



LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1976 – PART II

HACKNEY CARRIAGE VEHICLE LICENCE

PART 1 - NOTES

- A** In this document the “Licensing Authority” means Wirral Borough Council’ its Licensing Health and Safety and General Purposes Committee, its Licensing Panel and its Authorised Officers
- B** It must be understood that, although the conditions set out in this document have been complied with, approval may be withheld if the Licensing Authority is of the opinion that the vehicle is unsuitable for public use.
- C** Although the Licensing Authority may extend its approval of any particular type of taxicab to all other taxicabs conforming to the design of that type it must be understood that the Licensing Authority may withdraw such general approval if, in their opinion, any unsuitable features arise.
- D** The conditions set out in this document are made under section 47 of the Local Government (Miscellaneous Provisions) Act 1976.

PART 2 - CONDITIONS OF FITNESS

1.0 GENERAL CONSTRUCTION

- 1.1** All vehicles must be purpose built and built to accommodate disabled passengers in wheelchairs in the rear passenger compartment.
- 1.2** All vehicles must comply in all respects with the requirements of the Motor Vehicle (Type Approval) Regulations 1980 and the Motor Vehicle (Type Approval) Regulations (Great Britain) 1984. Every new vehicle offered for approval must comply in all respects with the British and European vehicle regulations and be "type approved" to the requirements of the M or M1 category of European Whole Type Approval 70/156/EEC as amended. Those vehicles which have not been "type approved" to M or M1 categories must be presented with approved certification that the specific vehicle meets the requirements of M or M1 categories.
- 1.3** All vehicles must have separate driver and passenger compartments, which must be separated by a partition.
- 1.4** Vehicles presented for initial approval and while in use must comply with the Road Vehicles (Construction and Use) Regulations 1986 and any subsequent amendment or re-enactment thereof.
- 1.5** The steering wheel must be on the offside of the vehicle.
- 1.6** Windows must have no more than 25% tint value, to allow maximum visibility into

and out of the vehicle.

- 1.7 No fittings other than those approved by the Licensing Authority may be attached to or be carried upon the inside or outside of the vehicle.
- 1.8 Any vehicle that has been the subject of significant damage rectification repairs will not be licensed unless such repairs have been carried out in accordance with the manufacturer's specification.
- 1.9 Once a vehicle reaches 10 years of age, or earlier at the discretion of the Licensing Authority, it will be required to be tested every six months and a six monthly licence will be issued.
- 1.10 The Licensing Authority will not accept vehicle test pass slips submitted more than 28 days after the date of test.

2.0 WHEELS AND TYRES

- 2.1 The vehicle must carry at all times a serviceable spare wheel and tyre, together with the proper tools and equipment to change the wheel in the event of a tyre becoming defective
- 2.2 All tyres must be marked "TAXI" or must be of an appropriate speed and weight rating and must be compatible with the meter, at all times.
- 2.3 Retread tyres must comply with the British Standards Institution requirement BS.AU144E as amended.
- 2.4 All tyres, including the spare, must be
 - suitable for the vehicle,
 - properly inflated,
 - have a continuous tread depth of at least 1.6mm across the central three quarters of the breadth of the tread,
 - free from cuts and other defects.
- 2.5 Where a vehicle is supplied with wheels intended to be fitted with wheel trims, all four road wheels must be fitted with wheel trims of a similar pattern.

3.0 ELECTRICAL EQUIPMENT

- 3.1 Any additional electrical installation to the original equipment must be adequately insulated and be protected by suitable fuses.

4.0 FIRE APPLIANCES

- 4.1 An appliance for extinguishing fire must be carried in such a position as to be readily available for use and such appliances must be independently certified that they are

manufactured to meet the requirements of BS EN3 1996 and have a minimum fire rating of 5a and 34b. The appliance must be clearly marked with the licence number of the vehicle.

N.B. The Department of Transport advises that dry powder fire extinguishers should NOT be used in passenger carrying vehicles due to inhalation risks. An AFFF (Aqueous film-forming foam) extinguisher is recommended. In the event of a vehicle fire it is the driver's PRIORITY to GET THE PASSENGERS OUT.

5.0 FUEL SYSTEMS

- 5.1** A device must be provided whereby the supply of fuel to the engine may be immediately cut off.
- 5.2** A manually operated device must have its location together with the means of operation and "off" position clearly marked on the outside of the vehicle. In the case of a vehicle fitted with an automatic inertia fuel cut off switch, no markings are required.
- 5.3** Any engine powered by liquid petroleum gas (LPG), compressed natural gas (CNG), petrol or any combination of these fuels must be fitted with an automatic fuel cut off device. They must also have a manually operated fuel cut off device externally mounted which is easily visible and readily accessible at all times from the outside of the vehicle with its location and means of operation clearly marked.

6.0 INTERIOR LIGHTING

- 6.1** Adequate lighting must be provided for the driver and passengers.
- 6.2** Separate lighting controls for both passenger and driver must be provided.
- 6.3** In the case of the passenger compartment, an illuminated control switch must be fitted in an approved position.
- 6.4** Lighting must be provided at floor level to each passenger door and be activated by the opening of the doors.
- 6.5** Passenger compartment light switches and window controls must be within easy reach of all passengers

7.0 SEAT BELTS

- 7.1** Every vehicle presented for licensing for the first time must be fitted with lap and diagonal seatbelts on all seats, including rear facing seats.

8.0 DRIVER'S COMPARTMENT

- 8.1** The driver's compartment must be so designed that the driver has adequate room, can easily reach and quickly operate the controls and give hand signals on the outside of the vehicle.

- 8.2 A serviceable device for demisting the windscreen must be fitted.
- 8.3 Every vehicle must be provided with a means of communications between the passenger and the driver.
- 8.4 Every vehicle presented for licensing for the first time must be fitted with an intercom type system to permit the driver and passengers to communicate verbally.
- 8.5 Every vehicle presented for licensing for the first time must be fitted with an induction loop system.
- 8.6 Every vehicle presented for licensing for the first time must be fitted with a head restraint on the drivers seat.
- 8.7 A notepad and pen must be carried at all times within the vehicle to enable the driver to communicate with passengers when necessary.

9.0 PASSENGER COMPARTMENT

- 9.1 Occasional seats must be so arranged as to rise automatically when not in use.
- 9.2 The rear seat dimensions must be adequate to carry three adult passengers comfortably.
- 9.3 Suitable means must be provided to assist persons to rise from the rear seat with particular attention to the needs of elderly and disabled persons.
- 9.4 Every vehicle presented for licensing for the first time must have colour contrasting sight patches on all passenger seats.
- 9.5 Every vehicle must be built to accommodate disabled passengers in wheelchairs and equipped in order that disabled passengers in wheelchairs may be carried comfortably and safely.
- 9.6 Anchorages must be provided for the wheelchair and occupant. These anchorages must be either chassis or floor linked. Every vehicle presented for licensing for the first time must have wheelchair anchorages tested to Transport Research Laboratory (TRL) recommended standards.
- 9.7 Restraints for wheelchair and occupant must be independent of each other.
- 9.8 Anchorages must also be provided for the safe stowage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment.
- 9.9 Colour contrasting grab handles must be placed at door entrances to aid passenger access to and egress from the vehicle.
- 9.10 The outer edge of the floor at each entrance must be fitted with non-slip treads.
- 9.11 The top tread for any entrance must not exceed 38 cm above ground level when the vehicle is un-laden, except as detailed in paragraph 9.12 below.

- 9.12** Where the top tread for the entrance exceeds 38 cm then a moveable intermediate step must be provided at each entrance into the passenger compartment. The intermediate step must be encased beneath the vehicle. When not in use and when ever the vehicle is in motion the step must not extend outwards beyond the vertical line of the bodywork. The step must be covered with a suitable non-slip surface with the edges of the step highlighted yellow. The step must be etched with the registration number of the vehicle.

10.0 WHEELCHAIR RAMPS

- 10.1** A ramp or ramps for the loading of a wheelchair and occupant must be available at all times for use at the nearside rear passenger door.
- 10.2** An adequate locking device must be fitted to ensure that the ramp/ramps do not slip or tilt when in use.
- 10.3** Provision must be made for the ramps to be stowed safely when not in use.
- 10.4** The ramp surface must be covered with a non-slip material.
- 10.5** The edges of the ramp surface must be marked in a high-contrast colour scheme.
- 10.6** The ramp must have a minimum safe working load of 300kg.
- 10.7** When in use the ramp must be securely located at the point of wheelchair entry.
- 10.8** Ramps must be stowed in a position so as not to cause injury to the driver or passengers in the event of an accident.
- 10.9** The ramp must be etched with the registration number of the vehicle.

11.0 WINDOWS

- 11.1** Windows must be provided at the sides and at the rear.
- 11.2** Passenger door windows must be capable of being easily opened by passengers when seated. The control for opening a door window must be clearly identified so as not to be mistaken for any other control.
- 11.3** The registration number of the vehicle must be etched on all windows and glass partitions.

12.0 HEATING AND VENTILATION

- 12.1** An adequate heating and ventilation system must be provided for the driver and passengers with independent controls for the driver and passengers.

13.0 DOORS

- 13.1** An automatic door locking device must be fitted to passenger doors.
- 13.2** When the vehicle is stationary, the passenger doors must be capable of being readily opened from the inside and outside of the vehicle by one operation of the latch mechanism.
- 13.3** The interior door handle must be of a contrasting colour and clearly identified to prevent it being mistaken for any other control.
- 13.4** A hinged door must be capable of being opened to a minimum angle of 90 degrees.
- 13.5** Where sliding doors are fitted
- The interior door handle must be clearly visible, of a contrasting colour, and easily accessible to passengers when the door is in the fully open position.
 - There must be reflective strips approved by the Licensing Authority on both the front and rear edges of the door.
 - Every vehicle presented for licensing for the first time must be fitted with an illuminated sign bearing the words "Door Open" clearly visible from the rear of the vehicle. This sign must be automatically linked to the passenger doors in order that when either door handle is activated to open the door, the sign is illuminated.
- 13.6** There must be a sign within the passenger compartment, clearly visible to all passengers, giving instructions on the correct operation of the passenger door.
- 13.7** An audible or visual warning must be fitted in the driver's compartment indicating when any door is open.

14.0 FARE TABLE

- 14.1** A frame must be provided for the fare table and affixed in a position approved by the Licensing Authority.

15.0 ILLUMINATED SIGN AND WINDOW STICKER

- 15.1** An illuminated sign displaying the licence number of the vehicle must be exhibited within the cab in a position approved by the Licensing Authority.
- 15.2** The current Hackney Carriage Vehicle Licence sticker must be fixed to the nearside glass partition in such a manner that it is clearly visible to persons inside the vehicle.

16.0 FLOOR COVERING

- 16.1** The flooring of the passenger compartment must be covered with a non-slip material, that can be easily cleaned.
- 16.2** The floor covering must not impede the movement of wheelchairs.

17.0 LUGGAGE

- 17.1 Provision must be made for the carrying of luggage.
- 17.2 Provision must be made for luggage to be kept separate from the passenger seating area.
- 17.3 Provision must be made for luggage to be secured at all times.

18.0 TAXIMETER

- 18.1 A taximeter of an approved type must be fitted in a position approved by the Licensing Authority.
- 18.2 Every vehicle which is in service from 1 January 2007 must be fitted with a calendar control taximeter.

19.0 "TAXI" SIGN

- 19.1 A "taxi" sign approved by the Licensing Authority must be fitted in a such a position that it is clearly visible by day and night when the cab is available for hire

20.0 RADIO APPARATUS

- 20.1 Where apparatus for the operation of a two-way radio system is fitted to a taxicab, no part of the apparatus may be fixed in the passenger compartment or in the rear boot compartment if LPG tanks or equipment are located therein.
- 20.2 Any other radio equipment, either in the passenger or driver compartment, must be approved by the Licensing Authority.

21.0 MAINTENANCE

- 21.1 Vehicles, including all fittings, wheelchair ramps, etc. must be maintained and kept clean and in good working order in accordance with Wirral Borough Council's Vehicle Inspection Policy.
- 21.2 The vehicle is at all times subject to test and inspection. Any vehicle not found to be properly maintained or kept in good working order may be the subject of a notice prohibiting the proprietor from using the vehicle until the defect has been rectified.

22.0 CERTIFICATE OF INSURANCE

- 22.1 The vehicle must at all times be covered by an insurance policy allowing its use for public hire.

22.2 A current certificate of insurance, as required by any Acts or Regulations relating to motor vehicles, must be carried in a holder securely affixed to the cab in a position approved by the Licensing Authority.

22.3 The certificate must clearly show that the vehicle is insured for the purpose of public hire and detail the full names of all drivers covered by the certificate.

23.0 CHANGES TO VEHICLE

23.1 No material alterations or change to the specification, design, condition or appearance of the vehicle shall be made without the approval of the Licensing Authority during any time that a Hackney Carriage Vehicle Licence is in force.

PART 3 - CONDITIONS

24.0 ACCIDENT DAMAGE

24.1 Every incident where a vehicle sustains damage must be reported in writing to the Licensing Authority no later than 72 hours after the damage has been sustained.

For the avoidance of doubt, slight scratches and stone chips that do not materially affect the use of the vehicle do not need to be reported.

24.2 The vehicle must not be used for hire where damage to the vehicle may affect the safety, performance or appearance of the vehicle until such damage has been satisfactorily repaired in accordance with the manufacturer's specification and the repair has been reported to the Licensing Authority.

25.0 DRIVERS

25.1 The Proprietor of a licensed vehicle must only allow licensed Hackney Carriage Drivers to drive the licensed vehicle for any purpose whatsoever.

25.2 The Proprietor must retain the hackney carriage driver's licence (or copy thereof) of each driver of the vehicle, and must return the licence or copy to the driver when the driver ceases to work for him.

25.3 If the Proprietor has cause for complaint and is unwilling to release the licence to the driver, then the licence must be returned to the Licensing Authority within 24 hours of the driver having requested it. Such return must be accompanied by a written complaint setting out the subject matter of the dispute or complaint.

26.0 IN-CAB SURVEILLANCE SYSTEMS

- 26.1** In-cab surveillance systems may be installed to aid prevention and detection of criminal activity subject to the approval of the Licensing Authority.
- 26.2** Each system must take full account of passenger and driver safety.
- 26.3** The security of data captured on any system must remain secure at all times and only be accessible to approved bodies such as the Licensing Authority or the police.
- 26.4** The proprietor/driver must at all times comply with the provisions of the Data Protection Act 1998, the Code of Practice and all other relevant legislation and regulations.
- 26.2** Signs to inform the public that a camera system is in operation must be displayed in a clear and distinctly visible manner at all times.

27.0 ADVERTISEMENTS

- 27.1** Advertisements are permitted to be displayed in or on the vehicle, subject to the approval of the Licensing Authority.
- 27.2** Advertisements for alcohol, tobacco or other inappropriate matter are not permitted.
- 27.3** Advertisements must not be placed on the driver's compartment partition or on windows, except as detailed in paragraphs 27.4 below.
- 27.4** Subject to approval by the Licensing Authority, advertisements may be placed on the rear window. The material used for such advertisements must not impede the driver's rear vision.
- 27.5** "No smoking, eating or drinking" signs may be displayed on rear passenger compartment windows and the driver's compartment partition, subject to the approval of the Licensing Authority.

28.0 BADGES AND EMBLEMS

- 28.1** In addition to advertisements displayed in accordance with paragraph 27 above, vehicles may display the official badge or emblem of organisations:
- That provide emergency vehicle repair and/or recovery services.
 - Membership of which indicates that the driver possesses professional skills/qualifications, which enhance the taxi service provided to the public.
- 28.2** Badges may be affixed to the front of the vehicle only in such a manner as not to be:
- detrimental to the operation of the vehicle,
 - likely to cause injury to any person, or

- to detract from any authorised sign that the vehicle may be required to display.

28.3 No other advertisement, badge or emblem is to be exhibited other than is provided for in paragraphs 27 and 28.

29.0 IN-CAB DISPLAY SCREENS

29.1 Electronic screens may be used, subject to approval by the Licensing Authority.

29.2 The position of the screen must not distract the driver of the vehicle.

29.3 The screen must not be positioned so that it can be seen from outside the vehicle.

29.4 The advertisements displayed on the screen must comply with the requirements in paragraph 27.2 above.

30.0 CHANGE OF ADDRESS

30.1 A Proprietor or Part Proprietor of a licensed vehicle must notify the Licensing Authority, in writing, of any change of address within 7 days of such change taking place.

31.0 CONVICTIONS

31.1 The Proprietor or Part Proprietor of a licensed vehicle must disclose to the Licensing Authority, in writing, details of any convictions imposed on him whilst the licence is in force, within 7 days of receiving such conviction.

32.0 TRANSFER

32.1 If the Proprietor or Part-Proprietor wishes to transfer the vehicle to another person he must before or within 14 days after such transfer give notice thereof in writing to the Licensing Authority specifying the name and address of the person to whom the vehicle will be or has been transferred.

32.2 If the Licensing Authority is of the opinion that the person to whom the licence has been transferred is not a suitable person to hold the licence, it may, on application for renewal of that licence, refuse, suspend or revoke the licence provided that there is reasonable cause to do so.

IF YOU ARE AGGRIEVED BY ANY OF THE REQUIREMENTS CONTAINED IN THE ABOVE CONDITIONS YOU HAVE THE RIGHT OF APPEAL TO A MAGISTRATES' COURT WITHIN 21 DAYS