators**

### **RECORDS**

- 1.1 The records required to be kept by the Operator under section 56(2) of the 1976 Act shall be:
- (i) if kept manually, in a suitable book, the pages of which are numbered consecutively; or
  - (ii) if computerised, a daily printout must be kept in a file, the pages of which must show the date.
- 1.2 The Operator shall enter or cause to be entered, before the commencement of each journey, the following particulars of every booking of a private hire vehicle invited or accepted by him, regardless of whether the Operator provided the private hire vehicle,
- a) the date and time of the booking
  - b) the name and address of the hirer
  - c) how the booking was made (phone, personal caller, etc.)
  - d) the time of pick up
  - e) the point of pick up
  - f) the destination
  - g) the licence number of the vehicle allocated the booking
  - h) the licence number and name of the driver allocated the booking
  - i) remarks, including details of any sub-contract if appropriate.
- 1.3 All records must be kept by the Operator for not less than 6 months.
- 1.4 The Operator shall keep copies of the private hire vehicle licences which have been issued by the Council, which operate under the Operator's licence.
- 1.5 The Operator must retain a copy of the licence to drive private hire vehicles for each driver employed, and retain the same until the driver ceases to be employed at which time the copy must be returned to the driver.
- 1.6 All records must be made available for inspection if requested by an authorised officer or police officer.

### **CONVICTIONS**

- 1.7 The operator shall within 7 days, disclose to the Council, in writing, details of any conviction imposed on him (or if the operator is a company or partnership, on any of the directors or partners) during the period of this licence.

### **CHANGE OF ADDRESS**

- 1.8 The Operator shall, within 7 days, notify the Council in writing of any change of personal address.

- 1.9 The Operator shall notify the Council, in writing, of any planned changes to the location of the operating centre at least 21 days prior to any change taking place.

## **PLANNING AND OTHER CONSENT**

1.10 An Operator's licence will not be granted until such time as:-

- 1) any requisite planning consent, permission or the like has been obtained from the Council and evidence of such submitted to the Head of Planning, Regeneration and Regulatory Services.
- 2) any requisite licence in respect of radio equipment has been granted by the Radio Communications Agency.
- 3) disclosure of criminal records has been deemed satisfactory.

## **SERVICE**

1.11 The Operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose shall in particular, ensure that when a private hire vehicle has been hired to be in attendance at an appointed time and place, the vehicles shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place.

## **OPERATING PREMISES**

1.12 The Operator shall keep clean adequately ventilated and lit any premises which the operator provides and to which the public have access, whether for the purposes of booking or waiting. The Operator must ensure that any waiting area has adequate seating facilities.

1.13 The Operator must ensure that the use of citizens band or similar open channel radio equipment for operational communication with or between drivers of vehicles operated by him is prohibited.

## **COMPLAINTS**

1.14 The Operator shall immediately upon receipt notify the Council in writing of any complaints made direct to him concerning a contract for hire or purported contract for hire relating to or arising from his business and of the action, if any which the Operator has taken or proposes to take in respect thereof, or in the case of complaints made direct to the Council respond thereto with similar notification within 7 days of receiving notice of the complaint.

## **FARES**

1.15 The Operator shall ensure that a copy of the current scale of fares charged by himself shall be displayed in every licensed vehicle operated by him, in a position so as to be clearly legible to passengers in the vehicle.

1.16 The Operator shall ensure that the scale of fares in 1.16 above is lodged with the Council as soon as the scale of fares become effective.

**See guidance notice for details of application for grant and renewal**

# Licensing Conditions

## Private Hire Vehicles

### VEHICLE SPECIFICATION

- 2.1 Subject to (a) to (m) below, the Council will consider any Society of Motor Manufacturers and Traders (S.M.M.T.) designated 4 and 5 door lower medium estate, or upper medium/large salon or estate car, MPV, SUV, minibus and the like, of suitable mechanical and bodily condition, irrespective of colour for private hire licensing. It will not permit the use of purpose designed London Cabs, other purpose built propriety taxi vehicles or any vehicle which may lead the public to assume the vehicle is a hackney carriage..
- a. Vehicles must be fitted with at least 4 doors and 4 wheels unless specifically exempt by the Council (rear door is included as one door).
  - b. Vehicles must be right hand drive unless specifically exempt by the Council.
  - c. Vehicles must have adequate space for luggage to be kept in a clean, safe and water tight manner.
  - d. Vehicles must not be fitted with roof racks.
  - e. Vehicles must not be fitted with roof signs or any sign that may give the appearance that they may be a hackney carriage (taxi).
  - f. Vehicles must be capable of carrying at least 4 and not more than 8 passengers, in addition to the driver.
  - g. All vehicles must be under five years old from the date of first registration, and on subsequent licence be in exceptionally good mechanical and bodily, interior and exterior condition.
  - h. All vehicles must be of a design and manufacture so that all passengers have a clear and unobstructed access to an exit in the event of an emergency. (Under no circumstance will any vehicle be licensed which would require any passenger to move or tip any seat to enter or egress from any seat they may occupy in the vehicle).
  - i. Vehicles must not be "Q" registered.
  - j. Applications for vehicles which have been adapted since first manufacture, or imported from overseas, must be accompanied by a certificate of use from the Vehicle Certification Agency as to fitness for passenger carrying.
  - k. No licensed vehicle may tow any trailer unless a valid insurance certificate or cover note is available to cover its use for hire and reward. The vehicle licence number must be clearly displayed on the rear of the trailer; any trailer must comply with all relevant condition.
  - l. All passenger seats must face forward or rearward to the direction of travel, (no passenger may sit sideways to direction of travel unless specifically exempt by an authorised officer of the council).
  - m. The use of a camera (CCTV) to record the inside of any licensed vehicle must be approved by the council and operate in such a manner that any information gathered is held in accordance with relevant legislation. A sign approved by the council must be displayed in the vehicle to inform passengers that a system is in use.

- 2.2 The vehicle and all its fittings and equipment shall at all times when a vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements shall be complied with.
- 2.3 No material alteration or change in 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.
- 2.4 The licence plate and door signs identifying the vehicle as a private hire vehicle, shall be displayed on the vehicle at all times when the vehicle is licensed as a private hire vehicle (except on such occasion as contained in Section 75 of the 1976 Act).
- 2.5 The exterior plate shall be securely fixed to the outside of the vehicle at the rear, at or above bumper height and as near horizontally as possible, but fixed nevertheless in such a manner as to be easily removable by an authorised officer of the Council or a police officer.
- 2.6 One door sign shall be adhered to each front door panel of the vehicle.
- 2.7 The company name the words private hire and one telephone number, which must be used by the Operator of the vehicle may be placed, at the licensee's expense, on the boot and each rear side of the vehicle below the window height provided that:
- i) The first name is that used by the operator and lodged with the Council.
  - ii) The Council will not allow pictures, icons, graphics, emblems or the like which may infer that the vehicle is a hackney carriage (taxi).
- 2.8 Vehicles must not display, anywhere on or in the vehicle the word "taxi" "cab" or "hire" or any other word(s) which may, in the Council's opinion lead the public to believe the vehicle is a hackney carriage.
- 2.9 The licence plate and door signs must not be affixed to any other vehicle other than that stipulated on the current licence. This equipment remains the property of the Council and must be surrendered immediately upon expiry, suspension or revocation of the licence.
- 2.10 Every licensed vehicle shall be furnished, fitted and maintained so as to provide adequately for the comfort and safety of passengers and, without prejudice to the generality of the foregoing, provide the following:
- i) Sufficient means of communication between passengers in the vehicle and the driver, if the vehicle has a separate passenger compartment.
  - ii) A water tight roof covering.
  - iii) Serviceable means of opening and closing at least one window on each side of the passengers compartment/seating.
  - iv) Properly cushioned, clean seating for the number of passengers stated in the vehicle licence.
  - v) Properly carpeted or covered flooring.
  - vi) An adequate, (0.8 – 1.5kg) dry powder fire extinguisher, certified or tested, must be secured out of sight with suitable clear notice displayed within the vehicle to indicate where it may be found in the event of an emergency.

- vii) A first aid kit is to be secured out of sight with a suitable clear notice displayed inside the vehicle to indicate where it may be found in the event of an emergency (private hire (and hackney) drivers are under no obligation to administer first aid treatment), there is no standard list of items to put into a first aid box, this is dependent on what you assess the need is, however as a guide and where there is no special risk a minimum stock of first aid items would be:
- A guidance leaflet on first aid.
  - One pair of disposable gloves.
  - 20 individually wrapped sterile adhesive dressing (assorted sizes)
  - Two sterile eye pads
  - Four individually wrapped triangular bandages (preferably sterile)
  - Six safety pins.
  - Six medium sized (12cm x 12 cm) un-medicated dressings.
  - Two large (18cm x 18cm) un-medicated dressings
  - No tablets or medicines should be contained within the First Aid Box.

EACH ITEM MUST BE REPLACED IMMEDIATELY AFTER USE.

All items must be stored in an approved box and maintained in good condition at all times.

- 2.11 Vehicle must be fitted and maintained with such passenger safety belts and other features required by any other Act or Regulation as may in force from time to time.
- 2.12 No notices of any kind, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle except as may be required by any statutory provisions, including by laws or conditions. It should be noted that advertisements may be displayed on a licensed vehicle, but it must comply with the relevant conditions and may only be displayed when authorisation has been gained from the Council.
- 2.13 2.12 above shall not apply to:
- a) Any indication on a taximeter visible only from the interior of the vehicle, or
  - b) The display by the driver of a hand-held card which is displayed in, on or from the vehicle whilst it is stationary, provided that such card;
    - i) Contains no words or numbers other than the names of the licensed operator of the vehicle or the name under which he carries on his business and, in either case, the name of a passenger or passengers to be carried in the vehicle, and
    - ii) If the licensed operator charges for journeys in accordance with a scale of fares (as in PHVO conditions), a copy of such scale shall be displayed in the vehicle for the information of passengers in a form previously submitted and approved by the Council.
- 2.14 Neither the Operator, proprietor nor the driver of a private hire vehicle shall use or cause or suffer to be used in any vehicle any radio equipment for operational communication between Operator and Driver, or between Drivers of other private hire vehicles, which shall not be fully licensed closed channel equipment.
- 2.15 Citizens Band Radio, radio frequency scanning equipment or other similar open channel radio equipment is prohibited for operational communication. However, this does not prohibit the personal use of citizens band radio equipment provided it is not used when carrying passengers and does not cause annoyance to other licensed users of similar radio equipment.

2.16 The licence holder shall notify the Council, in writing, of any change of personal address during the period of the licence, within 7 days of such change taking place.

2.17 The licence holder shall within 7 days disclose to the Council in writing details of any conviction (criminal/motoring) recorded against the driver during the period of the licence.

2.18 **VEHICLES NEW TO FLEET**

- a. All Vehicles new to fleet will be required to carry out the initial compliance test at the County's Licensed Testing Station in Bodelwyddan.
- b. Vehicles over 5 years old, from the date of first registration, need to be in exceptional condition, to be determined by the County's Testing Station in Bodelwyddan. In these circumstances, exceptional means "showroom condition", and that it is a vehicle maintained to an exceptional standard, such as limousines and large quality saloon cars, including purpose built and designed hackney carriages.
- c. All vehicles under 5 years, from the date of first registration will require a further compliance test 6 months later at any licensed Testing Station within the County.
- d. Once a vehicle has reached 5 years old since the date of first registration, in any 12 months, one of the compliance tests (to include MOT) must be taken at the County's testing station.
- e. Testing Stations will be required to issue a letter to the owner/driver of a vehicle that is presented for repair or testing if that vehicle is in such a condition that would mean it would not pass a compliance test at that time. The Testing Station is required to copy the letter to the Licensing Authority.

2.19 **EXISTING LICENSED VEHICLES**

- a. All vehicles under 5 years old, from the date of first registration, will be required to undergo 6 monthly compliance tests at any Licensed Testing Station within the County.
- b. Once a vehicle has reached 5 years old since the date of first registration, in any 12 months, one of the compliance tests (to include MOT) must be taken at the County's testing station.
- c. Testing Stations will be required to issue a letter to the owner/driver of a vehicle that is presented for repair or testing if that vehicle is in such a condition that would mean it would not pass a compliance test at that time. The Testing Station is required to copy the letter to the Licensing Authority.

2.20 **NEW AND EXISTING VEHICLES**

- a. The existing Vehicle Inspection by the Council's Licensing Enforcement Officers will be converted to the new Compliance Testing regime, and will be applied to all vehicles.

## 2.21 TESTING STATIONS

- a. To introduce a process for licensing all nominated Testing Stations within the County that carry out Compliance Tests on behalf of the Council, to enable regulation and enforcement, therefore ensuring consistency across the Testing Stations.
- b. To utilise experts that exist within the County's Fleet Management Section to ensure the Council's Policy in relation to standards is appropriate and consistent across the County to ensure safety and comfort of passengers is maintained.
- c. Testing Stations will be required to record information regarding testing requirements as deemed necessary by the Council, and submit the information within 24 hours of the test by FAX to Fleet Services Department at Bodelwyddan and submit on a weekly basis a report to the Licensing Administration Team of all vehicles that have been tested within the last seven days, whether the vehicle has passed/failed/advised.
- d. Testing Stations will be subject to supervisory visits from suitably qualified persons who, on demand, will afford the opportunity to view the testing station process and examine any equipment being used to carry out the test.
- e. Testing Stations will comply with and follow the "Best Practice Guide National Inspection Standards for Hackney Carriage and Private Hire Vehicles" issued by the Public Authority Transport Network (PATN).
- f. All vehicle tests will now consist of an MOT certificate plus the Compliance element of the test.

2.22 The licensee shall report to the Licensing Officer in writing as soon as reasonably practicable and in any such event within 72 hours of the occurrence thereof, any accident to the vehicle causing damage materially effecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers carried therein.

2.23 The private hire vehicle licence shall be suspended if, upon reporting of 2.22 above, the council is of the opinion that the vehicle breaches any condition required by the licence or requires retesting. The proprietor shall have the vehicle tested at a nominated testing station and submit the compliance certificate for examination prior to the licence being reinstated.

2.24 The Council may demand the immediate return of licence plates.

2.25 If the private hire vehicle is fitted with a taxi meter, such taxi meter shall conform to and be used only compliance with the following:

- a) No sign or flag whether illuminated or not, shall be displayed on the taxi meter or else were, visible from the outside of the vehicle, which contains the words "for hire" or any other working or suggestion that the vehicle is a hackney carriage available for immediate hire
- b) The taxi meter shall be fitted with a switch or other device that activates the meter to the appropriate tariff setting the causes the word "HIRED" or "FARE" to appear on the face of the taxi meter.
- c) Such switch on other device shall be capable of being locked in such a position that he machinery of the taxi meter is not in action and no fare is recorded on the face of the taxi meter



- d) When the machinery of the taxi meter is in action there shall be recorded on the face of the taxi meter in figures clearly legible and free from ambiguity a fare not exceeding the rate which the operator of the vehicle has notified to the Council
- e) The taxi meter shall be so constructed as to be capable of registering alternative tariffs, if the Operator has notified an increased tariff for late night or other bookings
- f) The word "fare" shall be printed on the face of the taxi meter in plain letters so as clearly applies to the fare recorded thereon
- g) The taxi meter shall be so placed that all letters and figures on the face thereof may at all times be 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
- h) The taxi meter 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

2.26 The private hire vehicle licence remains licensed to the person(s) specified on the licence. The licence cannot be sub-let or hired out to any other person(s) without being properly transferred by the Council.

2.27 The licensee shall ensure that renewed motor insurance cover and certificate of compliance are submitted to the Licensing Officer, in original form, either prior to, or on their expiry.

2.28 Failure to provide such documentation will result in the immediate suspension of licence(s).

2.29 Licensees and drivers of private hire vehicles must not refuse, without reasonable excuse to carry an Assistance Dog, Guide Dog or Hearing Dog accompanying the hirer or any other passenger. Dogs must be transported on the vehicle floor. Reasonable excuse is deemed to be any medical reason, connected with the licensed driver, which would be aggravated by the presence of a dog.

3.0 Additional Conditions for the licensing of specific vehicle types (limousines, fire appliance, specialist vehicles). In vehicles of 8 or less passengers regard must be made to road vehicle construction and use regulation 46 and 47 SI 1986 /1078 and the Road Traffic Act 1988;

- a) The vehicle must pass a single vehicle approval inspection of its design and construction at a VOSA testing station. The approval or compliance certificate must be presented with a registration certificate (V5c) to the licensing department.
- b) No person involved in the operation of the vehicle may wear a uniform that may lead the passengers or members of the public to believe that they are a member of any emergency services.
- c) The driver must hold the appropriate driving licence to drive the vehicle.
- d) All lighting, sirens, signage and other ancillary equipment must not give the impression that the vehicle is an emergency services vehicle.

- e) No person under the age of 15 years may sit on a sideways facing seat.
- f) All tyres must conform to vehicle manufactures recommendations.
- g) All vehicles must pass a specific compliance test carried out by the council testing station.
- h) The sale and consumption of alcoholic drinks within the vehicle must conform to relevant legislation.
- i) All entertainment within the vehicle must conform to relevant legislation and receive written consent from the Council.
- j) Physical assistance must be provided by the operator to ensure the safety of passengers when entering or leaving the vehicle.
- k) Any restriction to the access to certain groups of passengers must be clearly advertised on the promotional literature and stated at the time of the booking.
- l) Further special conditions may also be applied when required.

*See guidance notices for details of application for grant and renewal.*

#### **NOMINATED TESTING STATIONS**

<b>TESTING STATION</b>	<b>TELEPHONE NUMBER</b>
A N Richards, Engineering Workshop, Froncysyllte, Llangollen LL20 7RA	01691 777835
Cambrian Autoservices North Wales Ltd, Marsh Road, Rhyl LL18 2AD	01745 334861
Coastal Cars, 116 Vale Road, Rhyl LL18 2PD	01745 339410
D.C.C, Fleet Management and Vehicle Maintenance Centre, Expressway Business Park, Abergele Road, Bodelwyddan, LL18 5SQ	01745 839230
Dragon Tyres, Mwrog Street, Ruthin LL15 1LB	01824 703336
Drivers, Nant Garage, Prestatyn Road, Prestatyn LL19 9LD	01745 858100
Kenrick Motors, Market Street, Llangollen LL20 8RA	01978 861382
Maldwyn Williams, Rhyl Road, Denbigh LL16 5TA	01745 812542
Marine Lake Motors, Westbourne Avenue, Rhyl LL18 1EG	01745 345268
M J Autos, 17 Lon Parcwr, Ruthin LL15 1NJ	01824 707303
Leddens Transport Services, 59 Fforddlas, Rhyl LL18 2EE	01745 342460

Testing fees are payable by the licensee. The Council will not accept responsibility for damage to vehicle or fittings etc whilst vehicles are being tested.

# Licensing Conditions

## Hackney Carriages

### VEHICLE SPECIFICATION

- 3.1 Subject to (a) - (i) below, the Council will consider any conventional 4 or 5 door saloon or estate car, purpose built London Cabs, or other purpose built or adapted taxis of suitable mechanical and bodily condition, irrespective of colour for Hackney Carriage Licensing.
- (a) Cars must be fitted with at least 4 doors and 4 wheels
  - (b) cars must be right hand drive, unless specifically exempt by the Council
  - (c) cars must have adequate space for luggage, to be kept in a clean and water tight manner
  - (d) cars must not be fitted with roof racks
  - (e) cars capable of carrying at least 4 and not more than 8 passengers, in addition to the driver
  - (f) cars no older than 7 years old from the date of first registration, unless in exceptionally good mechanical and bodily, interior and exterior condition, which will be determined by the Council's Licensing Officers
  - (g) vehicles must be of a design so that all passengers have direct access to an exit without hindrance, in the event of an emergency
  - (h) cars must not be "Q" registered.
  - (i) applications for vehicles which have been adapted since first manufacture , or imported from overseas, must be accompanied by a certificate of use from the Vehicle Certification Agency as to fitness for passenger carrying.
- 3.2 The vehicle and all its fittings and equipment shall at all times when a vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements shall be fully complied with.
- 3.3 No material alteration or change in 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.
- 3.4 The plates identifying the vehicle as a Hackney Carriage, shall be displayed on the vehicle, at bumper height, at all times when the vehicle is licensed as a Hackney Carriage
- 3.5 The proprietor may, if so desired, display on the side and or rear of the vehicle below window level, the first name under which the vehicle is operated and/or its telephone number, but no other signs, emblems or notices shall be displayed either outside or inside the vehicle without specific written permission from the Council.
- 3.6 Any Proprietor wishing to use or sell space on the vehicle for the advertising of another company must first apply to the Council with a draft advert.
- Such adverts must not:-
- (i) contain anything religious or political
  - (ii) advertise alcohol or tobacco

- (iii) be pornographic or offensive to good taste
  - (iv) promote anything which is illegal
  - (v) promote discounted fares, or
  - (vi) advertise jobs
- 3.7 The licence plates signs must not be affixed to any other vehicle other than that stipulated on the current licence. This equipment remains the property of the Council and must be surrendered immediately upon expiry, suspension or revocation of the licence.
- 3.8 The exterior plates shall be securely fixed to the outside of the vehicle at the front and rear, at or above bumper height and as near vertically as possible, but fixed nevertheless in such a manner as to be easily removable by an authorised Officer of the Council or a constable.
- 3.9 The proprietor or driver of a Hackney Carriage shall not wilfully or negligently cause or suffer any such (licence) number to be concealed from public view while the carriage is standing or plying for hire.
- 3.10 The proprietor or driver of a Hackney Carriage shall not cause or permit the carriage to stand or ply for hire with any such (painting, marking or) plate so defaced that any figure material particular is illegible.
- 3.11 The proprietor or drive of a Hackney Carriage shall not tamper with or permit any person to tamper with any taxi meter with which the carriage is provided, with the fitting thereof, or with the seal affixed thereto.
- 3.12 A proprietor or driver of a Hackney Carriage, when standing or plying for hire, shall not, by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.
- 3.13 Every licensed Hackney Carriage shall be furnished, fitted and maintained so as to provide adequately for the comfort and safety of passengers and, without prejudice to the generality of the foregoing, provide the following:-
- (i) sufficient means of communication between passengers in the vehicle and the driver, if the vehicle has a separate passenger compartment
  - (ii) a water tight roof covering
  - (iii) serviceable means of opening and/or closing at least one window on each side of the passenger compartment/seating
  - (iv) properly cushioned, clean seating for the number of passengers stated on the vehicle licence
  - (v) properly carpeted or covered flooring
  - (vi) adequate means of securing luggage being carried in or behind the passenger seats instead of a separate luggage compartment
  - (vii) a 2.5 kg dry powder fire extinguisher carried out of sight with a suitably clear notice displayed inside the vehicle to indicate where it may be found in an emergency

- (viii) a first aid kit to be carried out of sight with a suitably clear notice displayed inside the vehicle to indicate where it is in an emergency

#### CONTENTS OF FIRST AID KIT

One pair of disposable gloves

**10 individually wrapped sterile adhesive dressings (plasters)**

One sterile eye pad

Two triangular bandages

Six safety pins

Two medium sized (12 cm x 12 cm) unmedicated dressings

One large (18 cm x 18 cm) unmedicated dressing

**EACH TIME MUST BE REPLACED IMMEDIATELY AFTER OPENING**

Items must be stored in a suitable box and maintained in good condition at all times

- (ix) one booster cushion/seat conforming to current British Safety Standard for use by children. This seat will be kept in the vehicle at all times whilst the licence is in force. A notice of similar design to that below\* (provided by the Council) must be positioned in the vehicle so as to clearly indicate to parents or guardians that a booster/cushion seat is available should the parent/guardian wish to use it.

*\* This vehicle carries a booster cushion for use by children. Should you wish to use it, please ask the driver.*

- 3.14 Vehicles must be fitted and maintained with such passenger safety belts and other features required by any other Act or Regulation as may be in force from time to time.
- 3.15 The vehicle shall be fitted with a roof sign of substantial metal and/or plastic/perspex construction. Internally illuminated during hours of darkness when available for hire.
- 3.16 The sign shall display to the front the words LICENSED TAXI or as appropriate in black letters at least 9 cm in height and to the rear, the trade name and/or firm telephone number if so desired.
- 3.17 The front of the roof sign must not be red.
- 3.18 The rear of the roof sign must be red
- 3.19 Roof signs, unless factory fitted to a purpose built taxi, taxi bus or the like, must not exceed the following dimensions:-
- 102 cm x 18 cm in height x 18 cm wide and a minimum size of not less than half the width of the vehicle roof, measured from side to side.
- 3.20 Neither the proprietor nor the driver the Hackney Carriage shall use or cause or suffer to be used in any vehicle any radio equipment for operational communication between Operator and Driver, or between Drivers of other Hackney Carriages, which shall not be fully closed channel equipment.
- 3.21 Citizens Bank or other similar open channel radio equipment is prohibited for operational communication. However, this does not prohibit the personal use of such equipment provided it is not used when carrying passengers and does not cause annoyance to other licensed users of similar radio equipment.
- 3.22 The Licensee shall notify the Council, in writing, of any change of address during the period of the license, within 7 days of such change taking place.

- 3.23 The Licensee shall within 7 days disclose to the Council in writing details of any conviction imposed on him during the period of the licence.
- 3.24 **VEHICLES NEW TO FLEET**
- a. All Vehicles new to fleet will be required to carry out the initial compliance test at the County's Licensed Testing Station in Bodelwyddan.
  - b. Vehicles over 5 years old, from the date of first registration, need to be in exceptional condition, to be determined by the County's Testing Station in Bodelwyddan. In these circumstances, exceptional means "showroom condition", and that it is a vehicle maintained to an exceptional standard, such as limousines and large quality saloon cars, including purpose built and designed hackney carriages.
  - c. All vehicles under 5 years, from the date of first registration will require a further compliance test 6 months later at any licensed Testing Station within the County.
  - d. Once a vehicle has reached 5 years old since the date of first registration, in any 12 months, one of the compliance tests (to include MOT) must be taken at the County's testing station.
  - e. Testing Stations will be required to issue a letter to the owner/driver of a vehicle that is presented for repair or testing if that vehicle is in such a condition that would mean it would not pass a compliance test at that time. The Testing Station is required to copy the letter to the Licensing Authority.
- 3.25 **EXISTING LICENSED VEHICLES**
- a. All vehicles under 5 years old, from the date of first registration, will be required to undergo 6 monthly compliance tests at any Licensed Testing Station within the County.
  - b. Once a vehicle has reached 5 years old since the date of first registration, in any 12 months, one of the compliance tests (to include MOT) must be taken at the County's testing station.
  - c. Testing Stations will be required to issue a letter to the owner/driver of a vehicle that is presented for repair or testing if that vehicle is in such a condition that would mean it would not pass a compliance test at that time. The Testing Station is required to copy the letter to the Licensing Authority.
- 3.26 **NEW AND EXISTING VEHICLES**
- a. The existing Vehicle Inspection by the Council's Licensing Enforcement Officers will be converted to the new Compliance Testing regime, and will be applied to all vehicles.
- 3.27 **TESTING STATIONS**
- a. To introduce a process for licensing all nominated Testing Stations within the County that carry out Compliance Tests on behalf of the Council, to enable regulation and enforcement, therefore ensuring consistency across the Testing Stations.
  - b. To utilise experts that exist within the County's Fleet Management Section to ensure the Council's Policy in relation to standards is appropriate and consistent across the County to ensure safety and comfort of passengers is maintained.

### 3.27 TESTING STATIONS

- c. Testing Stations will be required to record information regarding testing requirements as deemed necessary by the Council, and submit the information within 24 hours of the test by FAX to Fleet Services Department at Bodelwyddan and submit on a weekly basis a report to the Licensing Administration Team of all vehicles that have been tested within the last seven days, whether the vehicle has passed/failed/advised.
- d. To introduce a process for licensing all nominated Testing Stations within the County that carry out Compliance Tests on behalf of the Council, to enable regulation and enforcement, therefore ensuring consistency across the Testing Stations.
- e. To utilise experts that exist within the County's Fleet Management Section to ensure the Council's Policy in relation to standards is appropriate and consistent across the County to ensure safety and comfort of passengers is maintained.
- f. Testing Stations will be required to record information regarding testing requirements as deemed necessary by the Council, and submit the information within 24 hours of the test by FAX to Fleet Services Department at Bodelwyddan and submit on a weekly basis a report to the Licensing Administration Team of all vehicles that have been tested within the last seven days, whether the vehicle has passed/failed/advised.
- g. Testing Stations will be subject to supervisory visits from suitably qualified persons who, on demand, will afford the opportunity to view the testing station process and examine any equipment being used to carry out the test.
- h. Testing Stations will comply with and follow the "Best Practice Guide National Inspection Standards for Hackney Carriage and Private Hire Vehicles" issued by the Public Authority Transport Network (PATN).
- i. All vehicle tests will now consist of an MOT certificate plus the Compliance element of the test.

3.28 The Licensee shall report to the Council as soon as reasonably practicable and in any such event within 72 hours of the occurrence thereof, any accident to the vehicle causing damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers carried therein.

3.29 The Hackney Carriage Licence shall be suspended if, upon reporting of 3.28 above, the Council is of the opinion that the vehicle requires retesting, and the proprietor shall have the vehicle tested at a nominated testing station and submit the compliance certificate for examination prior to the licence being reinstated.

3.30 The Council may demand the immediate return of licence plates.

3.31 All Hackney Carriages must be fitted with a taxi meter, so constructed as to be capable of recording three alternative tariffs and so attached, fitted and maintained as to comply with the following at all times whilst the vehicle is in use:-

- (a) the taxi meter shall be fitted with a key or other device the turning of which will bring the machinery of the taxi meter into action and cause the word "HIRED" to appear on the fare of the taxi meter.
- (b) such key or other device shall be capable of being locked in such a position that the machinery of the taxi meter is not in action and no fare is recorded on the fact of the taxi meter.

- (c) when the machinery of the taxi meter is in action there shall be recorded on the face of the taximeter in figures clearly legible and free from ambiguity a fare not exceeding the rate which the driver is entitled to demand.
- (d) the word FARE shall be shown on the face of the taxi meter in plain letters so as to clearly apply to the fare recorded thereon.
- (e) the taxi meter must register only the fare on the face of the taxi meter in plain letters so as to clearly apply to the fare recorded thereon.
- (f) the meter must be calibrated by an authorised agent, approved by the Council.
- (g) the taxi meter shall be so placed that all letters and figures on the fact thereof may at all times be 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.
- (h) 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.

3.32 The proprietor shall display inside the vehicle in a position easily visible to passengers:-

- (a) a statement of the current fares and charges for hire of Hackney Carriages, in a form issued or approved by the Council
- (b) a notice of the licence number of the vehicle and the number of passengers to be carried therein
- (c) such other notices as may from time to time be required by the Council

3.33 Licensees and drivers of hackney carriages must not refuse, without reasonable excuse to carry an Assistance Dog, Guide Dog or Hearing Dogs accompanying the hirer or any other passenger. Dogs must be transported on the vehicle floor.

Reasonable excuse is deemed to be any medical condition which would be aggravated by the presence of a dog.

Drivers requiring medical exemption must submit evidence, see notes on Driver Application

3.34 The Hackney Carriage remains licensed to the person(s) stated on the licence and may not be sub-let or hired or rented out to any other person. (Should the ownership of the vehicle change, the new owner(s) is entitled to have his name substituted as proprietor for the remaining period of the licence).

*See guidance notes for details of application for grant and renewal*



## NOMINATED TESTING STATIONS

TESTING STATION	TELEPHONE NUMBER
A N Richards, Engineering Workshop, Froncysyllte, Llangollen LL20 7RA	01691 777835
Cambrian Autoservices North Wales Ltd, Marsh Road, Rhyl LL18 2AD	01745 334861
Coastal Cars, 116 Vale Road, Rhyl LL18 2PD	01745 339410
D.C.C, Fleet Management and Vehicle Maintenance Centre, Expressway Business Park, Abergele Road, Bodelwyddan, LL18 5SQ	01745 839230
Dragon Tyres, Mwrog Street, Ruthin LL15 1LB	01824 703336
Drivers, Nant Garage, Prestatyn Road, Prestatyn LL19 9LD	01745 858100
Kenrick Motors, Market Street, Llangollen LL20 8RA	01978 861382
Maldwyn Williams, Rhyl Road, Denbigh LL16 5TA	01745 812542
Marine Lake Motors, Westbourne Avenue, Rhyl LL18 1EG	01745 345268
M J Autos, 17 Lon Parcwr, Ruthin LL15 1NJ	01824 707303
Leddens Transport Services, 59 Fforddlas, Rhyl LL18 2EE	01745 342460

Testing fees are payable by the licensee. The Council will not accept responsibility for damage to vehicle or fittings etc whilst vehicles are being tested.

# LICENSING CONDITIONS

## DRIVERS

### 4.1 The driver shall:-

- (i) afford all reasonable assistance with passengers' luggage etc
- (ii) at all times be clean and respectable in dress and person
- (iii) behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the Hackney Carriage
- (iv) if requested by the hirer of the vehicle, provide the hirer with a written receipt for the fare paid
- (v) if aware that the vehicle has been hired to be in attendance at an appointed time or place or has otherwise been instructed by the operator or proprietor of the vehicle to be in attendance at an appointed time and place, punctually attend at that appointed time and place, unless delayed or prevented by sufficient cause.
- (vi) when hired or drive to any particular destination shall, subject to any direction given by the hirer of the Hackney Carriage or Private Hire Vehicle, proceed to that destination by the shortest available route
- (vii) at all times when driving a licensed 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
- (viii) before commencement of employment, deposit a copy of his/her licence to drive with the operator or proprietor until such time as he ceases to be so employed
- (ix) notify the Council, in writing, of any change of address during the period of the licence, within 7 days of such change taking place
- (x) disclose to the Council, in writing, details of any criminal or motoring conviction imposed on him during the period of licence, within 7 days of such conviction being obtained
- (xi) wear the identification badge issued with the licence in a position and manner as to be plainly and clearly visible, at all times when acting in accordance with the drivers' licence
  - (a) new photographs may be requested should a driver have changed appearance to such an extent that the current photograph is not immediately recognisable
  - (b) drivers surrendering badge casings which can be re-used will receive a refund
  - (c) drivers requiring a replacement badge for any reason will be required to pay a fee
- (xii) upon expiry, revocation or suspension of the drivers' licence, return forthwith, to the Council the identification badge issued with the drivers' licence
- (xiii) notify the Council, immediately upon suffering any injury or developing a medical condition or defect which might impair or affect his ability to drive and shall cease driving during such time as suffering from any such injury or disability or whilst certified medically unfit to drive. (Drivers are reminded of their obligation to inform the DVLA of medical conditions).

(xiv) when plying for hire in a Hackney Carriage in any street and not actually hired:-

- (a) proceed with reasonable speed to one of the stands fixed by the bylaw in that behalf,
- (b) if a stand, at the time of his arrival, is occupied by the full number of Hackney Carriages authorised to occupy it, proceed to another stand
- (c) on arriving at a stand not already occupied by the full number of Carriages authorised to occupy it, station the carriage immediately behind the Carriage or Carriages on the stand and so as to face in the same direction, and
- (d) from time to time when any other Carriage immediately in front is driven off or moved forward cause his Carriage to be moved forward so as to fill the place previously occupied by the Carriage driven off or moved forward

4.2 The driver shall not:-

- (i) at any time whilst acting as a licensed driver wear:-
  - (a) shorts, other than tailored Bermuda type shorts
  - (b) micro mini skirts
  - (c) vest type T-shirts
  - (d) large hats or headgear
  - (e) dirty, ripped or tie bleached jeans
  - (f) any other dress which the Council deem unsuitable
- (ii) without the express consent of the hirer, smoke, drink or eat in the vehicle during the period of hiring
- (iii) without the consent of the hirer play any radio or sound reproduction instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle
- (iv) at any time cause or permit 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 persons, whether inside or outside the vehicle
- (v) convey or permit to be conveyed in the vehicle a greater number of persons than that prescribed in the vehicle licence issued by the Council
- (vi) without the consent of the hirer, convey or permit to be conveyed any other person in the vehicle
- (vii) if the vehicle is fitted with a taxi meter, cause the fare recorded thereon to be cancelled or concealed until the hirer has had a reasonable opportunity of examining it and has paid the fare (unless credit is to be given)
- (viii) The proprietor or driver of a Hackney Carriage or Private Hire Vehicle shall not wilfully or negligently cause or suffer any such (licence) number to be concealed from public view while the Carriage is standing or lying for hire or at any other time whilst the vehicle is licensed.

- (ix) the proprietor or driver of a Hackney Carriage shall not cause or permit the Carriage to stand or ply for hire with any such (painting, mark or) plate so defaced that any figure material particular is illegible
- (ix) the proprietor or driver of a Hackney Carriage shall not tamper with or permit any person to tamper with any taxi meter with which the Carriage is provided, with the fitting thereof, or with the seal affixed thereto
- (x) a proprietor or driver of a Hackney Carriage, when standing or plying for hire, shall not, by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any person for the purpose
- (xi) demand from any hirer of a Private Hire Vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator or, if the vehicle is fitted with a taxi meter and there has been no previous agreement as to the fare, the fare shown on the face of the taxi meter
- (xii) convey in a vehicle any animal belonging to or in the custody of himself or the operator or the proprietor of the vehicle  
(any animal belonging to or in the custody of any passenger at the driver's discretion may be conveyed in the vehicle shall only be conveyed in the rear of the vehicle)
- (xiii) refuse without sufficient cause, to carry an Assistance Dog, Guide Dog or Hearing Dog, accompanying the hirer or other passenger unless medically exempt from doing so.  
Drivers who are medically exempt from carrying dogs must undertake an exemption process, see notes of driver application

4.3 The driver shall immediately after the termination of any hiring of a vehicle or as soon as practicable thereafter carefully search the vehicle for any lost property which may have been accidentally left there.

4.4 On finding any such property, the driver must:-

- (i) carrying 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 local Police Station and leave it in the custody of the Officer in charge on his giving a receipt for such property
- (ii) be entitled to receive from any person to whom the property shall be redelivered an equal amount to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the said Police Station, whichever is the greater) but not more than five pounds.

***See guidance notes for details of application for grant and renewal***

## PENALTY SYSTEM

- In an attempt to ensure all licensees and vehicles remain suitable to carry members of the public, the Council has adopted a penalty system
- The chart below shows how the system works
- Should licenses be suspended or revoked, the licensee always has the right of appeal. This is achieved by lodging an appeal with a Magistrates Court within 21 days of the written notice of suspension or revocation
- The imposing of penalty points is not negotiable
- Licensees will receive notification in writing of the reason for penalty points and the number of points obtained
- The minimum period of suspension will be 20 days
- This period may increase and is mainly dependant on how points were obtained

EXAMPLE: A driver reaching 20 points made up of relatively minor offences will be suspended for 20 days

For more major offences, a period of 60 days may be warranted

Officers will keep records of this to maintain continuity

LICENCE	OFFENCE	PENALTY	MAX	
DRIVER	Failure to notify convictions and/or driving offences	10	20	*
	Failure to notify change of name and/or address	3	20	
	Failure to notify medical condition	10	20	
	Speeding (in any vehicle)	As endorsed multiplied by 2	20	
	Other endorsed traffic offences	As endorsed	20	*
	Failure to display ID badge	6	20	*
	Overcharging	10	20	
	Overloading	20	20	
	Plying for hire illegally	20	20	
	Non-compliance of dress code	3	20	
	Refusal to carry Assistance Dog	4	20	
OPERATOR/ HC PROP	Failure to keep proper records of bookings	4	20	
	Using an unlicensed vehicle	20	20	
	Employing an unlicensed driver	20	20	
	Failure to keep record of vehicle and drivers	4	20	
	Failure to ensure vehicle attends at appointed time	5	20	
	Failure to notify criminal convictions	10	20	

LICENCE	OFFENCE	PENALTY	MAX	
	Failure to display current fares, if applicable	7	20	
	Failure to notify change of Operating address	6	20	
PRIVATE HIRE VEHICLE AND HACKNEY CARRIAGE LICENSEE	Failure to display official plate(s) door stickers	10	20	
	Failure to comply with advertisement conditions	5	20	
	Failure to report damage to vehicle	4	20	
	Failure to ensure vehicle is clean and tidy	2-6	20	*
	Failure to ensure vehicle meets Construction & Use Regs	2-20	20	*
	Failure to notify adaptation to vehicle	5	20	
	Failure to carry fire extinguisher and/or first aid kit	7	20	
	Failure to notify criminal convictions	10	20	
	Failure to comply with Council's fixed scale of fares	5-10	20	*
ALL LICENSEES	Failure to comply with Authorised officer or Constable, or failure to assist	7	20	

- \* Convictions: this is dependent on the relevance of the conviction. Serious offences may warrant an immediate revocation of licence, regardless of penalty points obtained not reaching 20.
- \* Driving offence: serious driving offences, such as without due care, failing to stop after an accident, driving whilst under the influence of drink or drugs may warrant an immediate suspension or revocation regardless of penalty points obtained not reaching 20.
- \* Failing to display the identification badge: customers, parents and Officers of the Council and Police must be able to see that drivers are properly licensed.
- \* Clean, tidy, Construction & Use: this could mean anything from a bulb missing on number plate light to having four illegal tyres. Licensing Officer to determine penalty points.
- \* Failure to comply with Council's fares: this could range from not having a meter in the Hackney Carriage to having a meter with an incorrect tariff. Licensing Officer to determine penalty points
  - **Penalty points obtained will be deleted if no further points have been gained within 2 years (date taken from the most recent "offence")**
  - **The Council reserve the right to suspend and revoke licences under the provisions of the relevant legislation regardless of the penalty points obtained not reaching 20**
  - **The maximum of 20 can be made up of all offences**
  - **Points obtained will be kept strictly confidential, held by the Licensing Officer, and will not be divulged to any other person**