



PRIVATE HIRE VEHICLE LICENCE

CONDITIONS

July 2018

Private Hire Vehicle Licence Conditions

Wirral Council must be satisfied that private hire 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 that the vehicle is licensed. The proprietor or licensed driver of the vehicle shall at reasonable times permit an Authorised Officer or Police Constable to inspect the vehicle for the purpose of ascertaining its fitness and shall comply with any direction. Should a private hire 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. The vehicle must therefore be driven by a licensed Private Hire Driver at all times.

Should any of the below conditions not be complied with the private hire vehicle licence may be suspended or revoked and legal action may be taken in accordance with relevant legislation. Appropriate action may also be taken against the Private Hire Driver who uses the vehicle for hire and reward. (See the Council's Policy relating to the conduct of Private Hire and Hackney Carriage Licence Holders)

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

A vehicle licensed as a private hire or hackney carriage vehicle with any other local authority will not be licensed by Wirral Council.

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.

Interpretation

"Wirral Council" includes the Licensing Health and Safety and General Purposes Committee, the Licensing Panel, and Council Officers.

"Authorised Officer" includes a Council Officer employed by Wirral Council, a Council Officer employed by another Local Authority authorised by Wirral Council, and a Police Officer.

"Proprietor" includes a part-proprietor and, in relation to a vehicle which is the subject of a hiring agreement or hire-purchase agreement, means the person in possession of the vehicle under that agreement.

"In writing" includes a written letter, a completed form, and email. The email address for the Licensing Section is taxilicensing@wirral.gov.uk

MATTERS TO BE REPORTED TO THE COUNCIL

CONTRACT

1. The vehicle must only be used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the **Director of Children and Young Peoples Department** to transport children to and from educational establishments.

CHANGE OF DETAILS

2. The proprietor of a private hire vehicle must notify Wirral Council of any change of name, address or contact telephone number within 7 days of such change taking place.
3. The proprietor of a private hire 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

4. In every case where a private hire 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.
5. In every case where a private hire 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.
6. Where damage to the Private Hire Vehicle materially affects the safety, performance or appearance of the vehicle, the vehicle must not be used for hire until such damage is repaired to the satisfaction of the Licensing Authority.

LOST AND STOLEN PLATES

7. If any licence plate is lost or stolen from the vehicle the loss or theft must be reported to the Council immediately.

CONVICTIONS, CAUTIONS, MOTORING OFFENCES AND COMPLAINTS

8. The proprietor of a private hire 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

9. If the proprietor of a private hire vehicle wishes to transfer ownership of the vehicle to another person, the proprietor(s) must notify Wirral Council in writing 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 and the new proprietor must complete a transfer application form.

SURRENDER OF LICENCE

10. If at any time during the period of the licence the proprietor, for any reason, does not wish to retain the private hire vehicle licence, or transfer the vehicle licence to another person, the proprietor must immediately surrender and return the private hire vehicle licence, window card, and front and rear plates to Wirral Council.

INSURANCE AND VEHICLE EXCISE LICENCE

11. All private hire vehicles must be licensed and insured specifically for use as a private hire vehicle for that specific purpose.
12. Proof of current insurance must be submitted with each application for a licence.
13. Proof of change or renewal of insurance during the course of the licence must also be provided to the Council.
14. The insurance must be continuous for the period of the vehicle licence.
15. If cover notes are provided they must run consecutively.
16. The proprietor must produce the current valid certificate of insurance for the private hire vehicle when requested to do so by an Officer.
17. If the certificate cannot be produced on demand it must be presented within 72 hours to Wirral Council.
18. The vehicle must be taxed whilst it is licensed as a private hire vehicle and the proprietor must be able to demonstrate that the vehicle has a current valid vehicle excise licence.

GENERAL SPECIFICATIONS

19. No material alterations or change in the specification, design, condition or appearance of the private hire vehicle shall be made without the prior approval of Wirral Council. This includes the addition of lights, signs, symbols, numbers, or letters inside or outside of the vehicle.
20. Private hire vehicles must as a minimum comply with the Road Vehicles (Construction and Use) Regulations 1986 (as amended) at all times, unless conditions state otherwise.

21. Vehicles, including all fittings, , lights, and other mechanical and electrical components must be maintained in accordance Wirral Council's Vehicle Inspection Policy.

EXTERIOR OF THE VEHICLE

22. The vehicle must be free from corrosion, damage or unsatisfactory repairs.
23. Vehicles, including all fittings, lights, and other mechanical and electrical components must be maintained in good working order.
24. The vehicle must be maintained with the paintwork, bodywork, fittings, locks, and latches in good order and to the vehicle manufacturer's standards.
25. Paintwork must be of a high standard and the colour of all panels must match exactly.
26. The vehicle must be maintained in a mechanical and structural condition which is roadworthy and capable of satisfying Wirral Council's inspection at any time during the period of the vehicle licence.
27. The interior and exterior of the vehicle must be maintained in a clean and safe condition.
28. There must be no visible leaks of fuel, oil, or other fluids from the vehicle.
29. The vehicle must not emit excessive smoke from the exhaust.

INTERIOR OF THE VEHICLE

30. The vehicle must be wind and water tight when all doors and windows are closed.
31. All fittings and furniture inside the vehicle must be in a clean and well maintained condition.
32. 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.
33. If seat covers are used they must be correctly fitted, in a good and clean condition and free from rips, tears and holes.
34. Seatbelts and seatbelt mechanisms must be in good working order and free from frays, cuts, and other damage.
35. If a seatbelt sustains any frays, cuts, or other damage the seatbelt must be replaced - not repaired.
36. The floor of the vehicle must be covered in an appropriate non-slip material which must be free from rips, tears and holes.
37. Nothing must be placed in front of or on any windows that would obscure the clear vision of the driver or passengers other than those authorised by Wirral Council.
38. The private hire driver's badge must be displayed in a prominent position within the vehicle so that all details can easily be read by passengers at all times.

LUGGAGE

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

ELECTRICAL EQUIPMENT

41. 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 PLATES

42. 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.
43. The small vehicle licence plate identifying the vehicle as a private hire vehicle (front plate) must at all times be securely fixed externally to the front 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 the information printed thereon.
44. At no time must the licence plates be wilfully or negligently concealed from public view.
45. Vehicle licence plates must be free from damage and must not be altered in any way with regards their appearance or size.
46. The private hire vehicle licence plates remain the sole property of Wirral Council.

INTERIOR LIGHTING

47. All interior lights must be in good working order and be automatically activated upon the opening of a door.

NOTICES

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

FARE TABLE AND DEVICE/METER FOR CALCULATING FARES

49. The proprietor shall cause any statement of fares supplied by the relevant private hire operator to be displayed inside the private hire vehicle in such a position as to be clearly visible at all times to the hirer. If the private hire vehicle is fitted with a device/meter for calculating the fare the device/meter must be maintained in good working order.

50. If a meter is to be used to calculate fares it must only be installed by an approved provider. Details of the meter provider and calibration certificate must be supplied to Wirral Council before the meter is used for private hire.
51. Where a meter is fitted all of its fittings must be fixed to the vehicle with seals or by other means so that it shall not be practicable for any person to tamper with the meter except by breaking, damaging, or permanently displacing the seals and other fittings.
52. The device/meter used for calculating fares must be set to reflect the fare table of the private hire operator for which work is being undertaken.
53. The device/meter for calculating fares must not at any time display the words "FOR HIRE" or other words to the same effect.
54. When the device/meter for calculating fares is in use the fare and permitted extras must be shown legibly on the face of the device/meter.
55. The device/meter for calculating fares must be securely fitted in such a position that the display is clearly visible, and is sufficiently illuminated when in use. It must not be placed in a position that interferes with the driver's vision through the windscreen.
56. Any modifications or planned modifications to the device/meter for calculating fares must be declared to Wirral Council before the device/meter is used.

ADVERTISEMENTS

57. No advertisements may be displayed on or from the outside of the private hire vehicle.
58. Advertisements may be displayed inside private hire vehicles with prior approval from Wirral Council. Advertisements inside the private hire vehicle must not be placed on any window or dashboard.
59. Advertisements must comply with the UK Code of Non-broadcast Advertising and Direct & Promotional Marketing (CAP Code) published by the Advertising Standards Agency (ASA) and the Committee of Advertising Practices (CAP).
60. Any advertisement promoting alcohol, tobacco, the sex industry, or any matters considered inappropriate or controversial are not permitted to be advertised in private hire vehicles.

CLOSED CIRCUIT TELEVISION (CCTV)

61. CCTV may be installed in private hire vehicles to aid the prevention and detection of crime. If CCTV is installed in a private hire vehicle the following conditions apply:
62. 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.
63. 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.
64. Signs advising that CCTV is in operation must be prominently displayed so that it can be seen from both outside and inside the vehicle.

65. The CCTV system must be capable of recording and storing footage for a minimum period of 14 days.
66. 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.
67. The CCTV system must provide that the hard disk or memory card is not accessible by the proprietor or driver of the vehicle.
68. Footage captured must be made available to Wirral Council and the Police upon request.
69. 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.
70. Cameras must not be fitted in locations that are likely to affect the safety or dignity 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.

STEPS AND TAIL LIFTS

71. Any vehicle with a top tread for the entrance which exceeds 38cm must be fitted with a step or tail lift to allow easy access to and egress from the vehicle. Any vehicle that does not have a step or tail lift fitted must carry a portable step or ramp to be available for use by all passengers.

ROOF RACKS, ROOF BOXES, AND TRAILERS

72. Private hire vehicles are not permitted to use roof racks, roof boxes, or trailers.

WHEELS AND TYRES

73. Where a private hire vehicle is supplied with alloy wheels, all four road wheels must be of the same type and pattern.
74. Where a private hire 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.
75. 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.
76. Part-worn and remould tyres must comply with the Motor Vehicle Tyres (Safety) Regulations 1994.
77. Vehicles are not permitted to use tyres which are more than ten years old.
78. 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.
79. All tyres, including the spare where applicable, must be properly inflated in accordance with both the vehicle and tyre manufacturer's specifications.
80. 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.

81. All tyres, including the spare where applicable, must be free from cuts and other defects.
82. The private hire 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.
83. 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.

DOORS

84. It must be clear to passengers how to operate the doors of the vehicle.

Where hinged and sliding doors are fitted

85. 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.
86. Where sliding doors are fitted an audible or visual warning must be fitted in the driver's compartment indicating when any door is open.

Where electric doors are fitted

87. Where electric doors are fitted the door system design must incorporate a method to detect an obstruction in the path of a closing door. When an obstruction is detected, the door system must react in a manner that will allow the obstruction to be released.
88. A method for detecting an obstruction and preventing the closure of a powered door

must be included as part of the design of the door controls.

89. A sign must be clearly displayed inside the vehicle providing instructions on the correct operation of the door opening and closing mechanism.

WINDOWS

90. All windows must be secure and free from cracks, damage, or other defects.
91. The front windscreen must let at least 75% of light through and all other windows must let at least 70% of light through.
92. Passenger door windows must be capable of being easily opened by passengers when seated.

MIRRORS

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

PASSENGERS

94. The proprietor must not cause or permit the vehicle to be used to carry a greater number of passengers than prescribed in the private hire vehicle licence.
95. 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 for hire and reward.
96. Only one passenger is permitted to be conveyed in the front of the private hire vehicle unless specifically permitted by the licence.

ALTERATION OF CONDITIONS

97. 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.