



HACKNEY CARRIAGE VEHICLE LICENCE

CONDITIONS

September 2017

Hackney Carriage Vehicle Licence Conditions

Wirral Council need to be satisfied that hackney carriage vehicles operating in Wirral are safe to do so. Wirral Council may require you to present your vehicle for inspection or test during the period which the vehicle is licensed. The proprietor of the vehicle shall at reasonable times permit an Authorised Officer or Police Constable to inspect the vehicle or any taximeter affixed to it for the purpose of ascertaining its fitness and shall comply with any direction. Should a hackney carriage vehicle fail to be presented for inspection on request by an Authorised Officer, the vehicle licence may be suspended.

Once a vehicle licence has been issued it remains in force at all times until the licence expires or it is surrendered, suspended, or revoked.

Should any of the below conditions not be complied with the hackney carriage vehicle licence may be suspended or revoked and legal action may be taken in accordance with relevant legislation.

Notwithstanding the below conditions, if there is anything in the construction, form, working or general appearance which, in the opinion of Wirral Council, renders a vehicle unfit for use as a hackney carriage vehicle, it may be suspended, revoked, or an application to renew a licence may be refused.

Please note where the conditions refer to 'in writing', this includes email. The email address for the Licensing Section is taxilicensing@wirral.gov.uk

If you are aggrieved by any of the requirements contained in the below conditions you have the right of appeal to a Magistrates' Court within 21 days of the issue of the licence to which these conditions are attached.

Provision must be made for luggage to be kept separate and secured from the passenger seating area.

MATTERS TO BE REPORTED TO THE COUNCIL

CHANGE OF DETAILS

1. The proprietor of a hackney carriage vehicle must notify Wirral Council of any change of name, address or contact telephone number within 7 days of such change taking place.
2. The proprietor of a hackney carriage vehicle must notify Wirral Council of any intention to change the vehicle registration number, prior to any such change taking place.

ACCIDENTS AND DAMAGE TO VEHICLE

3. In every case where a hackney carriage vehicle **sustains damage** the details of the vehicle and the damage sustained must be reported by the proprietor or driver of the vehicle to Wirral Council within 72 hours of the damage having been sustained. The proprietor or driver of the vehicle must complete an incident report form or provide details of the incident in an email and arrange for the vehicle to be inspected as appropriate. The insurance certificate covering the date of the damage occurring and current insurance certificate, if different, must be produced.
4. In every case where a hackney carriage vehicle is involved in a **road traffic collision**, the details of the collision must be reported by the proprietor or driver of the vehicle to Wirral Council as soon as practicable and in any case no later than 72 hours after the collision occurring. The proprietor or driver of the vehicle must complete an incident report form or provide details of the incident in an email and arrange for the vehicle to be inspected as appropriate. The insurance certificate covering the date of the damage occurring and current insurance certificate, if different, must be produced.

CONVICTIONS, CAUTIONS, AND MOTORING OFFENCES

5. The proprietor of a hackney carriage vehicle must notify Wirral Council within 72 hours, details of any:
 - **investigation** into any criminal or motoring offence
 - criminal convictions received
 - cautions, warnings or reprimands received
 - motoring offences or penalty points received
 - fixed penalty notices
 - anti social behaviour order (or other order) issued by the Court

You must also report to Wirral Council any incidents which may lead to a complaint against you.

TRANSFER OF OWNERSHIP OF VEHICLE

6. If the proprietor of a hackney carriage vehicle wishes to transfer ownership of the vehicle to another person, the proprietor must notify Wirral Council of the name and address of the new proprietor within 14 days of the transfer of ownership. The current proprietor must complete a consent pro-forma; the new proprietor must complete a transfer application form.

SURRENDER OF LICENCE

7. If at any time during the period of the licence the proprietor, for any reason, does not wish to retain the hackney carriage vehicle licence, or transfer the vehicle licence to another person, the proprietor must immediately surrender and return the hackney carriage vehicle licence, window card, and plate to Wirral Council.

RECORDS TO BE KEPT BY THE PROPRIETOR OF THE VEHICLE

HACKNEY CARRIAGE DRIVER LICENCE

8. The proprietor must retain the Hackney Carriage Driver licence (or copy thereof) of each driver of the vehicle, and must return the licence (or copy thereof) to the driver when the driver ceases to work for him.
9. 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.

GENERAL

EXTERIOR OF THE VEHICLE

10. Vehicles, including all fittings, lights, and other mechanical and electrical components must be maintained in a good working order in accordance with Wirral Council's Vehicle Inspection Policy.
11. The vehicle must be maintained with the paintwork, bodywork, fittings, locks, and latches in good order and to the vehicle manufacturer or authorised converter's standard.
12. Paintwork must be of a high standard and the colour of all panels must match exactly.
13. The vehicle must be maintained in a mechanical and structural condition which is roadworthy and capable of satisfying the Council's inspection at any time during the period of the vehicle licence.
14. The interior and exterior of the vehicle must be maintained in a clean and safe condition.
15. There must be no visible leaks of fuel, oil, or other fluids from the vehicle.
16. The vehicle must not emit excessive smoke from the exhaust.

INTERIOR OF THE VEHICLE

17. Hackney carriage vehicles must be wind and water tight when all doors and windows are closed.
18. All fittings and furniture inside the hackney carriage vehicle must be in a clean and well maintained condition.
19. Seats must be secure and covered with an appropriate material which must be properly upholstered and in good and clean condition, free from rips, tears and holes.

20. If seat covers are used they must be correctly fitted, in a good and clean condition and free from rips, tears and holes.
21. Seatbelts and seatbelt mechanisms must be in good working order and free from frays, cuts, and other damage.
22. If a seatbelt sustains any frays, cuts, or other damage the seatbelt must be replaced - not repaired.
23. The floor of the vehicle must be covered in an appropriate non-slip material which must be free from rips, tears and holes.
24. The floor of the vehicle must not impede the movement of wheelchairs.
25. The outer edge of the floor at each entrance must be fitted with non-slip high visibility treads.
26. A heating and ventilation system with independent controls for the driver and passengers must be maintained in working order to allow passengers to travel in comfort.
27. The proprietor of the vehicle must ensure that the hackney carriage driver's badge of the driver of the vehicle is displayed in a prominent position so that all details can easily be read by passengers.
28. The method of communication between the driver and passenger compartments must be in good working order.
29. The induction loop system fitted within the vehicle must be in good working order.
30. Occasional seats must rise automatically when not in use.
31. 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.
32. Colour contrasting grab handles must be placed at door entrances to aid passenger access to and egress from the vehicle.
33. Colour contrasting sight patches are required on all passenger seats.

LUGGAGE

34. There must be provision for the safe carrying of luggage commensurate with the number of passengers being carried in the vehicle.
35. Provision must be made for luggage to be kept separate and secured from the passenger seating area.

ELECTRICAL EQUIPMENT

36. Any additional electrical installation to the original vehicle equipment must be adequately insulated and be protected by suitable fuses. Any electrical installation and components within the taxi must meet the electromagnetic compatibility (EMC) requirements of UNECE Regulation 10 and be marked accordingly.

MANDATORY SIGNAGE AND NOTICES

VEHICLE LICENCE PLATE

37. The large vehicle licence plate identifying the vehicle as a private hire vehicle (rear plate) must at all times be securely fixed externally to the rear of the vehicle in a manner approved by Wirral Council in a prominent position ensuring that the whole plate is clearly visible and it does not obscure or alter any of the information printed thereon. For the avoidance of doubt, the mounting of the plate by magnetic or any other semi permanent means, for example cable ties, zip ties or Velcro, is prohibited.
38. The small vehicle licence plate identifying the vehicle as a hackney carriage vehicle (front plate) must at all times be securely fixed externally to the front of the vehicle in a prominent position ensuring that the whole plate is clearly visible and it does not obscure or alter the information printed thereon.
39. At no time must the licence plates be wilfully or negligently concealed from public view.
40. The hackney carriage vehicle licence plates remain the sole property of Wirral Council.

VEHICLE IDENTIFICATION CARD

41. The hackney carriage vehicle window card must be fixed inside the hackney carriage vehicle on the nearside of the partition in such a manner that it is clearly visible to persons inside the hackney carriage vehicle.

INTERIOR LIGHTBOX

42. A lightbox, which is in good working order, must be exhibited in a prominent position within the hackney carriage vehicle.
43. The lightbox must display the word 'CAB' in uppercase letters and the vehicle licence number below it.
44. The lightbox must be wired to the ignition so that it will remain lit at all times the vehicle ignition is turned on.

INTERIOR LIGHTING

45. Lighting must be provided for the driver and passengers.
46. Separate lighting controls for both passenger and driver must be provided.
47. Passenger compartment light switches and window controls must be within easy reach of all passengers
48. In the case of the passenger compartment, an illuminated control switch must be fitted in an approved position.
49. Lighting must be provided at floor level to each passenger door and be activated by the opening of the doors.

EXTERIOR ROOF LIGHT

50. An illuminated roof-sign displaying the word 'TAXI' must be securely fitted to the roof of the hackney carriage vehicle in such a position that it is clearly visible from the

front of the vehicle by day and night.

51. The roof-sign must be connected to the taximeter so that when the vehicle is available for hire the sign is illuminated and it is not illuminated when hired.

NOTICES

52. Any notice that Wirral Council may require must be displayed inside the vehicle as directed.

TABLE OF FARES

53. The table of fares issued by Wirral Council must be displayed in a prominent position where it can be easily read by passengers.
54. The fare must be calculated in accordance with the rates set by the Council. Rates cannot be more than the maximum currently permitted by the Council.

TAXIMETER

55. The meter for recording the fare must be calendar controlled and must be maintained in good working order.
56. Any meter must only be installed by an approved meter provider. Details of the meter provider and calibration certificate must be supplied to the Wirral Council before the meter is used for public hire.
57. The meter must be set to reflect the current tariff of fares as determined by Wirral Council.
58. When the hackney carriage vehicle is not hired the meter must display the words "FOR HIRE" or other words to the same effect.
59. When the meter is in use the fare and permitted extras must be shown legibly on the face of the meter.
60. The meter must be securely fitted in such a position that the display is clearly visible to any passenger being carried in the hackney carriage vehicle, and is sufficiently illuminated when in use.
61. The meter and all of its fittings must be fixed to the vehicle so that it cannot be practicable for any person to tamper with the meter except by breaking, damaging, or permanently displacing the seals and other fittings.
62. The meter must be fitted in such a position that it does not cause an obstruction to the hackney carriage driver or hirer(s).
63. Any modifications or planned modifications to the meter must be declared to Wirral Council before the meter is used.

ADVERTISEMENTS

64. The proprietor shall not cause or permit any sign, symbol, notice, or advertisement to be displayed in, on, or from the vehicle, except with the prior approval of the Licensing Authority. Where advertisements are displayed without prior approval an Authorised Officer can require the advertisement to be removed.
65. Advertisements must comply with the Code of Advertising Practice.

- 66. Any advertisement promoting alcohol, tobacco, the sex industry, or any matters considered inappropriate or controversial are not permitted.
- 67. Electronic screens may be used subject to the prior approval by Wirral Council.
- 68. The position of the screen must not distract the driver of the vehicle.
- 69. The position of the screen must be such that it cannot be seen from outside the vehicle.

CLOSED CIRCUIT TELEVISION (CCTV)

CCTV may be installed in hackney carriage vehicles to aid the prevention and detection of crime. If CCTV is installed in a hackney carriage vehicle the following conditions apply:

- 70. The data controller must register with the Information Commissioners Office (ICO) and ensure the registration is kept current at all times that CCTV is fitted in the vehicle.
- 71. The data controller must comply with the Data Protection Act 1988, 'CCTV Code of Practice' issued by the Information Commissioners Office (ICO), and any other relevant legislation.
- 72. Signs advising that CCTV is in operation must be prominently displayed outside and inside the vehicle.
- 73. The CCTV system must be capable of recording and storing footage for a minimum period of 14 days.
- 74. The CCTV system must be capable of capturing images that, in low light conditions, must be of sufficient quality to enable identification of any person(s) travelling in the vehicle.
- 75. The CCTV system must provide that the hard disk or memory card is not accessible by the proprietor or driver of the vehicle.
- 76. Footage captured must be made available to the Licensing Authority and the Police.
- 77. The CCTV system must provide that the data unit is stored separately from the camera(s) and out of view of person travelling in the vehicle.
- 78. Cameras must not be fitted in locations that are likely to affect the safety of any person travelling in the vehicle, and must be located as securely and discreetly as possible to avoid passengers travelling in the vehicle from tampering with them.

WHEELCHAIRS AND RAMPS

- 79. Anchorages provided for the wheelchair and occupant must be secure.
- 80. Restraints for wheelchairs and occupants must be free from any damage which may affect their safe use.
- 81. A BS 6109 compatible ramp with a safe working load (S.W.L.) of 300kg for the loading of a wheelchair and occupant must be available at all times for the safe loading and unloading of passengers.
- 82. The ramp must be free from any damage and in good working order.
- 83. The non-slip material on the surface of the ramp must be free from rips, tears, or damage.
- 84. The edges of the ramp's surface must be marked in a high-contrast colour scheme.

85. Ramps which are not permanently fixed to the vehicle must be permanently marked with the vehicle registration number.

ENTRANCE STEP

86. The outer edge of the floor at each entrance must be fitted with non-slip high-visibility treads.
87. Where the top tread for the entrance exceeds 38cm above ground level when the vehicle is un-laden then an intermediate step must be provided at each entrance into the passenger compartment. The intermediate step must not extend outwards beyond the vertical line of the vehicle's wing mirrors. The step must be covered with a suitable non-slip surface with the edges of the step highlighted yellow.

CONVEYANCE OF ANIMALS

88. The proprietor of the vehicle must ensure that any driver is aware of their duty under Section 168 of the Equality Act 2010 to convey an assistance dog, if requested, together with a passenger unless the driver is already the holder of and is displaying an exemption notice.
89. Whilst the vehicle is being used for hire and reward purposes the proprietor shall not convey, or permit a driver to convey, in the vehicle any animal belonging to, or in the custody of themselves or the proprietor or operator of the vehicle unless by way of a genuine hire and reward journey paid for by that custodian.

ROOF RACKS, ROOF BOXES, AND TRAILERS

90. Hackney carriage vehicles are not permitted to use roof racks, roof boxes, or trailers whilst being used for hire and reward purposes.

WHEELS AND TYRES

91. Where a hackney carriage vehicle is supplied with alloy wheels, all four road wheels must be of the same type and pattern.
92. Where a hackney carriage vehicle is supplied with wheels intended to be fitted with wheel trims, all four road wheels must be fitted with wheel trims of the same pattern.
93. Alloy wheels, wheel rims, and fitted wheel trims must be free from damage and defects which affect the safety, appearance, or integrity of the wheel.
94. Part-worn and remould tyres must comply with the Motor Vehicle Tyres (Safety) Regulations 1994.
95. All tyres, including the spare where applicable, must be the correct size, speed, and load rating for the vehicle as per the manufacturer's specification, and be compatible with the taximeter.
96. All tyres, including the spare where applicable, must be properly inflated in accordance with both the vehicle and tyre manufacturer's specifications.
97. All tyres, including the spare where applicable, must have a continuous tread depth of at least 1.6mm across the central three quarters of the breadth of the tyre, and visible tread across the remaining breadth of the tyre.

98. All tyres, including the spare where applicable, must be free from cuts and other defects.
99. The hackney carriage vehicle must carry a method for dealing with a wheel or tyre should it become defective. This method must be in accordance with the vehicle manufacturer's specification which must be one of the following:
- full size spare wheel - which must be the same size and type as the four road wheels and be fitted with a tyre of the same size, speed, and load rating as the four road wheels. Proper tools and equipment for changing the wheel must also be carried.
 - space saver spare wheel - which must be the correct size and type for the vehicle and be fitted with a tyre of the correct size, speed, and load rating. The tyre must be correctly inflated in accordance with the manufacturer's specifications. Proper tools and equipment for changing the wheel must also be carried.
 - run-flat tyres - which must be fitted to all four road wheels. Run-flat tyres may only be used if the vehicle is fitted with an appropriate and serviceable tyre pressure monitoring system (TPMS).
 - emergency tyre sealant and compressor/inflator pack – which must be permanently marked with the vehicle registration number.
100. If a wheel or tyre becomes defective and one of the above methods is used to rectify the fault this is a temporary measure only. The vehicle must not be used for hire or reward purposes other than completing the current journey, if applicable.

FUEL SYSTEMS

101. A device must be provided whereby the supply of fuel to the engine may be immediately cut off.
102. 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.

DOORS

103. Where hinged doors are fitted:
- a. An automatic locking device must be fitted to passenger doors.
 - b. When the vehicle is stationary, the passenger doors must be capable of being opened from the inside and outside of the vehicle by one operation of the latch mechanism.
 - c. The interior door handle must be clearly visible, of a contrasting colour to the interior of the vehicle, and easily accessible to passengers when the door is in the fully open or closed position.
 - d. A hinged door must be capable of being opened to a minimum angle of 90 degrees.
104. Where sliding doors are fitted:
- a. An automatic locking device must be fitted to passenger doors.
 - b. When the vehicle is stationary, the passenger doors must be capable of being opened from the inside and outside of the vehicle by one operation of the latch

mechanism.

- c. The interior door handle must be clearly visible, of a contrasting colour to the interior of the vehicle, and easily accessible to passengers when the door is in the fully open or closed position.
- d. There must be reflective strips on both the front and rear edges of the door.
- e. There must be 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.
- f. There must be a sign within the passenger compartment, clearly visible to all passengers, giving instructions on the correct operation of the passenger door.
- g. An audible or visual warning must be fitted in the driver's compartment indicating when any door is open.

105. Where electric doors are fitted:

- a. A sign must be clearly displayed inside the vehicle providing instructions on the correct operation of the door opening and closing mechanism.
- b. The door system design shall incorporate a method to detect an obstruction in the path of a closing door. When an obstruction is detected, the door system shall react in a manner that will allow the obstruction to be released
- c. A method for detecting an obstruction and preventing the closure of a powered door shall be included as part of the design of the door controls.

WINDOWS

- 106. All windows must be secure and free from cracks, damage, or other defects.
- 107. The front windscreen must let at least 75% of light through and all other windows must let at least 70% of light through.
- 108. 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.

MIRRORS

- 109. All mirrors and mirror housing units must be secure and free from cracks, damage, or other defects.

INSURANCE

- 110. The proprietor must produce the current valid certificate of insurance for the hackney carriage vehicle when requested to do so by an Authorised Officer. If the certificate cannot be produced on demand it must be presented within 7 days to Wirral Council.

PASSENGERS

- 111. The proprietor must not cause or permit the vehicle to be used to carry a greater number of passengers than prescribed in the hackney carriage vehicle licence.

112. The proprietor must not cause or permit passengers to be carried in the front of the vehicle unless specifically permitted by the licence.
113. The proprietor must not cause or permit children under the age of 10 years to be conveyed in the front of the vehicle whilst it is being used as a hackney carriage vehicle.

ALTERATION OF CONDITIONS

114. Wirral Council may alter these conditions upon giving 28 days notice in writing to the licence holder that any of these conditions are deleted, any new ones inserted or existing conditions altered. The licence holder, if aggrieved, will have the right to appeal to the Magistrates Court within 21 days of being notified of the proposed change.