

SOUTH LAKELAND DISTRICT COUNCIL
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TERMS AND CONDITIONS ATTACHED TO HACKNEY CARRIAGE LICENCES ISSUED BY SOUTH LAKELAND DISTRICT COUNCIL IN RESPECT OF MOTOR VEHICLES

(To be observed by Hackney Carriage Proprietors)

- 1 **The Council's licence plate must always be displayed on the outside of the rear of the vehicle, either immediately above or immediately below the bumper, without obscuring the registration number of the vehicle.** Such licence plate, acquired from the Council's Licensing Office to include a serial number, the vehicle's registration number and seating capacity, along with the licence expiry date. **The particulars on the plate must face outwards so that the plate is clearly visible by daylight from the road behind the vehicle.**

A proprietor or driver of a hackney carriage shall not wilfully, negligently or cause or permit to suffer any such marking or defacing of that plate such as to render any part of the lettering of the plate to become illegible.

- 2 The licence plate is the property of the Council, to whom it must be returned within seven days if the licence is ever suspended, revoked or not renewed for any reason.
- 3 The hackney carriage and any taximeter affixed to the vehicle may be inspected by an authorised officer of the council or police constable at all reasonable times. If the officer or constable inspecting the vehicle is not satisfied as to the fitness of the vehicle or the accuracy of the taximeter he may give written notice to the proprietor to make the Hackney Carriage or taximeter available for further inspection and testing at such reasonable time and place as may be satisfied and the vehicle licence may be suspended until the officer or constable is satisfied as to the vehicle's fitness or as to the accuracy of the taximeter. If the officer or constable is not so satisfied within two months from the initial inspection, the Hackney Carriage Licence shall be deemed to be revoked.
- (a) The proprietor shall ensure that any hackney carriage under his control or management is fitted with a taximeter. It shall be located in the vehicle in an unobstructed position where it can be clearly and readily seen by the hirer of that vehicle and shall be sufficiently illuminated for this purpose. The meter shall be maintained in a sound, mechanical condition at all times.
- (b) The proprietor shall not use or permit the usage of a vehicle as a hackney carriage until such time as notification of installation of the meter has been given to the Council and authorisation given to use the vehicle.

The proprietor of the vehicle shall at any reasonable time on request of the Councils authorised officer make the said vehicle available for the taximeter to be tested, inspected and (if needs be) sealed by an authorised officer of the Council.

The proprietor shall immediately inform an Authorised officer of the Council if the seal is broken or damaged and shall also notify an authorised officer if the meter becomes faulty in operation and obtain authorisation to continue to use the vehicle.

A meter shall not be replaced without notifying the Council of the details of the meter specification, together with the date of installation shall be given, in writing, to the Council within 7 days of the date of installation.

- 4 The licence plate shall be returned to the Council within seven days of the suspension or revocation of this licence but will be returned to the vehicle's proprietor once the licence is reinstated.
- 5 Notwithstanding the provisions of condition 3 above, the proprietor shall present the vehicle for inspection on receipt of a written request by an authorised officer of the Council. The number of inspections shall not exceed three in any period of twelve months and the current fee for inspection shall be paid on presentation of the vehicle.
- 6 During the currency of the licence, the proprietor shall keep in force in relation to the use of the vehicle as a hackney carriage a policy of insurance or security complying with the provisions of Part VI of the Road Traffic Act 1972, and which covers third party liability both in respect of physical injury or death and in respect of damage to personal belongings. The certificate of insurance shall be produced to an authorised officer of the Council for inspection whenever required.
- 7 If the proprietor fails to produce evidence of adequate insurance cover on request, he shall produce it within five days to any authorised officer of the Council's Licensing Department. Failure to comply with this condition and condition 6 shall result in the automatic suspension of the licence.
- 8 The vehicle shall on no occasion carry more persons (exclusive of the driver) than is specified in the licence. No child under the age of ten years shall be carried in the front of the vehicle.
- 9 A 1kg (2.2lb) fire extinguisher of the dry powder type in good working order shall be fitted to the vehicle so as to be readily available for use at all times. The fire extinguisher shall be maintained in good working order at all times and be marked with the vehicle's plate number.
- 10 The vehicle shall be maintained in good mechanical and roadworthy condition at all times.
- 11 The current table of fares shall be exhibited inside the vehicle in a position which is clearly visible to passengers.
- 12 In addition to the licence plate, which must be displayed at all times, a hackney carriage, shall have a roof sign, illuminated when it is plying for hire and shall be extinguished once the taximeter when set to the "hired" or "stopped" mode, and shall stay extinguished until the completion of the journey, when the taximeter is reset to the "for hire" mode. No other switch or device for the lighting or extinguishing of the roof sign shall be permitted"; and
 - (a) The roof sign must be firmly affixed to the roof of the vehicle and may display the words 'taxi' or 'hackney carriage' or the operating name of a Company or proprietor or business and its telephone number.
- 13 The following requirements apply in respect of the display of identification signage on the vehicle.
 - (a) A South Lakeland District Council uniform hackney carriage sign shall be displayed on both the driver's door and front passenger door of the vehicle. Such signs, acquired from the Council's Licensing Office to show the serial number of the licence plate for the vehicle.
 - (b) A South Lakeland District Council interior hackney carriage identity disc shall be displayed on the nearside of the front windscreen (outside the swept area) of the vehicle, clearly on view to passengers being conveyed in the vehicle. Such disc,

acquired from the Council's Licensing Office, to show the serial number of the vehicle's licence, along with its seating capacity.

14 In addition to the compulsory requirements for the display of prescribed identification signage in 13 above, the proprietor may, if so desired, display other advertising signs subject to the following conditions:

- a) One sign advertising the proprietor's/operator's business name and telephone number etc may be displayed on both rear doors of the vehicle. The sign shall not exceed 24" x 12" or metric equivalent. The above arrangements apply also to hackney carriage licensed minibuses with a variation that one sign may be displayed on both sides of the vehicle (ie. not restricted to the rear doors). Signs displayed on the sides of minibuses shall not exceed 36" x 12" or metric equivalent.**
- b) In addition to information regarding the proprietor's/operator's own business, signs displayed on the rear doors/sides of hackney carriage vehicles may also include advertising relating to another organisation or business.**
- c) Signs displayed on the rear doors/sides of hackney carriage vehicles may include details of fare scales charged by the proprietor/operator.**
- d) In addition to the above arrangements, hackney carriage licensed minibuses may also display one sign advertising the proprietor's/operator's business name and telephone number etc on the rear tailgate of the vehicle. Such sign should not exceed 48" x 12" or metric equivalent.**
- e) As an alternative to the above, the proprietor may, if so desired display advertising wholly relating to a non-taxi business subject to the following conditions:-**

The advertisement shall not contain the following:-

- i) political, ethnic, religious, sexual or controversial texts;**
- ii) escort agencies, gaming establishments or massage parlours;**
- iii) nude or semi-nude figures;**
- iv) tobacco or alcohol;**
- v) material likely to offend public taste (including material depicting bodily functions and genitalia and the use of obscene or distasteful language);**
- vi) material which seeks to advertise more than one company/service or product;**
- vii) one sign only may be displayed on either of the rear doors of the vehicle. The sign shall not exceed 24" X 12" or metric equivalent. The above arrangements apply also to hackney carriage licensed minibuses with a variation that one sign only may be displayed on both sides of the vehicle. Signs displayed on the sides of minibuses shall not exceed 36"X 12" or metric equivalent; and**
- viii) any advertisement to be placed at a reasonable distance, so not to obscure or distract from the South Lakeland District hackney carriage sign.**

- 15 No vehicle may be substituted for the vehicle in respect of which the licence is issued until it has been inspected, tested and approved by the Council.
- 16 If the proprietor wishes to transfer the licence to another person or persons he must first obtain the written consent of the Corporate Director (Monitoring Officer), which will not be unreasonably withheld. The name and address of the person(s) to whom the licence is to be transferred must be specified. The fee for transfer is £49.00.
- 17 The licence may be suspended, revoked or not renewed for any cause which the Council consider to be reasonable. Such reasonable cause would include the vehicle being considered unfit for use as a hackney carriage or for any offence or non-compliance with the Provisions of the Town Police Clauses Act 1847, or Part II of the Local Government (Miscellaneous Provisions) Act 1976 being committed by the proprietor or driver.
- 18 Any change of the address where the hackney carriage is kept when not in use shall be notified to the Council in writing within seven days of the address being changed. If at any time the Council decide they wish the vehicle to be tested at the address where it is kept the proprietor shall provide the Council with such facilities as are reasonably necessary to do so.
- 19 Any accident to the vehicle causing damage which may materially affect its safety, performance or appearance or the comfort or convenience of its passengers, must be reported to the Corporate Director (Monitoring Officer) within 72 hours of its occurrence at the latest.
- 20 If alterations are made to the design of the vehicle, mechanically or to its bodywork, the Corporate Director (Monitoring Officer) shall be informed and may require the vehicle to be submitted for further examination.
- 21 If any of the particulars supplied in the proprietor's application change during the currency of the licence, details of the change(s) must be notified in writing to the Corporate Director (Monitoring Officer) immediately.
- 22 The hackney carriage may be used for private hire purposes on a pre-booking arrangements provided that:-
 - (a) the rate charged for the use of the vehicle in this way does not exceed the current table of fares for hackney carriages;
 - (b) provided that the fare or charge is only calculated from the point where the hirer begins his journey; and
 - (c) the taximeter shall be in the 'hired' position during the transport of any pre-booked fare(s).
- 23 Any radio or cassette player fitted in the vehicle must not be used to the annoyance of other persons whilst the hackney carriage is plying for hire or standing on a designated hackney carriage stand.
- 24 The Council may alter any of these conditions as it sees fit, and will notify the proprietor of any changes to the conditions. The changes will come into effect as soon as the proprietor has been notified of them.
- 25 Any notice which the Council has to serve under this licence or under any of the provisions of the Town Police Clauses Act 1847 or the Local Government (Miscellaneous Provisions) Act 1976 or the Local Byelaws shall be deemed to have been properly

served if sent by prepaid post to or left at the last known address of the holder of this Licence.

26 This licence will remain current for a period of one year, six months or 4 months unless it is suspended or revoked under any statutory or other provision.

27 No listening devices, i.e. radio scanners, shall be used in any hackney carriage vehicle or their operating base.

28 TRAILERS (with effect from 1 August 1997)

a) If a trailer is used this must be tested and deemed suitable for use, at the same time as the vehicle. The trailer must be covered and have sufficient luggage capacity. No luggage will be carried on the cover of that trailer either by the fitting of a roof rack or similar.

b) Any luggage carried in a trailer must be protected against wind and rain penetration and be secured in a manner that guarantees the luggage's safety.

c) The trailer is to have an approved means of attachment to the vehicle. The trailer must have been manufactured by an approved trailer maker and be marked with their name, address and gross weight and be braked.

29 a) Smoking in the licensed vehicle by the driver is prohibited while conveying passengers. (This relates to any lit cigarette, cigar, tobacco pipe, or similar).

b) Smoking by passengers is prohibited while being carried within the vehicle. Any such cigarette, cigar, tobacco pipe or similar shall be extinguished before entering the vehicle.

30 a) Seating for each passenger must be **not** less than 400mm (16") with a minimum width, measured between the arm rests, or any other point that is protruding into passenger seating area, of 1220mm (48").

b) The minimum width between the back of the driver's seat and the front of the rear seating, measured when the driver's seat is fully pushed back, must be **not** less than 180mm (7").

c) The height, as measured between the rear seat and the height to the roof lining in a vertical plain, must be **not** less than 860mm (34").

d) No vehicle will be licensed if the passenger has to climb over luggage to gain egress, or where such entrance or exit is sited over a fuel tank, high sill, or has been fitted with handles which are not clearly visible and of a type consistent with those fitted to all other doors on the vehicle.

e) Every estate type vehicle to be fitted with the manufacturer's or other universal type approved grille, securely fixed to the frame of the vehicle between the passenger area and load (luggage) carrying area.

31 With effect from 1st April 2009 the following policy regarding age limits on the licensing of hackney carriages and private hire vehicles applies:-

a) All Hackney Carriages and Private Hire vehicles, excluding wheelchair accessible purpose built hackney carriages must be less than 5 years old when first registered as Hackney Carriages or Private Hire vehicles;

- b) No Hackney Carriages or Private Hire vehicles, excluding wheelchair accessible purpose built Hackney Carriages, will be re-licensed after reaching 10 years old;
 - c) All wheelchair accessible purpose built Hackney Carriages must be less than 7 years old when first registered as Hackney Carriages or Private Hire vehicles;
 - d) No wheelchair accessible purpose built Hackney Carriages will be re-licensed after reaching 14 years old;
- 32 No 'Q' plated vehicles will be considered for licensing.
- 33 If the proprietor has, or proposes to install CCTV security systems in the vehicle, he/she shall comply with the Council's hackney carriage/private hire CCTV requirements current at the time (a copy of which is available on request).

TAXIS/TERMS & CONDITIONS