

# Taxi Licensing Policy

Version.5



## Private Hire and Hackney Carriage Vehicles, Drivers and Operators

Approved at the Registration and Licensing Committee 10<sup>th</sup> August 2015 for implementation on the 1<sup>st</sup> October 2015

### Amendments

- V.2 7<sup>th</sup> January 2016 – Appendix B updated
- V.3 26<sup>th</sup> September 2016 – amendments made to:
- Paragraph 2.9 & 3.10 (Renewals)
  - Paragraph 2.3 & 2.9 (DBS)
  - Paragraph 2.5 (Knowledge Test)
  - Paragraph 2.6 & 2.9 (Medical Examinations)
- V.4 19<sup>th</sup> December 2016 – amendments made to:
- Paragraph 2.3 (DBS)
  - Paragraph 2.7 added (Immigration Checks)
  - Paragraph 2.10 (Renewal of driver licences)
  - Paragraph 4.3 (Operator Licences)
  - Appendix A (Driver application procedure)
- V.5 14<sup>th</sup> August 2017 – amendments to:
- Paragraph 2.7 (Equality Act 2010 medical exemption)
  - Paragraph 3.11 (Equality Act 2010 designated list of vehicles)
  - Appendix D (Application procedure for a hackney carriage / private hire vehicle licence)
  - Appendix H (Hackney carriage vehicle conditions)
  - Appendix I (Private Hire vehicle conditions)

## 1.0 **Introduction**

Neath Port Talbot CBC, hereafter referred to as the “Licensing Authority” is responsible for the regulation of hackney carriage and private hire trades within the county borough of Neath Port Talbot. Regulation is determined by a series of licensing processes.

In exercising its responsibilities, the Licensing Authority recognises both the needs of residents and the public at large to have access to safe, convenient and effective taxi services and the importance of this provision to the taxi trade and local economy.

In developing this policy, the Licensing Authority, has consulted with the public at large and the trade in particular, and has regard to:

- The licensing objectives
- The department for Transport ‘Taxi and Private Hire Vehicle Licensing: Best Practice Guidance’ 2006
- Current legislation
- Existing Neath Port Talbot CBC policies

The policy sets out general requirements and standards that must be met. In exercising its discretion in carrying out its regulatory functions, the council will have regard to this policy document. However each application or enforcement action will be considered on its own merits.

The Licensing Authority will adopt and carry out its hackney carriage and private hire licensing functions with a view to promoting the following licensing objectives.

- (a) The safety and health of drivers and the public
- (b) Vehicle safety, comfort and access
- (c) The prevention of crime and disorder and the protection of consumers
- (d) Encouraging environmental sustainability
- (e) Promoting the vision of Neath Port Talbot CBC

## 2.0 **Drivers**

### 2.1 Application process

This section applies to drivers of Hackney Carriage and Private Hire vehicles. Drivers must satisfy the authority that they are fit and proper people to be licensed drivers.

The Licensing Authority aims to ensure that Hackney Carriage and Private Hire services delivered within the County Borough are of a good standard. The application procedure is designed to ensure these standards are maintained and continually monitored for improvement.

It is a legal requirement that drivers of either Hackney Carriage or Private Hire vehicles obtain a licence to drive those vehicles from the licensing authority. The application procedure is set out in **Appendix A**.

### 2.2 General

All drivers of hackney carriage and private hire vehicles should be at least 21 years of age. Applications from any person under the age of 21 will need to be considered by the Registration and Licensing Committee.

Legislation dictates that an applicant must have held a full Driving Licence issued under the Road Traffic Act 1972 authorising him/her to drive a motor car, for at least 1 year prior to the date of application

A driver licence may be issued to a part time driver but the Licensing Authority reserves the right to refuse the issue of a licence where the applicant is already employed as a driver in some other activity e.g. Omnibus driver or transport driver.

### 2.3 Disclosure and Barring Service (DBS)

Applicants and licence holders are required to submit an enhanced DBS check (criminal convictions check) for each new application and subsequently prior to the renewal of the licence. Licence holders that are issued with an annual licence, will require a DBS check every 3 years. The results of this disclosure will be used to

assist the Licensing Authority in deciding whether or not the applicant is a 'fit and proper' person.

DBS applications are completed using an online DBS application system. You must provide the Licensing Authority with an email address in order to access the online system.

Further information on the Online DBS application process is set out in the application procedure at **Appendix A**.

All costs associated with obtaining the DBS check are to be met by the applicant or licence holder.

The licensing authority will only accept DBS disclosure certificates which are for the correct workforce category; the correct category is "other workforce".

The DBS certificate must have been issued less than 3 months prior to the day on which the application is determined (not the day the application is submitted) by the Licensing Authority.

Hackney Carriage and Private Hire drivers are exempt from the Rehabilitation of Offenders Act 1974, this means that even spent convictions can be taken into consideration when the authority is deciding whether an applicant is a 'fit and proper' person.

Applicants from a non UK Country, who have not lived in the United Kingdom prior to their sixteenth birthday, are required to complete a DBS check and obtain a certificate of good conduct authenticated and translated by the relevant embassy. This is to ensure that a complete historical criminal check can be carried out on the applicant. Information on obtaining an overseas criminal record check can be found on the Centre for the Protection of National Infrastructure website at the following web address.

[www.cpni.gov.uk/advice/Personnel-security1/Overseas-criminal-record-checks](http://www.cpni.gov.uk/advice/Personnel-security1/Overseas-criminal-record-checks)

The Home Office's employers Helpline (0300 123 4699) can be used to obtain general information in immigration documentation. Employers and the licensing authority are also able to obtain case specific immigration status information, including whether an

applicant is permitted to work or details of work restrictions from the Home Office.

#### 2.4 Policy for assessing the suitability of prospective and existing drivers and operators

The Licensing Authority has adopted a policy which provides guidance on the criteria taken into account when determining whether or not an applicant or an existing licence holder is a fit and proper person to hold a Hackney Carriage or Private Hire drivers and/or operator licence. The policy is set out at **Appendix B**.

Any applicant that is refused a driver's licence on the grounds that they are not a 'fit and proper' person has a right of appeal to the Magistrates' Court.

#### 2.5 Knowledge and Suitability Test

The applicant must have successfully completed the knowledge and suitability test before a decision can be made on whether to grant a new driver licence. The knowledge and Suitability test involves a series of questions in relation to the Neath Port Talbot CBC area as well as questions in relation to this policy, taxi legislation, safeguarding, basic numeracy and basic English. Applicants must achieve a pass rate of at least 80% on each section of the knowledge test.

Applicants sitting the knowledge and Suitability test will be expected to have prior detailed knowledge of the Neath Port Talbot CBC area which includes the areas of Neath, Port Talbot and Pontardawe.

#### 2.6 Medical Fitness

Applicants are required to submit a medical examination report (using the form prescribed by the Licensing Authority) completed by their own General Practitioner (GP) or a general practitioner that has had access to the applicant's medical records. The General Practitioner carrying out the assessment will need to sign a declaration on the medical form confirming that the applicant's medical records have been examined.

The medical examination report must have been issued less than 4 months prior to the day on which the application is determined (not the day the application is submitted) by the Licensing Authority.

The medical examination will ensure that the applicant satisfies all the requirements of the DVLA Group 2 medical standards of fitness to drive.

A medical examination report is required on first application and subsequently when the licence holder reaches 45 years of age (where the licence holder will reach 45 years of age during the term of the licence, a medical examination will be required at the start of the licence).

After 45 years of age a medical will be required on each renewal of the licence until the age of 65 at which a medical examination report shall be required annually.

In addition, the Licensing Authority may direct any licence holder to supply satisfactory evidence in the form of a medical certificate, stating that the licence holder meets the required Group 2 standards, should their medical fitness be called into question.

Where it appears to the authority that an applicant or a licensed driver does not meet the required medical standards and the safety of the public may be compromised, the Licensing Authority shall not grant a licence, renew a licence, or any existing licence shall be suspended or revoked.

All costs associated with obtaining the relevant medical certificate are to be met by the applicant or licence holder.

### Diabetes

Applicants for the grant of a driver's licence or those licensed drivers who are or become insulin dependent diabetics will need to be considered by the Registration and Licensing Committee and will be expected to satisfy the following criteria:

- a) Have been taking insulin for at least **4** weeks;

- b) Not have suffered an episode of hypoglycaemia requiring the assistance of another person in the last 12 months;
- c) Attend an examination by a diabetes specialist and provide a report from such specialist (issued in the previous 3 months) in support of each application, which confirms a history of responsible diabetic control with a minimal risk of incapacity due to hypoglycaemia;
- d) Use a modern blood glucose meter which has a memory chip to regularly monitor blood glucose at least twice daily and at times relevant to driving (no more than two hours before the start of the first journey and every 2 hours while driving)
- d) At the examination by a diabetes specialist, the last 3 months of blood glucose readings must be available. Such evidence to be made available on the request of an authorised officer;
- e) Have no other condition which would render the driver a danger when driving hackney carriages and private hire vehicles; and
- f) Give an undertaking to comply with the directions of the doctor(s) treating the diabetes and to report immediately to the licensing authority any significant change in condition.

## 2.7 Equality Act 2010 medical exemptions

The Equality Act 2010 makes it unlawful for wheelchair users or passengers with assistance dogs to be refused or charged extra when using hackney carriages or private hire vehicles.

If a driver has a medical condition, disability or physical condition which makes it impossible or unreasonably difficult to undertake the duties imposed by the Equality Act 2010, the Licensing Authority can issue an exemption certificate to the driver.

Applications for an exemption can be made on the prescribed application form, which is available from the Licensing Section or at [www.npt.gov.uk/licensing](http://www.npt.gov.uk/licensing).

Applicants will be expected to provide the Licensing Authority with a report from their own General Practitioner (GP) or a general practitioner that has had access to the applicant's medical records, which supports the application for exemption. To assist in this process the application form includes information about medical exemptions for the G.P and a section which the G.P must complete.

All applications for an exemption certificate will be determined by the Registration and Licensing Committee.

If an exemption is granted, the driver will be issued with a notice to that effect, which shall be displayed on the nearside of the vehicle, immediately behind the front windscreen. The notice shall only be displayed when the driver specified on the notice is driving the vehicle.

There is an appeal against a decision to issue an exemption to the Magistrates' Court within 28 days of the refusal.

## 2.8 Immigration checks

The Licensing Authority will undertake immigration checks in accordance with the Immigration Act 2016. All applicants (including renewal) for hackney carriage and private hire driver licences will need to provide either a Passport or UK Full Birth Certificate (a national insurance document is also required where a UK Full Birth Certificate is provided) to enable the Licensing Authority to confirm eligibility to work within the UK.

Applicants that do not have either a Passport or UK Birth Certificate should contact the Licensing Section to discuss whether any alternative documentation can be accepted.

The Licensing Authority will undertake a check on the applicant's immigration status with the Home Office. Checks revealing that an applicant has permanent lawful permission to reside and work in the UK will not require any further checks with the Home Office.



Checks revealing that an applicant has limited lawful permission to reside or work in the UK may be issued with a shorter duration licence.

The Licensing Authority will not issue a licence to any applicant who does not have lawful permission to reside or work in the UK; this is in accordance with the Immigration Act 2016.

## 2.9 Dual Licences

All driver licences that may be granted by the Licensing Authority will have dual affect. This will permit a licensed driver to drive a hackney carriage and / or a private hire vehicle.

## 2.10 Duration of licence

The licensing authority will issue licences for a three year period. However the licensing authority does have the discretion to issue licences of a shorter duration, if it considers this to be appropriate in the circumstances of the case.

Existing licence holders, who currently have a 1 year licence, will be issued with a 3 year licence on their next successful renewal application. Those licence holders that are not due a DBS (Disclosure and Barring Service) check will continue to be offered a 1 year licence to enable the licence and DBS expiry dates to correspond.

Licence holders on reaching the age of 65 will be issued with a 1 year licence to coincide with annual medical requirements.

Licence holders who have a medical condition requiring an annual medical assessment will be issued with a 1 year licence.

## 2.11 Renewal of licence

When an existing driver applies to renew their licence, the application may be submitted to the Licensing Authority 8 weeks before the expiry date. The applicant will not be penalised for early renewal as any licence issued will start on the expiry of the existing licence. Renewed licences will be sent by post to the

applicant at their registered address and may take up to 3 working days to arrive. Applicants for renewal are therefore encouraged to submit their renewal application as early as possible.

The renewal application must be applied for prior to the expiry of the licence in order for officers to be able to determine the application. Applications for renewal which are received after the expiry date will be referred to the Registration and Licensing Committee. The Committee will decide whether or not the licence can be renewed taking into account how long after the expiry of the licence the application to renew was made and the reasons why the licence was not renewed prior to the expiry.

The renewal application shall be accompanied by the following supporting documents. Where a renewal application is not accompanied by the supporting documents, the application will be returned and will not be processed until the application is complete.

### DBS Certificate

DBS applications are completed using an online DBS application system. An email address must have been provided to the Licensing Authority in order to allow access to the online system.

Applicants for renewal, will receive an email containing login details for the online system at least 2 months prior to the expiry of the licence. The applicant must complete and submit the DBS application online, once this is done the applicant will receive another email requesting attendance at the Licensing Section. A Licensing Officer will then verify the documents e.g. passport, driving licence, used to complete the online DBS application.

The result of the DBS check will be returned to the applicant in the post, this can then be submitted to the Licensing Authority along with the renewal application.

**Applicants must ensure that they complete the DBS online application process at least 6 weeks prior to the expiry of the licence. This will ensure that the DBS certificate is returned in good time to enable the renewal application to be made.**

DBS certificates must have been issued less than 3 months prior to the day on which the application is determined (not the day the application is submitted) by the Licensing Authority.

### Medical Examination Report

Medical Examination forms will be sent to the applicant at least 4 months prior the expiry of the licence. The applicant is encouraged to arrange an appointment with their GP or a GP with access to the applicant's medical records promptly to ensure the applicant receives a completed Medical Examination Report prior to submitting the renewal application.

The medical examination report must have been issued less than 4 months prior to the day on which the application is determined (not the day the application is submitted) by the Licensing Authority.

### 2.12 Private Hire Driver Conditions

The licensing authority is empowered to impose such conditions as it considers reasonably necessary in relation to the grant of a private hire driver licence. The licensing authority has adopted standard conditions with respect to private hire drivers which are set out at **Appendix C**.

### 3.0 **Hackney Carriage and Private Hire Vehicles**

The following provisions apply to both Hackney Carriage and private hire vehicles.

#### 3.1 **Application process**

It is a legal requirement that vehicles used as a Hackney Carriage or Private Hire vehicle obtain a licence from the Licensing Authority. The application procedure is set out in **Appendix D**.

#### 3.2 **Vehicle Specification**

The licensing authority has set out a series of specifications which a vehicle will need to comply with prior to it being accepted as a licensed vehicle. Where an application is made for a vehicle that does not meet these specifications, the application must be considered by the Registration and Licensing Committee. The specification for Hackney Carriage vehicles is set out in **Appendix E** and for Private Hire vehicles at **Appendix F**.

#### 3.3 **Insurance**

Applications for a Hackney Carriage or Private Hire vehicle licence must be accompanied by a certificate of insurance or cover note for the correct category of use for the vehicle, either Hackney Carriage, Private Hire or both.

A Hackney Carriage vehicle requires insurance to cover public hire for hire and reward. A Private Hire vehicle requires insurance to cover private hire for hire and reward.

Where a vehicle is covered by a fleet insurance policy, the insurance certificate must also be accompanied by the schedule of vehicles.

Only original documents or documents provided directly to the Licensing Authority from the insurance company or broker shall be accepted.

### 3.4 Ministry of Transport Certificate (M.O.T)

Hackney Carriage vehicles require an annual M.O.T certificate once the vehicle is one year old from the date first registration. Private hire vehicles require an annual M.O.T certificate once the vehicle is three year old from the date of first registration.

The M.O.T certificate needs to be valid on the first day that the vehicle will be licensed and must be submitted with the application form.

### 3.5 Vehicle inspections

The Licensing Authority carries out vehicle inspections in accordance with both the “Car and Light Commercial Vehicle Testing Manual” and the “National Inspection Standards for Hackney Carriage and Private Hire Vehicles”. The National Inspection Standards are higher than that of an M.O.T and will include additional items for inspection. The National Inspection Standards are set out in **Appendix G**

Vehicles that meet the required specifications must be submitted for a vehicle examination at the council’s testing facilities prior to a licence being issued. For new applications, arrangements for inspections must be made with the Licensing Authority.

Licensed vehicles are required to be inspected at the council’s testing station every 6 months. Proprietors will be notified when their inspection is due and they can book a convenient date and time for the inspection with the Licensing Authority.

#### Non attendance

If a vehicle does not attend the inspection or if it is not inspected by the arranged date, the vehicle licence will be suspended (subject to formal appeal process) until it passes a rearranged inspection. **Failure to attend a scheduled inspection without reasonable excuse is an offence under Section 50 Local Government Miscellaneous Provisions Act 1976 and is liable to prosecution**

The inspection depot is very busy, so proprietors must ensure that their vehicle is parked in one of the bays provided and presented

before the time stated above. The appointment may be lost if a vehicle arrives late for the inspection.

### Vehicle failure

If a vehicle fails the inspection, the licence will be suspended with immediate effect. A retest can be arranged directly with the inspection depot by calling 01639 765046. A retest will not incur any charges.

Failure repairs must not be carried out at the inspection depot and your vehicle must be removed from the premises to a suitable location.

### Appeals

A Section 60 Suspension Notice under the Local Government (Miscellaneous Provisions) Act 1976 contains a formal right of appeal; these suspension notices are issued for non-attendance of vehicles. The suspension notice is not effective until the appeal period has expired, or where an appeal is lodged, the suspension notice is not effective until the appeal is withdrawn or determined.

A Section 68 Suspension Notice under the Local Government (Miscellaneous Provisions) Act 1976 does **not** contain a formal appeal process; these suspension notices are issued for vehicle failures.

If a vehicle has failed the inspection on an item which the proprietor / driver believes it should not have done so, the proprietor / driver will have the right to ask for a second opinion from a senior member of staff.

If the proprietor / driver is still unsatisfied with the outcome, the Council may ask for the opinion of an independent 3<sup>rd</sup> party

It is essential that a vehicle does not leave the inspection depot at any point during this process. If the vehicle is removed from the inspection depot then the right to a second opinion will be lost.

### 3.6 Conditions

The licensing authority is empowered to impose such conditions as it considers reasonably necessary in relation to the grant of a Hackney Carriage or Private Hire vehicle licence. The licensing authority has set standard conditions with respect to Hackney Carriage and Private Hire vehicles

These are set out in **Appendix H** for Hackney Carriage vehicles and **Appendix I** for Private Hire vehicles. However, where it is considered necessary, additional conditions may be imposed.

### 3.7 Closed Circuit Television Cameras (CCTV)

The Licensing Authority permits CCTV systems to be installed in Hackney Carriage and Private Hire Vehicles, however there is no mandatory requirement to do so.

The Licensing Authority recognises that such systems can be used to prevent and detect crime, reduce the fear of crime and enhance the safety of Hackney Carriage and Private Hire drivers, as well as their passengers. However the Licensing Authority also seeks to ensure that the installation and operation of CCTV systems do not compromise the safety of either drivers or passengers or unreasonably interfere with the privacy of members of the public.

A CCTV system will include any electronic recording device attached to the inside of a Hackney Carriage or Private Hire Vehicle having the technical capability to capture and retain visual images from inside or external to the vehicle.

The Licensing Authority has set out a series of specifications and conditions in relation to CCTV systems. These are set out in **Appendix J**

### 3.8 Vehicle Specification for Stretched Limousines

The licensing authority has set out a series of specifications, exemptions and conditions for stretched limousines. These are set out in **Appendix K**

### 3.9 Duration of licence

The licensing authority will issue licences for a one year period. However the licensing authority does have the discretion to issue licences of a shorter duration, if it considers this to be necessary given the circumstances.

### 3.10 Renewal of Licence

When an existing proprietor applies to renew their licence, the application may be submitted to the Licensing Authority 8 weeks before the expiry date. The applicant will not be penalised for early renewal as any licence issued will start on the expiry of the existing licence. Renewed licences will be sent by post to the applicant at their registered address and may take up to 3 working days to arrive. Applicants for renewal are therefore encouraged to submit their renewal application as early as possible.

The renewal application must be made prior to the expiry of the licence in order for officers to be able to determine the application. Applications for renewal which are received after the expiry date will be referred to the Registration and Licensing Committee. The Committee will decide whether or not the licence can be renewed taking into account how long after the expiry of the licence the application to renew was made and the reasons why the licence was not renewed prior to the expiry.

The renewal application shall be accompanied by an insurance certificate or cover note which will be valid on the 1<sup>st</sup> day of the new licence and an M.O.T (where applicable). Where a renewal application is not accompanied by the supporting documents, the application will be returned and will not be processed until the application is complete.

Where the applicant has notified the authority that the vehicle is unfit and therefore does not have a valid M.O.T, the application can still be submitted but will not be issued until a valid M.O.T is received.



### 3.11 Equality Act designated list of vehicles

In accordance with the Equality Act 2010, the Licensing Authority maintains a list of designated wheelchair accessible hackney carriage and private hire vehicles.

The driver of any vehicle specified on the designated list has a duty to carry wheelchair users, provide assistance and to not charge any extra, otherwise, an offence is committed under the Equality Act 2010 (unless the driver has been granted a medical exemption – see 2.7).

The Licensing Authority will notify the proprietor of any vehicle included on the designated list and will publish the list on its website at [www.npt.gov.uk/licensing](http://www.npt.gov.uk/licensing); the list will be maintained and republished at the beginning of each month.

There is an appeal against a decision to include a vehicle on the list to the Magistrates' Court within 28 days beginning on the date of the inclusion.

## 4.0 **Operators**

### 4.1 Requirement for a licence

In order to ensure the safety of the public, any person who operates a Private Hire service must apply to the licensing authority for a Private Hire Operator's licence.

All applicants for a grant or renewal of a Private Hire Operator's licence must submit a basic disclosure which can be obtained from Disclosure Scotland in order to satisfy the authority that they are a 'fit and proper' person. Operators that already hold a hackney carriage or private hire driver licence with this authority do not require the basic disclosure.

Operating licences will be granted for a period of 5 years, however the licensing authority does have the discretion to issue licences of a shorter duration, if it considers this to be appropriate in the circumstances of the case.

## 4.2 Operator conditions

The Licensing Authority has the power to impose such conditions on an operator's licence as it considers necessary to uphold the licensing objectives. Standard conditions are set out in **Appendix L**

## 4.3 Immigration Checks

The Licensing Authority will undertake immigration checks in accordance with the Immigration Act 2016. All applicants (including renewal) for a private hire operator licence, will need to provide either a Passport or UK Full Birth Certificate (a national insurance document is also required where a UK Full Birth Certificate is provided) to enable the Licensing Authority to confirm eligibility to work within the U.K.

Applicants that do not have either a Passport or UK Birth Certificate should contact the Licensing Section to discuss whether any alternative documentation can be accepted.

The Licensing Authority will undertake a check on the applicants immigration status with the Home Office. Checks revealing that an applicant has permanent lawful permission to reside and work in the UK, will not require any further checks with the Home Office.

Checks revealing that an applicant has limited lawful permission to reside or work in the UK may be issued with a shorter duration licence.

The Licensing Authority will not issue a licence to any applicant who does not have lawful permission to reside or work in the UK; this is in accordance with the Immigration Act 2016.

## 5.0 **Byelaws**

The Council has adopted Byelaws made under Section 68 Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875 in respect to hackney carriages. These byelaws contain additional requirements for both hackney carriage proprietors and drivers. The byelaws do not form part of this policy, but are included at **Appendix M** for convenience purposes.

## 6.0 **Fees**

The Licensing Authority will set fees for licences at a level that will recover the full costs incurred by the Council for issue, administration compliance and where permitted enforcement of that type of licence.

### 6.1 **Review of fees**

Generally, the fees will be reviewed annually between January and March for implementation on 1 April following the review. However, the Council reserves the right to review the fees at any time.

A list of current fees is available from the Licensing Section or at [www.npt.gov.uk/licensing](http://www.npt.gov.uk/licensing)

## **7.0 Compliance and Enforcement**

### **7.1 Suspension of licence**

Where the Registration and Licensing Committee are satisfied that a person is no longer 'fit and proper' or has breached a licence condition, they may suspend a driver's licence for a specified period.

Authorised officers of the Council shall be permitted to temporarily suspend the licence of a vehicle should they have reason to believe that the safety or comfort of the public warrants such action. The suspension can be lifted once any defects have been rectified.

### **7.2 Revocation of licence**

Where the Registration and Licensing Committee are satisfied that a person is no longer 'fit and proper' or has breached a licence condition, they may revoke a driver's licence.

Authorised officers of the Council shall be permitted to revoke a driver's licence with immediate effect where it is considered in the interests of public safety to do so.

### **7.3 Refusal to renew a licence**

The Registration and Licensing Committee may decide an appropriate course of action is to order that the licence shall not be renewed.

The person applying for a licence will have the opportunity to appeal this decision to the Magistrates' Court.

### **7.4 Prosecution of licence holders and non licence holders**

The licensing authority will have full regard to the Licensing Enforcement Policy in deciding whether a prosecution should be

brought. The Licensing Enforcement Policy is available from the Licensing Section or at [www.npt.gov.uk/licensing](http://www.npt.gov.uk/licensing)

## 7.5 Offences

Offences in relation to Hackney Carriages are derived from the following sources:

- Town Police Clauses Act 1847
- Local Government (Miscellaneous Provisions) Act 1976
- Neath Port Talbot CBC's Conditions for hackney carriages

Offences in relation to Private Hire are derived from the following sources:

- Local Government (Miscellaneous Provisions) Act 1976
- Neath Port Talbot CBC's conditions for private hire drivers
- Neath Port Talbot CBC's conditions for private hire vehicles

## 7.6 Appeals

Any notifications of enforcement actions will include information on how to appeal and to whom the appeal is made, if a right of appeal exists.

## **Appendix A**

### **Hackney Carriage and Private Hire Driver Licence Application Procedure for Grant**

#### **Driver Application Pack**

A driver application pack must be obtained from the Licensing Section, Civic Centre, Port Talbot SA13 1PJ Tel No: 01639 763050

email: [licensing@npt.gov.uk](mailto:licensing@npt.gov.uk) or from the One Stop Shop at Neath Civic Centre.

These notes are provided to assist you in completing your application for a drivers licence. If you require any assistance or information please contact the Licensing Section on the above number.

A list of current fees is available from the Licensing Section or alternatively on our website [www.npt.gov.uk/licensing](http://www.npt.gov.uk/licensing)

#### **STAGE 1 – COMPLETING YOUR APPLICATION**

##### **The Application Form**

- You must complete the application form ensuring that all questions are completed.
- Please ensure that application form is signed and dated on page 3
- The DVLA mandate (D796) attached at the back of the application form must also be completed. You must also ensure that this form is signed and dated.

##### **The Medical Report**

- The Medical Report must be completed by your doctor or a doctor who has access to your medical records.
- Please note that you are required to sign the Medical form twice on page 11.

- You must also make sure that you have printed your name & date of birth on each page of the medical report.
- It is essential that the doctor has signed one of the declarations on page 12 which specifies whether you meet or do not meet the group 2 standards.
- The medical report must also be endorsed with the surgery stamp and signed and dated by your doctor. Ensure that you check this before leaving the surgery.
- Please ensure that all sections have been completed and all boxes ticked.

### DVLA Driving Licence

- For photocard style driving licences, you are now required to provide an online access code which allows the Licensing Authority to view your driving licence.
- You can generate an access code by using the DVLA online system [www.gov.uk/view-driving-licence](http://www.gov.uk/view-driving-licence)
- The code you generate can only be used once, either print or make a note of the access code (ensure you write it down correctly, remembering to identify capital letters) and provide it with your application.

### Immigration Checks

- You must provide a Passport or UK Full Birth Certificate. If you provide a UK full Birth Certificate, you will also need to provide a National Insurance Document.
- If you do not have either of these documents, please contact the Licensing Authority to discuss alternative documentation that may be acceptable.

## **STAGE 2 – SUBMITTING YOUR APPLICATION**

A completed application pack must be submitted in person to the Licensing Section at the Port Talbot Civic Centre. Office hours for dealing with applications are:-

Monday to Friday 09.00am – 12.00pm and 1.00pm – 3.00pm

A completed application must include the following items:-

- A fully completed application form (including the DVLA Mandate) properly signed and dated.
- An email address which you can use to receive your online DBS (Disclosure and Barring Service) application form
- Your photocard DVLA driving licence with DVLA access code.
- Please note that the licence must show your current address.
- A Medical Report completed and signed by your own Doctor, or a doctor who has access to your medical records. (NB the doctor will make a charge for this report)
- Passport or UK Full Birth Certificate with National Insurance document.
- 1 Passport sized photograph taken within the last 3 months

## **STAGE 3 – DBS (Disclosure and Barring Service) Check**

- DBS Checks are completed using an online system.
- Once you have submitted your hackney carriage and private hire driver licence application, an email will be sent to your registered email address, containing a link and login details to the online DBS system.
- Follow the link and complete then submit the online DBS form. You will require several documents in order to confirm your



identity. A list of accepted documents is included in the driver application pack.

- Once submitted, you will receive a further email, requesting you to attend at the Licensing Section, Port Talbot Civic Centre, where an officer will verify the documentation that you used to complete the online DBS form; you will need to bring the original documents with you.
- The result of the DBS check will be sent to your home address. Once you have received the DBS check result, you must return this to the Licensing Authority forthwith to prevent any delays in your application.

#### **STAGE 4 – KNOWLEDGE AND SUITABILITY TEST**

- The knowledge and suitability test is administered by the Licensing Authority. Appointments to undertake the test can be made directly with the Licensing Section.
- The Knowledge test can be undertaken at any point before or during the application period.
- You will need to have successfully completed the Knowledge test and be in receipt of the completion certificate before a decision can be made on whether to grant a driver licence.
- Tests are scheduled to take place on a fortnightly basis and are usually on a Wednesday morning at the Port Talbot Civic Centre.
- You must pay the relevant fee when you attend for the test. You will not be allowed to sit the test if you have not paid the fee.

#### **STAGE 5 – DETERMINATION OF LICENCE**

- If there are any convictions shown on the DBS check result, DVLA driving licence or if you have declared any other relevant information, then your application may need to be considered by the Registration and Licensing Committee. You will be

advised of this and notified in writing of the date and time of a hearing. It is likely that you will be invited to attend the hearing.

- If your application is refused by the Registration & Licensing Committee, you have the right of appeal to the Magistrates' Court within 21 days of receiving written notice of refusal.

## **STAGE 6 – ISSUE OF LICENCE**

- If your application is approved, confirmation will be sent to you in writing.
- You will need to produce your DVLA driving licence and access code again.
- You will need to pay the relevant fee for grant of the licence.

## **Appendix B**

### **Fitness Criteria for Prospective and Existing Drivers & Operators**

#### **1.0 Introduction**

- 1.1 The purpose of this policy is to provide guidance on the criteria taken into account by the council when determining whether or not an applicant or an existing licence holder is a fit and proper person to hold a hackney carriage and/or private hire driver / operator licence.
- 1.2 The aim of this policy is to protect the safety of the public. The Licensing Authority is concerned to ensure:
- That a person is a fit and proper person;
  - That the person does not pose a threat to the public;
  - That the public are safeguarded from dishonest persons;
  - The safeguarding of children and young persons;
  - The safeguarding of vulnerable persons;
  - That the public have confidence in their use of licensed vehicles.
- 1.3 This policy aims to provide guidance to any person with an interest in public and private hire licensing. In particular, but not exclusively:
- Applicants for driver / operator licences
  - Existing licensed drivers / operators whose licences are being reviewed
  - Licensing Officers and Police
  - Members of the Licensing Committee/ Panel (or other relevant decision making body)
  - Magistrates and Crown Court hearing appeals against local authority decisions
- 1.4 Where licensing officers have delegated powers to grant licences, they will utilise these guidelines when making a decision to grant a licence. In all other cases applications for licences will be referred to the licensing committee/panel (or other relevant decision-making body). Whilst officers and the

committee/panel will have regard to the guidelines contained in the policy, **each case will be considered on its individual merits** and, where the circumstances demand, the committee/officer may depart from the guidelines.

- 1.5 Where applicants fail to disclose any previous convictions; cautions; warnings; penalty notices, orders or reprimands on their application form including any pending court proceedings or other matters they may be referred to the Licensing Committee for determination.

## **2.0 General policy**

- 2.1 Each case will be decided on its own merits.

- 2.2 A person with a conviction for a serious offence need not be automatically barred from obtaining a licence, but would normally be expected to:

- a. Remain free of conviction for an appropriate period (as set out below); and
- b. Show evidence that he or she is a fit and proper person to hold a licence (the onus is on the applicant to produce such evidence).

- 2.3 For the purposes of this Policy, “other matters to be considered” may include but are not limited to the following:

- a) Criminal / motoring convictions;
- b) Court Martial;
- c) Cautions;
- d) Fixed penalty notices or other penalty notices;
- e) Anti-social behaviour orders or other similar orders;
- f) Breach of licensing conditions;
- g) Formal Warnings or Reprimands;
- h) Charges or matters awaiting trial;
- i) Fitness and propriety.

- 2.4 Where an applicant has a conviction(s) or other matter(s) to be considered for a criminal offence, the council cannot review the merits of the conviction or other matter.

- 2.5 Where an applicant / licence holder has a conviction or other matter to be considered for an offence of aiding, abetting, attempting, conspiring, counselling, procuring, causing, permitting or inciting any of the criminal or motoring convictions / matters specified in this guidance, they will be considered relevant for the substantive matter.

### **3.0 Appeals**

- 3.1 Any applicant who has been refused a driver / operator licence, or a licensed driver / operator whose licence has been suspended or revoked has a right to appeal to the Magistrates' Court within 21 days of receipt of the notice.

### **4.0 Powers**

- 4.1 Powers to grant driver / operator licences are contained within Section 51, Section 55 and Section 59 of the Local Government (Miscellaneous Provisions) Act 1976 (the Act).
- 4.2 Powers to suspend, revoke or refuse to renew a driver's licence are contained within Section 61 of the Act, where the applicant/licence holder has been convicted of an offence involving dishonesty, indecency, violence; failure to comply with the provisions of the Town Police Clauses Act 1847; failure to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976; or any other reasonable cause.
- 4.3 Section 61 (2B) allows the Licensing Authority, if it appears that in the interests of public safety, to suspend or revoke a driver's licence with immediate effect. A Decision Notice explaining why this decision has been taken will be issued to the driver and will have effect when the notice is given to the driver. The driver may appeal this decision but may not drive during the appeal period.
- 4.4 Section 62 of the Act allows the Licensing Authority to suspend, revoke or refuse to renew an operator's licence if the applicant/licence holder has been convicted of an offence under or non-compliance with the provisions of Part II of the Act; or grounds of any conduct on the part of the operator

which appears to the Council to render him unfit , or due to any material change since the licence was granted in any of the circumstances of the operator on the basis of which the licence was granted or any other reasonable cause.

- 4.5 The Rehabilitation of Offenders Act 1974 (Exceptions)(Amendment) Order 2002, allows the Licensing Authority to take into account all convictions recorded against an applicant or the holder of a private hire vehicle or hackney carriage driver's licence, whether spent or not. Therefore the Licensing Authority will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending.

## **5.0 Consideration of disclosed criminal history**

- 5.1 Under the provisions of Sections 51, 55, and 59, of the Act, the Licensing Authority is required to ensure that an applicant for the grant or renewal of a driver / operator licence is a 'fit and proper' person to hold such a licence. However, if an applicant / licence holder has any matters to be considered, the Licensing Authority may take into account:

- How relevant the offence(s) are to the licence being applied for;
- How serious the offence(s) were;
- When the offence(s) were committed;
- The date of conviction and age of applicant at time of conviction;
- Sentence imposed by the court;
- Whether they form part of a pattern of offending;
- Any other factors that might be relevant.

## **6.0 Violence**

- 6.1 Licensed drivers have close regular contact with the public. A serious view will be taken with those who have a conviction(s) or other matter(s) to be considered involving violence. An application will normally be refused or existing licence suspended or revoked if the applicant / licence holder has a conviction for an offence that involved the loss of life.

- 6.2 In other cases anyone of a violent disposition is unlikely to be licensed until **at least 3 years** free of such conviction(s) or other matter(s) to be considered. However, given the range of the offences that involve violence, consideration must be given to the nature of the offence.
- 6.3 Unless there are exceptional circumstances, an application will normally be refused or existing licence suspended or revoked where the applicant / licence holder has a conviction for an offence such as:
- Murder;
  - Manslaughter;
  - Manslaughter or culpable homicide while driving;
  - Terrorism offences;
  - Or any similar offences or offences which replace the above.
- 6.4 An application will normally be refused or an existing licence suspended or revoked where the applicant / licence holder has a conviction(s) or other matter(s) to be considered for an offence listed below and the conviction(s) or other matter(s) to be considered is **less than 10 years** prior to the date of application:
- Actual bodily harm which is racially / religiously aggravated;
  - Arson;
  - Assault Police;
  - Common assault which is racially / religiously aggravated;
  - Criminal damage which is racially / religiously aggravated;
  - Grievous bodily harm with intent;
  - Malicious wounding or grievous bodily harm which is racially aggravated;
  - Possession of firearm;
  - Resisting arrest;
  - Riot;
  - Robbery;
  - Violent disorder;

- Similar offences or offences which replace the above.

6.5 An application will normally be refused or an existing licence suspended or revoked where the applicant / licence holder has a conviction(s) or other matter(s) to be considered for an offence listed below and the conviction(s) or other matter(s) to be considered is **less than 3 years** prior to the date of application:

- Affray;
- Assault occasioning actual bodily harm;
- Common assault;
- Criminal damage;
- Obstruction;
- Possession of a weapon (or imitation weapon) or any other weapon related offence other than a firearm;
- S5 Public Order Act 1986 offence (harassment, alarm or distress);
- S.4 Public Order Act 1986 offence (fear of provocation of violence);
- S4A Public Order Act 1986 offence (intentional harassment, alarm or distress);
- Similar offences or offences which replace the above.

6.6 An application will normally be refused if an applicant has more than one conviction or other matter to be considered in the last **10 years** for an offence of a violent nature.

## **7.0 Sex and indecency offences**

7.1 As licensed drivers often carry unaccompanied and vulnerable passengers, a firm line is to be taken with those who have convictions or other matters to be considered for sexual offences. An application will normally be refused or existing licence suspended or revoked for convictions or other matters to be considered for the more serious sexual offences. For other offences, applicants will be expected to show a substantial period free of conviction or other matter to be considered for such offences before an application will be approved.



7.2 Unless there are exceptional circumstances, an application will normally be refused or an existing licence suspended or revoked where the applicant / licence holder has a conviction(s) or other matter(s) to be considered for an offence such as:

- Assault by penetration;
- Exploitation of prostitution;
- Indecent assault;
- Offences involving children or vulnerable adults;
- Possession of indecent photographs, child pornography etc;
- Rape;
- Sexual assault;
- Trafficking for sexual or other exploitation;
- Similar offences or offences that replace the above.

7.3 An application will normally be refused or an existing licence suspended or revoked where the applicant / licence holder has a conviction(s) or other matter(s) to be considered for an offence listed below and the conviction(s) or other matter(s) to be considered is **less than 7 years** prior to the date of application:

- Indecent exposure;
- Soliciting (kerb crawling);
- Similar offences or offences which replace the above.

7.4 In addition to the above the Licensing Authority is unlikely to grant a licence to any applicant who is currently on the Sex Offenders Register.

7.5 An application will normally be refused if an applicant has more than one conviction or other matter to be considered for a sexual offence.

## 8.0 Dishonesty

8.1 An applicant or existing licence holder is expected to be a trustworthy person. They deal with cash transactions and valuable property which may be left in their vehicles. Licence holders are required to deposit such property with police within 24 hours. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in licensed drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal or agreed fare, etc. Overseas visitors can be confused by our currency and may be vulnerable to an unscrupulous driver. For all these reasons, a serious view is taken of any conviction involving dishonesty.

8.2 An application will normally be refused or an existing licence suspended or revoked where the applicant / licence holder has a conviction(s) or other matter(s) to be considered for an offence listed below and the conviction or other matter to be considered is **less than 3 years** prior to the date of application:

- Benefit fraud;
- Burglary;
- Conspiracy to defraud;
- Forgery;
- Fraud;
- Handling or receiving stolen goods;
- Obtaining money or property by deception;
- Other deception;
- Taking a vehicle without consent;
- Theft;
- Similar offences or offences which replace the above.

## 9.0 Drugs

9.1 A serious view is taken of any drug related offence. The Licensing Authority will consider the nature and quantity of the drugs involved within the following offences:

- Cultivation of a controlled drug;
- Importation of a controlled drug;
- Production of a controlled drug;
- Supply of a controlled drug;
- Or similar offences.

9.2 An application will normally be refused or an existing licence suspended or revoked where the applicant / licence holder has a conviction(s) or other matter(s) to be considered for any of the above offences and has not been free of conviction(s) or other matters to be considered for **at least 5 years**.

9.3 An application will normally be refused or an existing licence suspended or revoked where the applicant has more than one conviction or other matter to be considered for offences related to the possession of drugs and has not been free of conviction or other matter to be considered for **at least 5 years**.

9.4 An application will normally be refused or an existing licence suspended or revoked where the applicant / licence holder has an isolated conviction or other matter to be considered for an offence related to the possession of drugs within **the last 3 years**. Consideration should be given to the nature and quantity of the drugs involved.

9.5 If there is evidence of persistent drugs use, misuse or dependency a specialist medical examination (in accordance with DVLA Group 2 medical standards) may be required. If the applicant was an addict then they would normally be required to show evidence of **3 years** free from drug taking.

## **10.0 Driving offences involving the loss of life**

10.1 A very serious view is to be taken of any applicant or existing licence holder who has a conviction or other matter to be considered for a driving offence that resulted in the loss of life.

10.2 An application will normally be refused or an existing licence suspended or revoked where the applicant / licence holder has a conviction(s) or other matter(s) to be considered for any of the offences listed below and has not been free of conviction or other matter to be considered for **7 years**.

- Causing death by careless driving whilst under the influence of drink or drugs;
- Causing death by dangerous driving;
- Or any similar offences.

10.3 An application will normally be refused or an existing licence suspended or revoked where the applicant / licence holder has a conviction(s) or other matter(s) to be considered for any of the offences listed below and has not been free of conviction or other matter to be considered for **5 years**.

- Causing death by careless driving;
- Causing death by driving: unlicensed, disqualified or uninsured drivers.

## **11.0 Drink driving/driving under the influence of drugs**

11.1 A serious view will be taken of a conviction(s) or other matter(s) to be considered for driving or being in charge of a vehicle while under the influence of alcohol / drugs. A single conviction or other matter to be considered may not result in an application being refused or an existing licence being suspended or revoked, provided that **at least 3 years** have elapsed since the ending of the disqualification. A conviction or other matter to be considered for 'refusing or failing to provide a specimen' will be treated in the same way.

11.2 Applicants with more than one conviction or other matter to be considered for driving or being in charge of a vehicle under the influence of alcohol / drugs or refusing or failing to provide a specimen are unlikely to be granted a licence unless a period of **10 years** has elapsed after the restoration of the driving licence following the last conviction or other matter to be considered.

## 12.0 Motoring Convictions

### 12.1 Major Traffic Offences

12.2 For the purposes of this Policy the following motoring offences are classed as 'Major Traffic Offences':

|      |  |
|------|--|
| AC10 | Failing to stop after an accident  |
| AC20 | Failing to give particulars or to report an accident within 24 hours               |
| AC30 | Undefined accident offences  |
| BA10 | Driving while disqualified by order of Court                                       |
| BA30 | Attempting to drive while disqualified by order of Court                           |
| DD40 | Dangerous driving  |
| DD90 | Furious driving  |
| IN10 | Using a vehicle uninsured against third party risks                                |
| LC20 | Driving otherwise than in accordance with a licence                                |
| LC30 | Driving after making a false declaration about fitness when applying for a licence |
| LC40 | Driving a vehicle having failed to notify a disability                             |
| LC50 | Driving after a licence has been revoked or refused on medical grounds             |
| MS50 | Motor racing on the highway  |
| MS60 | Offences not covered by other codes  |
| MS90 | Failure to give information as to identity of driver, etc.                         |
| UT50 | Aggravated taking of a vehicle   |

12.3 An application will normally be refused or an existing licence suspended or revoked where the applicant / licence holder has a conviction or other matter to be considered for a major traffic offence and has not been free of the conviction or other matter to be considered for **at least 6 months**.

- 12.4 An applicant with more than one Major Traffic Offence, within the last 5 years will normally be refused and no further application should be considered until a period of **at least 3 years** free from such convictions or other matters to be considered have elapsed.
- 12.5 If any conviction or other matter to be considered for a Major Traffic Offence results in a disqualification, applicants should refer to the section of these guidelines entitled "disqualification".
- 12.6 **Disqualification from driving**
- 12.7 The Licensing Authority will treat a period of a disqualification as being that which a driver would have been eligible to serve, and may disregard the decision of a court to waive or reduce a disqualification period either on the grounds of exceptional hardship under S.35 of the Road Traffic Offenders Act 1988 or for "special reasons" under S.34 of the Road Traffic Offenders Act 1988.
- 12.8 An application will normally be refused or an existing licence suspended or revoked where the applicant / licence holder has a recent conviction or other matter to be considered resulting in a period of disqualification of less than 56 days unless a period of **at least 6 months** has elapsed from the end of the disqualification period.
- 12.9 An application will normally be refused or an existing licence suspended or revoked where the applicant / licence holder has a recent conviction or other matter to be considered resulting in a period of disqualification of up to 12 months unless a period of **at least 12 months** has elapsed from the end of the disqualification period.
- 12.10 An application will normally be refused or an existing licence suspended or revoked where the applicant / licence holder has a recent conviction or other matters to be considered resulting in a period of disqualification of 12 months or more, unless a period of **at least 18 months** has elapsed from the end of the disqualification period.

- 12.11 The Licensing Authority will not normally grant an application for a private hire or hackney carriage driver's licence from a person who has been disqualified from driving for a period of 3 years or more.

### **13.0 Minor Traffic Offences**

- 13.1 Other Traffic Offences not listed within this policy will be treated as 'Minor Traffic Offences'. A minor driving offence is one that incurs between 1 and 3 penalty points.
- 13.2 Where an applicant / licence holder has one conviction or other matter to be considered for a minor driving offence, this will not usually result in refusal or suspension / revocation.
- 13.3 More than one minor traffic conviction or other matter to be considered may result in a refusal, particularly where there are several convictions or other matters to be considered for the same offence e.g. speeding. A licensed driver may be referred to the Licensing Committee where there are more than two offences.

### **14.0 Outstanding charges or summonses**

- 14.1 If the individual is the subject of an outstanding charge or summons their application can continue to be processed, but in the interest of public safety the matter will be considered and may be deferred for determination until proceedings are concluded.

### **15.0 Non-conviction information**

- 15.1 If an applicant or existing licence holder has been arrested or charged, but not convicted, for a serious offence which suggests he/she could be a danger to the public, consideration should be given to refusing or suspending / revoking the application / licence.

### **16.0 Repeat offending**

- 16.1 While it is possible that an applicant may have a number of convictions or other matters to be considered that individually meet the above guidelines, an application will normally be

refused where an applicant has a record of repeat offending which shows a lack of regard for the well-being of others or for property.

## **17.0 Breach of Legislation, Byelaw or Licence Condition**

- 17.1 An applicant who has a conviction or other matters to be considered for a breach of legislation, byelaw or licence condition is unlikely to be granted a licence unless a period of **at least 12 months** has elapsed since the most recent breach.
- 17.2 An existing licence holder found to be in breach of legislation, byelaw or licence condition is on the first occasion, likely to be warned in writing as to future conduct, provided that the breach did not compromise the safety of passengers or that the public were not put at risk.
- 17.3 Where an existing holder is found to have more than one breach of licensing legislation, byelaw or licence condition, or a single serious breach, the Licensing Committee may suspend or revoke the licence.
- 17.4 The above is irrespective of any legal proceedings which may be pending or have been taken.



## **Appendix C**

### **Conditions for the Licensing of Private Hire Drivers**

#### **Introduction**

These conditions apply to drivers of private hire vehicles.

#### **General**

1. The licence is granted to the person named thereon to act as a driver of a Private Hire Vehicle within the district of the Council subject to the consent of the operator/proprietor of such vehicle and to such Acts and Bye-Laws as are or may from time to time be in force in the said district.
2. Private Hire drivers shall not display signs etc., in or on the vehicle, which suggests the vehicle is for hire.
3. If the driver is permitted or employed to drive a Private Hire Vehicle of which he is not the proprietor, he/she shall before commencing to drive that vehicle, deposit their licence with that proprietor for retention by him/her until such time as the driver ceases to be permitted or employed to drive any vehicles owned by the proprietor.

#### **Driver Badge**

4. The badge issued by the Council must be worn so as to be plainly and distinctly visible in a conspicuous position (on the upper part of the body **not** at the waist) at all times whilst the driver is undertaking licensed duties.
5. Where a licence or badge is lost a duplicate must be obtained as soon as possible.

## **The Driver**

6. Shall at all times;
  - (i) Convey a reasonable quantity of luggage;
  - (ii) Afford reasonable assistance in loading and unloading passenger luggage;
  - (iii) Afford reasonable assistance in removing luggage to or from the entrance of any building, station or place at which he/she may take up or set down such persons;
  - (iv) Whilst on duty behave in a civil and orderly manner towards all passengers and members of the public;
  - (v) Be appropriately dressed in suitable clean clothing, and comply with any code of guidance issued by the authority.
  - (vi) Not without the express consent of the hirer, drink or eat in the vehicle;
  - (vii) Not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle;
  - (viii) At no time cause or permit the noise emitted by any radio or previously mentioned equipment in the vehicle which he/she is driving to be the source of nuisance or annoyance to any persons whether inside or outside the vehicle;
  - (ix) Keep licensed vehicles to a high degree of cleanliness;
  - (x) Refrain from smoking in the vehicle.
7. Every driver of a licensed vehicle shall not permit to be conveyed in that vehicle a greater number of passengers exclusive of the driver than the number of persons specified in the licence issued in respect of that vehicle;
8. The driver shall not allow to be conveyed in the front of a licensed vehicle any child below the age of 10 years
9. The driver shall not without the consent of the hirer of the vehicle convey or permit to be conveyed any other person in the vehicle.
10. The driver shall at his/her discretion convey animals, which are in the custody of the hirer and in this case the animal, must be conveyed in the rear of the vehicle. Dogs assisting

blind or deaf passengers must always be permitted to be conveyed in the vehicle.

### **Fares**

11. If a Private Hire Vehicle is fitted with a taxi meter, the driver shall not cause the fare recorded thereon to be cancelled or concealed until the hirer has had a reasonable opportunity of scrutinising it and has paid the fare.
12. The driver of a private hire vehicle shall not demand from any hirer 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 is no previous agreement as to the fare, the fare shown on the face of the taxi meter.

### **Written Receipts**

13. Every driver of a licensed vehicle shall if required by the hirer, provide him/her with a written receipt for the fare paid.

### **Conditions**

14. Every driver shall at times when driving a licensed vehicle, carry with him a copy of these conditions, and shall make them available for inspection by the hirer or any other passenger on request.

### **Police Check & Notification of Convictions**

15. A driver of a licensed vehicle **shall** within 7 days of a conviction, notify the Council in writing of all and any convictions imposed upon him/her namely:-
  - (i) Any offence under the Road Traffic Acts and Regulations made thereunder;
  - (ii) Any criminal offence;

### **Vehicle Checks**

16. Every licensed driver shall carry out on a daily basis an examination of the interior and exterior of the vehicle to ensure that relevant lighting requirements and the Construction and Use Regulations are complied with and that the vehicle is suitable and safe (interior & exterior) for use as a licensed vehicle. Any defects must be rectified immediately by the driver or proprietor.
17. Every licensed driver shall advise the proprietor in writing immediately of any defects, which may affect the safety of the driver, passengers or other persons.

### **Change of Address**

18. The driver shall notify the Council in writing of any change of his/her address during the period of the licence and within 7 days of such change taking place.

### **Medical**

19. Every driver must notify the Council of any medical condition that may affect their fitness to drive.

### **Lost Property**

20. The driver of a licensed vehicle shall immediately after the termination of any hiring or as soon as practicable thereafter, carefully search the vehicle for any property left by passengers.
21. If any property left by any passenger is found, the driver shall take it as soon as possible and in any event within 48 hours (unless claimed by the owner) to a police station in the district and leave it in the custody of the officer in charge. The driver must obtain a receipt for it.

### **Fire Extinguisher in vehicle**

22. The driver shall immediately notify the operator or proprietor of the vehicle if the extinguisher provided is defective or has been discharged.

### **Prompt Attendance**

23. The driver of a licensed vehicle shall, if he/she has been hired to be in attendance at an appointed time and place, punctually attend at the appointed time and place.
24. The driver, when hired to drive to any particular destination, shall subject to any directions given by the hirer, proceed to that destination by the shortest available route.

### **Suspension, Revocation & Prosecution**

36. The Council has the power to suspend, revoke or refuse to renew a licence on appropriate grounds. Where a licence has been obtained by giving false or incomplete information, consideration will be given to suspending, revoking or refusing the licence. The driver will also be liable to prosecution.
37. Failure to comply with these conditions could result in suspension or revocation of the licence and/or prosecution.

## **Appendix D**

### **Application Procedure for a Hackney Carriage / Private Hire Vehicle Licence**

#### **Stage 1 – Vehicle Specifications**

An applicant wishing to licence a vehicle as a Hackney Carriage or Private Hire Vehicle must ensure that the vehicle complies with the vehicle specifications shown at **Appendix E** for Hackney Carriage vehicles and **Appendix F** for Private Hire vehicles.

For vehicles which have not previously been inspected and measured by the Licensing Section, the applicant will need to arrange for the vehicle or an identical model to be made available for inspection at the Port Talbot Civic Centre. A list of approved vehicles which meet the size requirements contained in the vehicle specifications is available from the Licensing Section.

Applicants are strongly advised not to purchase a vehicle until it has been approved.

#### **Stage 2 – Vehicle Inspection**

Applicants are required to arrange with the Licensing Section for their vehicle to be inspected at the Council's testing facilities, which are located at Tregelles Court, Neath Abbey Road, Neath Abbey, SA10 7DF

Vehicles are inspected in accordance with the "Hackney Carriage and Private Hire National Inspection Standards" and the "VOSA Car and Light Commercial Vehicle Testing Standards"

Once the vehicle inspection is complete, the applicant will receive an inspection report detailing whether or not the vehicle has passed the inspection. A vehicle must achieve a pass result before it can be licensed.

### **Stage 3 – Submitting Your Application**

A completed application must be submitted in person to the Licensing Section at the Port Talbot Civic Centre. Office hours for dealing with applications are:-

Monday to Friday 09.00am – 12.00pm and 1.00pm – 3.00pm

A completed application must include the following items:-

- A fully completed application form properly signed and dated.
- The full vehicle registration document (V5)
- An insurance certificate or cover note that expressly indicates the correct insurance cover for its class.
- A valid M.O.T (where applicable)
- Current fee
- Where a vehicle has been converted or modified e.g. for wheelchair access, an appropriate type approval certificate shall also be required.

### **Stage 4 – Meter Test (hackney carriage vehicles only)**

A measured mile has been created on a road in close proximity of the Port Talbot Civic Centre. The applicant, accompanied by a licensing officer, will need to drive the vehicle along the measured mile, whilst the Licensing Officer tests the meter.

A licence will not be able to be issued until the meter is confirmed as accurate by the Licensing Officer.

### **Stage 5 – Issue of Licence**

Once all the above stages have been completed the licence can be issued. The applicant will be issued with 2 self-adhesive doors signs, a back plate and back plate holder. In the case of a

wheelchair accessible vehicle a medical exemption holder will also be issued.



## **Appendix E**

### **Hackney Carriage Vehicle Specifications**

The Neath Port Talbot County Borough Council “the Council” has adopted the following vehicle specifications for Hackney Carriage Vehicles.

The Council will use these as a basis for exercising its discretion when making decisions about licensing vehicles as hackney carriages.

#### Documents to accompany applications

1. All applications shall be made in writing on the prescribed form.
2. All documentation shall be originals except where documents are provided directly to the authority from the issuer.
3. All applications shall be accompanied by the Vehicle Registration Document (V5). In situations where the Registration Document has been sent to the DVLA for processing, it shall be presented to the Licensing Section within 21 days of the issue of the licence.
4. Where a vehicle has been modified post DVLA registration, applications shall be accompanied by the appropriate type approval issued by VOSA.
5. All applications shall be accompanied by a valid certificate of insurance which covers the use of the vehicle for public hire and reward. Where the vehicle is covered under a fleet policy, the application shall also be accompanied by the policy schedule of vehicles.
6. Applications for vehicles that are one year old shall also be accompanied by a Ministry of Transport test certificate (M.O.T)

7. Applications shall be accompanied by a satisfactory test certificate issued at the Council's Vehicle Inspection Centre.

#### Non Wheelchair Accessible Vehicles

8. Non wheelchair accessible vehicles shall only be considered for licensing as a replacement for an existing non wheelchair accessible vehicle
9. Vehicles shall meet the following minimum dimensions without modification to the manufacturer's specification:-
  - (a) Height (Inside)  
From the top of the seat cushion to the roof at the lowest part shall not be less than 800mm.
  - (b) Knee Space  
Each seat shall have at least 200mm knee space.
  - (c) Seats (Width)  
The width of the back seat from the squab to the front edge shall not be less than 450mm.
  - (d) Rear Seat (Length)  
The rear seat measured between the arm rests shall provide not less than 400mm per person.

#### Wheel Chair Accessible Vehicles

10. New vehicle licences will only be issued to wheelchair accessible vehicles.
11. Where a wheelchair accessible vehicle is being replaced, the new vehicle shall also be wheelchair accessible.
12. Vehicles shall meet the following minimum dimensions without modification to the manufacturer's specification:-
  - (a) Height (Inside)  
From the top of the seat cushion to the roof at the lowest part shall not be less than 800mm.

(b) Knee Space

Each seat shall have at least 200mm knee space.

(c) Seats (Width)

The width of the back seat from the squab to the front edge shall not be less than 450mm.

(d) Rear Seat (Length)

The rear seat measured between the arm rests shall provide not less than 400mm per person.

13. Vehicles shall be equipped with a ramp / lift for the loading of a wheelchair and occupant. An adequate locating device shall be fitted to ensure the ramp does not slip or tilt when in use.
14. All ramps and lifts are to be clearly marked with a safe working load (SWL) specified in kilograms.
15. Lifts shall be maintained and inspected in accordance with current legislative requirements.
16. Ramps shall be provided with a non-slip surface with a contrasting colour at the edges.
17. Vehicles shall have adequate provision for the storage of ramps without impeding access or egress of passengers.
18. Vehicles shall be equipped with approved anchorages for securing the wheelchair. A separate approved seatbelt/ restraint shall be provided for securing the passenger whilst travelling in the wheelchair.
19. Vehicles shall have a non-slip floor surface fitted to the passenger compartment.
20. Grab handles / rails shall be provided on all passenger door entrances. These shall be highly coloured to assist persons with limited vision.

General (applies to all vehicles)

21. Vehicles shall be constructed and maintained so as to be safe and comfortable
22. Vehicles shall be coloured black, which shall be confirmed on the vehicles registration document (V5)
23. Vehicles shall be right hand drive
24. Vehicles shall be fitted with at least 4 doors.
25. Vehicle seats, floor covers and interior trims shall be clean and free from tears, damage, grease or any other contamination.
26. The vehicle body shell shall be in a good condition, free from rust, holes, broken metal or any other visible damage.
27. Vehicle doors shall open sufficiently wide so as to allow easy access to and egress from the vehicle and cause no inconvenience to passengers.
28. All vehicle doors and windows when closed, shall be suitably sealed so that there are no gaps which allows wind and / or weather to enter the vehicle.
29. All seats shall be fitted with seat belts that comply with the relevant British or European standards.
30. Vehicles shall be equipped with interior lighting that is either operated automatically when the doors are opened or by a separate switch located near the driver.
31. Vehicles shall have adequate space for luggage, which shall either be in the form of a separate luggage compartment or an area where luggage can be properly restrained in the event of an accident or emergency stop.
32. Vehicles shall be equipped with childproof locks to the rear doors.

33. Vehicles adapted to use LPG shall have the tank installed within the luggage compartment of the vehicle. Adequate space for luggage shall be retained.
34. Vehicles shall be equipped with either,
- A spare wheel of full or space saver design in good condition and the tools to change a wheel, or
  - An emergency puncture repair kit which has not passed the expiry date.
35. Where the road to floor height of the vehicle is 400mm or more then a suitable retractable step shall be fitted. The step shall be a minimum of 250mm deep and provided with a non slip surface and edged in a highly visible contrasting colour.
36. Vehicles shall be fitted with an approved taximeter which complies with current legislation requirements. It shall be capable of registering at least three tariffs.
37. The application of films or tints to windows is not permitted other than manufacturer's factory fitted tints. Windscreen shall allow at least 75% of light to pass through. All other windows shall allow at least 70% of light to pass through.
38. The vehicle shall be fitted on or above the roof with an illuminated sign with the wording "TAXI or TACSI". The light shall be linked to the meter or independently controlled.
39. Consideration will be given to the licensing of dual or alternative fuelled vehicles, where:-
1. Factory fitted by the manufacturer
  2. Retro fitted and certified by an installer approved by the relevant manufacturer or recognised approval scheme
  3. The installation does not impact on the storage of luggage.
40. Vehicles that have a screen or partition between the front and rear seats shall have a suitable means of

communication between the driver and the passengers. The screen or partition shall also have a suitable aperture for the payment of fares.

41. Where a vehicle is equipped with a CCTV system, this must comply with the “Specifications and Conditions for Closed Circuit Television Cameras (CCTV) in Hackney Carriage and Private Hire Vehicles” as set out in the Council’s taxi policy.

#### Temporary Replacement Vehicles

42. The Council shall consider the temporary licensing of a vehicle as a replacement for an existing licensed vehicle which has been involved in an accident.
43. Vehicles to be licensed as a temporary replacement shall comply with the pre licensing requirements as detailed above.
44. The Council shall exempt the original licensed vehicle from the age and mileage restriction on relicensing. All other pre licensing requirements shall be complied with.

## **Appendix F**

### **Private Hire Vehicle Specifications**

The Neath Port Talbot County Borough Council “the Council” has adopted the following vehicle specifications for Private Hire Vehicles.

The Council will use these as a basis for exercising its discretion when making decisions about licensing vehicles as private hire vehicles.

#### **Documents to accompany applications**

1. All applications shall be made in writing on the prescribed form.
2. All documentation shall be originals except where documents are provided directly to the authority from the issuer.
3. All applications shall be accompanied by the Vehicle Registration Document (V5). In situations where the Registration Document has been sent to the DVLA for processing, it shall be presented to the Licensing Section within 21 days of the issue of the licence.
4. Where a vehicle has been modified post DVLA registration, applications shall be accompanied by the appropriate type approval issued by VOSA.
5. All applications shall be accompanied by a valid certificate of insurance which covers the use of the vehicle for public hire and reward. Where the vehicle is covered under a fleet policy, the application shall also be accompanied by the policy schedule of vehicles.
6. Applications for vehicles that are three years old shall also be accompanied by a Ministry of Transport test certificate (M.O.T)
7. Applications shall be accompanied by a satisfactory test certificate issued at the Council’s Vehicle Inspection Centre.

### Non Wheelchair Accessible Vehicles

8. Vehicles shall meet the following minimum dimensions without modification to the manufacturer's specification:-

(a) Height (Inside)

From the top of the seat cushion to the roof at the lowest part shall not be less than 800mm.

(b) Knee Space

Each seat shall have at least 200mm knee space.

(c) Seats (Width)

The width of the back seat from the squab to the front edge shall not be less than 450mm.

(d) Rear Seat (Length)

The rear seat measured between the arm rests shall provide not less than 400mm per person.

### Wheel Chair Accessible Vehicles

10. Wheelchair accessible vehicles may be side or rear loading.

11. Vehicles shall meet the following minimum dimensions without modification to the manufacturer's specification:-

(a) Height (Inside)

From the top of the seat cushion to the roof at the lowest part shall not be less than 800mm.

(b) Knee Space

Each seat shall have at least 200mm knee space.

(c) Seats (Width)

The width of the back seat from the squab to the front edge shall not be less than 450mm.

(d) Rear Seat (Length)



The rear seat measured between the arm rests shall provide not less than 400mm per person.

12. Vehicles shall be equipped with a ramp / lift for the loading of a wheelchair and occupant. An adequate locating device shall be fitted to ensure the ramp does not slip or tilt when in use. Lifts shall be maintained and inspected in accordance with current legislative requirements.
13. Ramps shall be provided with a non-slip surface with a contrasting colour at the edges.
14. Vehicles shall have adequate provision for the storage of ramps without impeding access or egress of passengers.
15. All ramps and lifts are to be clearly marked with a safe working load (SWL) specified in kilograms.
16. Vehicles shall be equipped with approved anchorages for securing the wheelchair. A separate approved seatbelt/ restraint shall be provided for securing the passenger whilst travelling in the wheelchair.
17. Vehicles shall have a non-slip floor surface fitted to the passenger compartment.
18. Grab handles / rails shall be provided on all passenger door entrances. These shall be highly coloured to assist persons with limited vision.

General (applies to all vehicles)

19. Vehicles shall be constructed and maintained so as to be safe and comfortable.
20. The vehicle colour shall not be black as confirmed by the vehicles registration document (V5)
21. Vehicles shall be right hand drive.
22. Vehicles shall be fitted with at least 4 doors.

23. Vehicle seats, floor covers and interior trims shall be clean and free from tears, damage, grease or any other contamination.
24. The vehicle body shell shall be in a good condition, free from rust, holes, broken metal or any other visible damage.
25. Vehicle doors shall open sufficiently wide so as to allow easy access to and egress from the vehicle and cause no inconvenience to passengers.
26. All seats shall be fitted with seat belts that comply with the relevant British or European standards.
27. Vehicles shall be equipped with interior lighting that is either operated automatically when the doors are opened or by a separate switch located near the driver.
28. Vehicles shall have adequate space for luggage, which shall either be in the form of a separate luggage compartment or an area where luggage can be properly restrained in the event of an accident or emergency stop.
29. All vehicle doors and windows, when closed, shall be suitably sealed so that there are no gaps, which allows wind and / or weather to enter the vehicle.
30. Vehicles shall be equipped with childproof locks to the rear doors.
31. Vehicles adapted to use LPG shall have the tank installed within the luggage compartment of the vehicle. Adequate space for luggage shall be retained.
32. Vehicles shall be equipped with either,
  - A spare wheel of full or space saver design in good condition and the tools to change a wheel, or
  - An emergency puncture repair kit which has not passed the expiry date.

33. Where the road to floor height of the vehicle is 400mm or more, then a suitable retractable step shall be fitted. The step shall be a minimum of 250mm deep and provided with a non-slip surface and edged in a highly visible contrasting colour.
34. Where vehicles are fitted with a taximeter, this shall comply with current legislative requirements.
35. The application of films or tints to windows is not permitted other than manufacturer's factory fitted tints. The Windscreen shall allow at least 75% of light to pass through. All other windows shall allow at least 70% of light to pass through.
36. Consideration will be given to the licensing of dual or alternative fuelled vehicles, where:-
  - i. a) It is factory fitted by the manufacturer, or  
b) It is retro fitted and certified by an installer approved by the relevant manufacturer, or under a recognised approval scheme.
  - ii. The installation does not impact on the storage of luggage.
37. Vehicles that have a screen or partition between the front and rear seats shall have a suitable means of communication between the driver and the passengers.
38. Where a vehicle is equipped with a CCTV system, this must comply with the "Specifications and Conditions for Closed Circuit Television Cameras (CCTV) in Hackney Carriage and Private Hire Vehicles" as set out in the Council's taxi policy.

#### Temporary Replacement Vehicles

39. The Council shall consider the temporary licensing of a vehicle as a replacement for an existing licensed vehicle which has been involved in an accident.

40. Vehicles to be licensed as a temporary replacement shall comply with the pre licensing requirements as detailed above.
41. The Council shall exempt the original replaced vehicle from the age and mileage restriction on relicensing. All other pre licensing requirements shall be complied with.

**Appendix G**  
**National Inspection Standards**

**BEST PRACTICE GUIDE FOR THE INSPECTION OF  
HACKNEY CARRIAGE & PRIVATE HIRE VEHICLES**

**PART 1**

**INTRODUCTION**

This best practice guide sets out the procedures and standards for those who carry out inspections of hackney carriage & private hire vehicles. It is recommended that the guide is also made freely available to owners, proprietors, operators and drivers of hackney carriage & private hire vehicles, who may find it useful as it details the standards that vehicles are subjected to. The guide also explains the reasons why, a vehicle presented for inspection, has not been issued with a pass certificate.

## INTRODUCTION

### 1.1 BEST PRACTICE GUIDE

This Best Practice Guide has been prepared by the Technical Officer Group (TOG) to assist Hackney Carriage (HC) and Private Hire Vehicle (PHV) operators, vehicle presenters, licensing authorities and vehicle inspectors

It is intended that this Best Practice Guide will endorse a *minimum* national vehicle inspection standard. It will be appreciated that it is for individual local licensing authorities to reach their own decisions, both on overall policies and on individual inspection standards, in the light of their own operational needs and geographical circumstances.

Various interested parties, including the Department for Transport (DfT), Vehicle & Operator Services Agency (VOSA), Disabled Persons Transport Advisory Committee (DPTAC) and the Institute of Licensing, have been consulted on this Best Practice Guide.

The Technical Officer Group commends the *DfT* for the production of the Taxi and Private Hire Vehicle Licensing: Best Practice Guidance. Vehicle operators, local licensing authorities and vehicle inspectors are strongly advised to refer to the *DfT* guide in conjunction with this Best Practice Guide. More information can be obtained on the *DfT* web site at:

[www.dft.gov.uk](http://www.dft.gov.uk)

### 1.2 APPLICATION TO DEVOLVED ADMINISTRATIONS

The Department for Transport (DfT) has responsibility for HC and PHV legislation in England and Wales and, accordingly, the guidance that has been published will be directed at local authorities in England and Wales. Responsibility for HC and PHV licensing in Scotland and Northern Ireland is devolved, but the respective Administrations have been involved in the preparation of the Licensing Guidance and will decide for themselves the extent to which they wish to make use of or adapt to suit their own purposes.

### 1.3 TECHNICAL SAFETY ISSUES

The aim of a local licensing authority is to protect the public. Local licensing authorities will be aware that the public should have reasonable access to safe and well maintained HC and PHVs. For example, it is clearly important that somebody using a HC or PHV should be confident that the vehicle is safe.

To this end, this best practice guide will detail specific vehicle safety issues based on expert technical knowledge and experience of the Technical Officer Group (TOG). This guide will focus therefore on technical safety issues and make recommendations towards safe working practices. For example, the TOG supports the *DfT* recommendation that there is no upper age limit for HC and PHVs provided there is documentary evidence to support a routine maintenance regime.

Local licensing authorities will want to ensure that each of their various licensing requirements is properly justified by the risk it aims to address. This is not to propose that a detailed, over-zealous inspection regime creates difficulties for the HC and PHV trades but primarily to promote vehicle safety for the protection of passengers and not for the benefit of operators.

#### **1.4 SCOPE OF THE GUIDANCE**

This guidance deliberately seeks to embrace safety aspects of vehicle inspections using, as a basic inspection standard, those laid down in The MOT Inspection Manual for Car & Light Commercial Vehicle Testing issued by VOSA. This Best Practice Guide provides additional testing requirements to those in the MOT Inspection Manual. It is advised that local licensing authorities use the Best Practice Guide in conjunction with the VOSA MOT Inspection Manual as an advocate to public safety.

This Best Practice Guide has been developed to provide all local licensing authorities with a benchmark with regard to vehicle inspections and safety.

#### **1.5 SPECIFICATION OF VEHICLE TYPES THAT MAY BE LICENSED**

The legislation gives local authorities a wide range of discretion over the types of vehicle that they can license as HC or PHVs. Some authorities specify conditions that in practice can only be met by purpose-built vehicles but the majority license a range of vehicles.

Normally, best practice is for local licensing authorities to adopt the principle of specifying as many different types of vehicles as possible. Indeed, local licensing authorities might usefully specify only general criteria, (such as vehicles with four doors as HC) leaving it open to the HC and PHV trades to put forward vehicles of their own choice which can be shown to meet those criteria. In that way, there can be flexibility for new vehicle types to be readily taken into account.

It is suggested that local licensing authorities should be particularly cautious about specifying only purpose-built HC, with the strict constraint on supply that this implies. (There are at present only two designs of purpose-built HC.) However, purpose-built vehicles are amongst those that a local licensing authority could be expected to license.

#### **1.6 ACCESSIBILITY**

In addition to their general conditions, local licensing authorities will want to consider the accessibility for disabled people (including - but not only - people who need to travel in a wheelchair) of the vehicles they license as Hackney Carriage. For more details, see Section 2 – Accessibility.

Licensing authorities will be aware that it remains the Department for Transport's intention to make accessibility regulations for Hackney Carriage vehicles under the Disability Discrimination Act 1995. In the meantime, licensing authorities are encouraged to introduce HC accessibility policies for their areas.

### 1.7 TYPE APPROVAL

It may be that from time to time a local licensing authority will be asked to license, as a HC or PHV, a vehicle that has been imported independently (that is, by somebody other than the manufacturer). Such a vehicle might meet the local licensing authority's criteria for licensing, but may nonetheless be uncertain about the wider rules for foreign vehicles being used in the UK. Such vehicles will be subject to the 'type approval' rules. For passenger cars up to 10 years old at the time of first GB registration, this means meeting the technical standards of either:

- European Whole Vehicle Type approval;
- British National Type approval; or
- British Single Vehicle Approval (before 29 April 2009) or:
- Individual Vehicle Approval (from 29 April 2009)

Most registration certificates issued since late 1998 should indicate the approval status of the vehicle. Further information about these requirements and the procedures for licensing and registering imported vehicles can be seen at:

[www.dft.gov.uk](http://www.dft.gov.uk)

**It is important for local licensing authorities to insist that at least one of the above 'type approvals' is produced prior to any imported vehicle being licensed as a Hackney Carriage or Private Hire Vehicle.**

### Voluntary Inspections

Vehicles that are already registered for use in the UK are not eligible for a Single Vehicle Approval, however, there are situations where evidence of compliance with the approval standard would be beneficial or be a requirement. An example would be a local licensing authority that may require evidence of compliance for a vehicle that has been modified since original registration, or where evidence of compliance is being used as part of a contractual agreement on a modified vehicle. To facilitate this requirement a non-statutory "Voluntary SVA" or "Voluntary IVA" test is available. The test criteria applied will be dependant on the vehicle category/class nominated on the application form VSVA 1. The fees are the same as those appropriate to the particular class of vehicle/test required other than VAT is payable. If the vehicle is found to meet the requirements a letter of compliance with the technical standards will be issued and not a Minister's Approval certificate. The letter of compliance is not acceptable for First Licensing/Registration purposes.



## 1.8 VEHICLE TESTING

There is considerable variation between local licensing authorities on vehicle testing. This best practice guide provides local licensing authorities with a *minimum* standard for vehicle inspections. All HC and PHV must be maintained to no less than the standards set out in the VOSA publication 'MOT Inspection Manual - Car and Light Commercial', ISBN 0-9549239-0-1.

As the term implies, hackney carriage and private hire vehicles are vehicles used for hire and reward purposes and as such are subject to much higher annual mileages and more arduous driving than normal private vehicles. Therefore, in the interests of passenger and other road user's safety, a more stringent maintenance and testing regime is required.

The purpose of the HC & PHV test is to confirm vehicles meet these more stringent standards. Vehicles must be submitted fully prepared for the test. It is not intended that the test be used in lieu of a regular preventative maintenance programme. If in the opinion of the vehicle examiner the vehicle has not been fully prepared, the test will be terminated and a further full test could be required.

It is an offence under the road traffic regulations to use an unroadworthy vehicle on the public highway.

HC & PHV operators failing to maintain their vehicles in a safe and roadworthy condition may have their licence suspended, curtailed or revoked by the Local Licensing Authority.

This Best Practice Guide should be read in conjunction with Vehicle & Operator Services Agency (VOSA) publication 'MOT Inspection Manual - Car and Light Commercial Vehicle Testing', ISBN 0-9549239-0-1 or as amended. This best practice guide provides a working document for those who inspect, maintain and prepare vehicles for inspection prior to being issued with a hackney carriage or private hire licence. Although detailed in its content the best practice guide is not exhaustive.

However, in assessing the mechanical condition of a vehicle, it is more likely an item which would ordinarily pass an MOT test with an advisory note, could fail the HC & PHV test.

## 2 NOVELTY VEHICLES (STRETCHED LIMOUSINES)

This section of the best practice guide offers advice to local licensing authorities on the requirements for licensing novelty vehicles. The standard of the test for novelty vehicles will be at the same standard as for other private hire vehicles. That is; as a basic inspection standard, those laid down in The MOT Inspection Manual for Car & Light Commercial Vehicle Testing issued by VOSA and this best practice guide. *(For the purpose of clarity, novelty vehicles in this guide will refer to stretch limousines only until such times as further guidance is obtained on any other such vehicle, i.e. fire tenders etc).*

A novelty vehicle shall only be registered as a private hire vehicle if it complies with the following conditions:

- Vehicles with no more than 8 passenger seats as indicated on the V5C. The V5C will state the number of seats and **must be produced to the local licensing authority prior to the vehicle being licenced or inspected**. If the number of seats differs to what is indicated on the V5C, then contact VOSA and your local area Traffic Commissioner immediately. Failure to produce a valid and current V5C for the vehicle to be tested could result in refusal to inspect the vehicle.
- Evidence of either European Community Whole Vehicle Type Approval (ECWVTA) or Single Vehicle Approval (SVA) or Individual Vehicle Approval (IVA) being presented for inspection.
- Local licensing authorities may consider, as novelty vehicles are not factory produced, that a recommended vehicle maintenance inspection be applied every 10 weeks. The frequency of maintenance inspections is recommended by Traffic Commissioners, VOSA and the National Limousine and Chauffeur Association (NLCA).
- The inspection standards to be applied to novelty vehicles are the same standards as those applied to other hackney carriage and private hire vehicles with the following additions:
  - Any additional item previously mentioned in this paragraph with regard to seating capacity, the production of the relevant documents and frequency of vehicle inspections.
  - See Section 4 – Tyres and roadwheels. Reference in this section is made to tyre rating to be applied to novelty vehicles.
  - See Section 12 - Vehicle Identification Number (VIN). VIN markings should be checked to ensure compliance, seating capacities and undue stresses.

Local licensing authorities are strongly advised to obtain a declaration, from the operator of a licensed novelty vehicle, that the vehicles with side facing seats will never be used to carry passengers under 16 years of age, **regardless of whether the vehicle is fitted with or without seatbelts**.

It is strongly advised that notices forbidding children to be carried in side facing seats are displayed in prominent positions, i.e. on entry to the passenger compartment and on either side of the passenger compartment. Local licensing authorities may also require additional outward facing signs adjacent to all entrance/exit doors to the passenger compartment.

### **3 GENERAL INFORMATION**

Only vehicles complying with the following conditions will generally be considered for licensing as private hire vehicles: -

- Cars fitted with at least four doors and four wheels.
- Right-hand drive vehicles - with the exception of stretch limousines (where applicable).
- Vehicles with adequate space for luggage.
- Vehicles must be capable of carrying at least four and not more than eight passengers in addition to the driver.
- With the exception of stretch limousines, vehicles will not be accepted with blacked out windows. Passengers being carried in the vehicle must be visible from the outside. In *exceptional circumstances*, tinted windows may be acceptable.
- To allow a thorough examination of a vehicle or any part thereof, it must be presented for test in a clean condition. The vehicle presented, will fail the test if, in the opinion of the vehicle examiner, the vehicle is so dirty that it would be unreasonable for the test to be carried out.
- A test will not be carried out unless the License fee/Examination Fee has been paid in advance.

#### **Statement of Undertakings and Declaration:**

In the interests of road and passenger safety, the licenced operator undertakes to make proper arrangements so that vehicles are kept in a roadworthy condition at all times.

## ACKNOWLEDGEMENTS

| Name             | Organisation                       | Position   |
|------------------|------------------------------------|--|
| Don Allison      | Luton BC                           | Transport Manager  |
| Phil Clifford    | St. Edmundsbury BC                 | Fleet & Technical Manager  |
| Chris Ruane      | Freight Transport Association      | Sector Head Public Authorities, Waste, Utilities, Construction & Plant |
| Andy Mair        | Freight Transport Association      | Head of Engineering Policy   |
| Barry Pearson    | Staffordshire County Council       | Technical Officer  |
| Simon Smith      | Luton BC                           | Fleet Manager  |
| Derek Rooker     | Barnsley MBC                       | Fleet Engineer   |
| Dave Moyle       | Vale of Glamorgan                  | Workshops Supervisor   |
| Barry Richards   | Bath & North East Somerset Council | Service Team Manager – Fleet Management                                |
| Kevin Spiers     | Oxford City Council                | Transport Workshop Coordinator   |
| Ken Stone        | Liverpool City Council             | Principal Licensing Officer  |
| Dave Colligan    | Liverpool City Council             | Principal Enforcement Officer  |
| Marten Pleaden   | Walsall Council                    | Vehicle Examiner   |
| Martin Hamer     | City of Bradford MDC               | Principal Licensing Officer  |
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| Jim Sullivan     | Neath & Port Talbot CBC            | Licensing Manager  |
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| Paul Stretford   | Wiltshire CC                       | Fleet Group  |
| Mike Tonks       | Salisbury DC                       | Transport Manager  |
| Rob Armey        | Wiltshire County Council           | Fleet Inspector  |

# **BEST PRACTICE GUIDE FOR THE INSPECTION OF HACKNEY CARRIAGE & PRIVATE HIRE VEHICLES**

## **PART 2**

### **PROCEDURES & STANDARDS OF INSPECTION**

This best practice guide sets out the procedures and standards for those who carry out inspections of hackney carriage & private hire vehicles.

It is recommended that the guide is also made freely available to owners, proprietors, operators and drivers of hackney carriage & private hire vehicles, who may find it useful as it details the standards that vehicles are subjected to. The guide also explains the reasons why, a vehicle presented for inspection, has not been issued with a pass certificate.

## CONTENTS

| Section | Subject   | Page Number |
|---------|---|-------------|
| 1       | <b>Lighting and signalling equipment:</b>             | 13          |
|         | 1.3 Stop Lamps – High Level Stop Lamps                | 14          |
|         | 1.8 Electrical Wiring and Equipment                   | 15          |
|         | 1.9 Additional Lamps                                  | 16          |
| 2       | <b>Steering:</b>                                      | 18          |
|         | 2.1 Steering Control – Steering Wheel                 | 19          |
|         | 2.1 Steering Control – Steering Column                | 20          |
|         | 2.4 Suspension Spring Units & Linkage                 | 21          |
| 3       | <b>Brakes:</b>  | 22          |
|         | No additional inspection requirements                 |             |
| 4       | <b>Tyres &amp; Roadwheels:</b>                        | 23          |
|         | 4.1 Tyres - Condition                                 | 24          |
| 5       | <b>Seat Belts:</b>                                    | 25          |
|         | No additional inspection requirements                 |             |
| 6       | <b>Body &amp; Structure:</b>                          | 26          |
|         | 6.1 Vehicle Body and Condition – (Exterior)           | 27          |
|         | 6.1 Vehicle Body, Security and Condition – (Interior) | 28          |
|         | 6.2 Doors and Seats                                   | 30          |
|         | 6.5 Bumper Bars                                       | 32          |
| 7       | <b>Fuel &amp; Emissions:</b>                          | 33          |
|         | 7.1 Exhaust System                                    | 34          |
|         | 7.2 Fuel System – Pipes & Tanks                       | 35          |

|                         |  |           |
|-------------------------|--|-----------|
| <b>8</b>                | <b>Drivers View of the Road:</b>   | <b>36</b> |
|                         | 8.1 Mirrors  | <b>37</b> |
|                         | 8.3 Windscreen – View top the Front  | <b>38</b> |
|                         | 8.5 Window Glass or Other Transparent Material                               | <b>39</b> |
| <b>9</b>                | <b>Tricycles &amp; Quadricycles</b><br>No additional inspection requirements | <b>40</b> |
| <b>10</b>               | <b>Additional Requirements:</b>  | <b>41</b> |
|                         | 10.1 Speedometer   | <b>42</b> |
|                         | 10.2 Transmission  | <b>43</b> |
|                         | 10.3 Engine & Transmission Mountings   | <b>45</b> |
|                         | 10.4 Oil & Water Leaks   | <b>46</b> |
|                         | 10.5 Luggage/Load Space  | <b>47</b> |
|                         | 10.6 Trailers & Towbars  | <b>48</b> |
| <b>11</b>               | <b>Ancillary Equipment:</b>  | <b>49</b> |
|                         | 11.1 Wheelchair Restraint & Access Equipment                                 | <b>50</b> |
|                         | 11.2 Fire Extinguisher   | <b>52</b> |
|                         | 11.3 First Aid Kit   | <b>53</b> |
| <b>12</b>               | <b>Novelty Vehicles:</b>   | <b>54</b> |
|                         | 12.1 Vehicle Identification Number (VIN)                                     | <b>55</b> |
|                         | 12.2 Seating Capacity  | <b>56</b> |
|                         | 12.3 Undue Stresses  | <b>57</b> |
|                         | 12.4 Passenger Notices   | <b>58</b> |
| <b>APPENDIX<br/>'A'</b> | <b>Hackney Carriage &amp; Private Hire - Trailer Inspection Sheet</b>        | <b>59</b> |
| <b>APPENDIX<br/>'B'</b> | <b>Definition of Motor Vehicles</b>  | <b>60</b> |



## SECTION 1 - LIGHTING AND SIGNALLING EQUIPMENT

### Section Contents:

| Sub-section | Subject  |
|-------------|--|
| 1.3         | Stop Lamps – High Level Stop Lamps   |
| 1.8         | Electrical Wiring and Equipment  |
| 1.9         | Additional Lamps <ul style="list-style-type: none"><li>• Reversing Lamps</li><li>• Front Fog/Driving Lamps</li><li>• For Hire and Roof Signs</li></ul> |



### 1.3. STOP LAMPS - HIGH LEVEL STOP LAMPS

| Method of Inspection  | Reason for Rejection  |
|---|---|
| <p>Any additional stop lamps fitted and connected must be tested. Where high level stop lamps are fitted and there is doubt as to whether they are connected, the benefit of this doubt should be given to the presenter.</p> <p>Check the high level stop lamp where fitted:</p> <ul style="list-style-type: none"><li>a. Is not obscured, and is not obviously incorrectly positioned.</li><li>b. At least 50% of the lamp must be visible from the rear.</li></ul> | <p>High level stop lamp</p> <ul style="list-style-type: none"><li>a. Obscured or obviously incorrectly positioned.</li><li>b. Less than 50% of the lamp not working or obscured</li></ul> |

## 1.8. ELECTRICAL WIRING AND EQUIPMENT

| Method of Inspection  | Reason for Rejection   |
|---|--|
| <p>This examination is limited to that part of the electrical system that can be readily seen without dismantling any part of the vehicle.</p> <p>a. Check all electrical wiring for:</p> <ul style="list-style-type: none"><li>○ Condition</li><li>○ Security</li><li>○ Position</li><li>○ Signs of overheating</li><li>○ Heavy oil contamination</li></ul> <p>b. Battery and carrier for:</p> <ul style="list-style-type: none"><li>○ Security</li><li>○ Battery for leaks</li></ul> <p>c. Check all switches controlling all obligatory lights</p> | <p>a. Wiring</p> <ul style="list-style-type: none"><li>○ Not adequately insulated</li><li>○ Not adequately secured</li><li>○ Positioned so that it is chafing or clipped to a fuel line or likely to be damaged by heat so that insulation will become ineffective</li><li>○ With clear evidence of overheating</li><li>○ Heavily contaminated with oil</li></ul> <p>b. Battery and carrier:</p> <ul style="list-style-type: none"><li>○ A battery and /or carrier not secure and likely to become displaced</li><li>○ Battery leaking</li></ul> <p>c. Insecurity or malfunction of a switch controlling an obligatory light</p> |

### 1.9. ADDITIONAL LAMPS

| Method of Inspection  | Reason for Rejection  |
|---|---|
| <p>With the ignition switched on check:</p> <p>Reversing lamps</p> <ul style="list-style-type: none"><li>a. The reversing lamps emit a diffused white light when reverse gear is selected.</li><li>b. The lamps extinguish when neutral gear is selected</li><li>c. The lamps are in good working order and are secure.</li><li>d. The lamps do not flicker when lightly tapped by hand.</li></ul> <p>Front Fog/Driving Lamps</p> <p>Check that:</p> <ul style="list-style-type: none"><li>e. A single front fog lamp emitting a white or yellow diffused light illuminates only when dipped beam is selected</li><li>f. A pair of matched fog lamps both emitting a white or yellow diffused light should illuminate together</li><li>g. A pair of matched, long-range driving lamps, both emitting a white diffused light should illuminate together.</li></ul> | <p>A reversing lamp:</p> <ul style="list-style-type: none"><li>a. That fails to operate or does not emit a white diffused light</li><li>b. Fails to extinguish when neutral or forward gear is selected</li><li>c. Are not in good working order or insecure.</li><li>d. Lamps flicker when tapped lightly by hand.</li></ul> <p>Front Fog/Driving Lamps</p> <ul style="list-style-type: none"><li>e. Lamp inoperative or operates other than in dipped beam mode</li><li>f. Lamps operate incorrectly</li><li>g. Lamps operate incorrectly</li></ul> |

| Additional Lamps (continued)  | Reason for Rejection  |
|---|---|
| <p><b>Method of Inspection</b></p> <p>'For Hire' and Roof Signs</p> <p>Check that:</p> <ul style="list-style-type: none"> <li>a. Correct style and type of sign fitted.</li> <li>b. Ensure the sign is securely fastened to the vehicle</li> <li>c. Check condition and security of wiring</li> <li>d. Functional test of signs for illumination</li> </ul> | <p>'For Hire' and Roof Signs</p> <ul style="list-style-type: none"> <li>a. Incorrect colour or details shown on sign, i.e. registration number, vehicle number etc.</li> <li>b. Insecure sign</li> <li>c. Wiring is not in good condition and is loose or chaffed</li> <li>d. Illumination not consistent across the sign, i.e. all light bulb(s) LED(s) illuminated when switched on.</li> </ul> |

## SECTION 2 - STEERING

### Section Contents:

| Sub-section | Subject                              |
|-------------|--------------------------------------|
| 2.1         | Steering Control – Steering Wheel    |
| 2.1         | Steering Control – Steering Column   |
| 2.4         | Suspension Spring Units and Linkages |

## 2.1 STEERING CONTROL - STEERING WHEEL

| Method of Inspection   | Reason for Rejection  |
|--|---|
| <p>With both hands rock the steering wheel from side to side at right angles to steering column and apply slight downward and upward pressure to the steering wheel rim (in line with column). Note:</p> <ul style="list-style-type: none"><li>a. Fractures in steering wheel hub.</li><li>b. Fractures in steering wheel rim.</li><li>c. Steering wheel spokes loose or fractured.</li><li>d. Jagged edges on steering wheel rim.</li><li>e. If possible, check the retaining device on steering wheel is fitted.</li></ul> | <ul style="list-style-type: none"><li>a. Steering wheel hub fractured.</li><li>b. Steering wheel rim fractured.</li><li>c. A steering wheel spoke loose or fractured.</li><li>d. Jagged edges on steering wheel rim likely to injure the driver.</li><li>e. A steering wheel hub-retaining device not fitted.</li></ul> |

## 2.1 STEERING CONTROL - STEERING COLUMN

| Method of Inspection   | Reason for Rejection   |
|--|--|
| a. Try to lift the steering in line with the steering column and note the movement at centre of steering wheel.  | a. Excessive movement of centre of steering wheel in line with steering column (end float).<br><br><b>Note:</b> Certain types of steering column might show some movement not due to excessive wear, e.g. those fitted with universal joints or flexible couplings |
| b. Push steering wheel away and then pull it towards you. Note any side play.  | b. Excessive side play indicating worn top bearings or insecure top mounting bracket.  |
| c. While steering wheel is rotated, check for deterioration in any flexible coupling or universal joint of steering column.                                | c. A flexible coupling or universal joint deteriorated, worn or insecure.  |
| d. Where practical, check any clamp bolts for presence and security of locking devices. (These may be located in the engine compartment or under chassis). | d. A coupling clamp bolt or locking device loose or missing.   |

## 2.4 SUSPENSION SPRING UNITS AND LINKAGES

| Method of Inspection                      | Reason for Rejection   |
|---|------------------------|
| <b>Coil Springs</b><br>a. Welding repairs | a. Repaired by welding |



## SECTION 3 - BRAKES

### Section Contents:

| Sub-section | Subject |
|-------------|---------|
|-------------|---------|

|                                       |  |
|---------------------------------------|--|
| No additional inspection requirements |  |
|---------------------------------------|--|

## SECTION 4 – TYRES & ROADWHEELS

### Section Contents:

| Sub-section | Subject           |
|-------------|-------------------|
| 4.1         | Tyres – Condition |

#### 4.1 TYRES

| Method of Inspection   | Reason for Rejection  |
|--|---|
| <p><b>Condition of Tyres</b></p> <p>On all the tyres, including spare wheel - <b>where fitted</b>, examine each tyre meets all the requirements laid down in the MOT Inspection Manual for Car &amp; Light Commercial Vehicles (ISBN 0-9549239-0-1)</p> <p><b>Note 1</b><br/>Where a doughnut tank is fitted in the boot for LPG, the spare wheel if still carried in the boot must be properly secured. Alternatively, a spare wheel cage installed to manufacturers and British Standards may be fitted to the underside of the vehicle.</p>   | <p>In accordance with the MOT Inspection Manual for Car &amp; Light Commercial Vehicles (ISBN 0-9549239-0-1)</p> <p><b>Note 2</b><br/>Space saver tyres should only be approved with the support of a method statement highlighting driver responsibilities with regard to the maximum permitted speed and that space savers are a temporary 'get-you-home tyre'.</p>   |
| <p><b>SPECIAL NOTICE – STRETCHED LIMOUSINES:</b><br/>In the case of American imported stretched limousines, vehicle inspectors will need to be vigilant when inspecting tyres for suitability. Most converted stretched limousines are converted from Ford Lincoln Town Cars with a number of Cadillac variants also.<br/>In approved 'stretch' limousine conversions, the maximum weight is approximately 7,100lbs (3.2tonnes) and care should be exercised when determining suitable tyre ratings. Generally speaking a Ford Lincoln or Cadillac would require a tyre rating index of at least 107 T, which gives a load rating of 2,149 lbs (975 kgs) with a maximum speed of 118 miles per hour.</p> | <p><b>STRETCHED LIMOUSINES</b><br/>More information, guidance and the procurement of suitable tyres can be obtained from:<br/>North Hants Tyres &amp; Wheels,<br/>Henry John House<br/>2 Ivy Road,<br/>Aldershot<br/>GU12 4TX<br/>Telephone: 01252 318666</p> <p style="text-align: center;"><b>OR</b></p> <p>National Limousine &amp; Chauffeur Association on: <a href="http://www.nlca.co.uk">www.nlca.co.uk</a></p> |

## SECTION 5 – SEAT BELTS

### Section Contents:

| Sub-section | Subject |
|-------------|---------|
|-------------|---------|

|                                       |  |
|---------------------------------------|--|
| No additional inspection requirements |  |
|---------------------------------------|--|

## SECTION 6 – BODY AND STRUCTURE

### Section Contents:

| Sub-section | Subject   |
|-------------|---|
| 6.1         | Vehicle Body and Condition – (Exterior)           |
| 6.1         | Vehicle Body, Security and Condition – (Interior) |
| 6.2         | Doors and Seats                                   |
| 6.4         | Bumper Bars                                       |

## 6.1 VEHICLE BODY AND CONDITION – (EXTERIOR)

| Method of Inspection   | Reason For Rejection  |
|--|---|
| <p><b>Body Condition (Exterior)</b><br/>Examine the body thoroughly for security, corrosion, damage, poor repair/paint match or sharp edges that are likely to cause injury.</p> | <p><b>Body Condition (Exterior)</b></p> <ul style="list-style-type: none"> <li>a. An insecure or missing body panel, trim, step or accessory.</li> <li>b. Any sharp edge whatsoever which may cause injury.</li> <li>c. Heavy scuffing, abrasions or deformation to front and rear bumper.</li> <li>d. More than 8 stone chips visible on a bonnet/grill that has not penetrated to the metal or more than 4 stone chips that have penetrated to the metal.</li> <li>e. More than 8 stone chips on any panel including door edges, provided the base coat has not been penetrated.</li> <li>f. More than 4 stone chips on any panel where the base coat has been penetrated to the metal and is untreated.</li> <li>g. A single dent of more than 80mm, or more than 3 dents of not more than 20mm in any one panel</li> <li>h. More than 4 scratches and or abrasions of more than 50mm in length in any one panel provided that the base coat has not been penetrated.</li> <li>i. Dull, faded paintwork which has lost its gloss finish or paint miss match to a panel(s) to such an extent that it detracts from the overall appearance of the vehicle.</li> <li>j. Evidence of poor repairs and or paint finish to a repaired panel(s) including runs and overspray to adjoining panels/trim that detracts from the overall appearance of the vehicle.</li> <li>k. Obvious signs of rust/corrosion of any size particularly those that are covered by advertising signs.</li> <li>l. Lack of clearly displayed or omission of 'No Smoking' signs.</li> </ul> |

## 6.1 VEHICLE BODY, SECURITY AND CONDITION – (INTERIOR)

| Method of Inspection  | Reasons For Rejection  |
|---|--|
| <p><b>Body Condition (Interior)</b></p> <ul style="list-style-type: none"> <li>a. Examine thoroughly the interior for damaged, insecure or loose fixtures, fittings or accessories.</li> <li>b. Dirty, missing and worn trim, carpets, seat belts, mats, headlining, boot area and inclusion of prescribed items. Remove mats to inspect carpets underneath for cleanliness and wear.</li> <li>c. Examine interior lights, motion door locks and warning lights.</li> <li>d. Examine heating, demisting and air condition systems for correct operation, including passenger compartment controls where fitted (includes electric front and rear screen demisters)</li> <li>e. Examine all windows ensuring they allow lowering and rising easily.</li> <li>f. Examine interior door locks, grab handles/rails safety covers</li> <li>g. Examine grills/partitions for security and condition</li> <li>h. Examine electrical wiring for condition, security, including intercom systems.</li> </ul> | <ul style="list-style-type: none"> <li>a. Insecure and loose fixtures, fittings or accessories.</li> <li>b. Missing, dirty, soiled, stained worn or insecure trim, carpets, headlining, and mats.</li> <li>c. An inoperative interior light (all lights must illuminate if they are part of the manufacturer's standard equipment). Missing or defective motion switch/lock or warning lamp not illuminated</li> <li>d. A system(s), which does not function correctly, or any part is missing including vents, controls and switches.</li> <li>e. An opening window that is inoperative or difficult to open and or close mechanism broken/missing.</li> <li>f. Missing, defective or loose door locks, child locks, protective covers grab handles and rails. Grab handles/rails, which are rigid to aid the blind and partially sighted, and are worn to excess.</li> <li>g. A grill/partition which is insecure or has sharp edge which may cause injury to passengers or driver.</li> <li>h. Frayed, chaffing wiring, non-shielded terminals and cables so routed that they cause a trip hazard, cables that can be easily disconnected. Intercom system defective, warning light inoperative and signs illegible/missing.</li> </ul> |

| Method of Inspection  | Reason for Rejection  |
|---|---|
| <p><b>Body Condition (Interior) (continued)</b></p> <ul style="list-style-type: none"> <li>i. Examine the boot for access, contents, cleanliness, and water ingress.</li> </ul> <p>Additional items to be inspected in limousines and novelty vehicles:</p> <ul style="list-style-type: none"> <li>j. All fixtures and fittings i.e. mirror balls, drinks cabinets, televisions etc must be stored securely and not hinder the ingress or egress from the passenger compartment.</li> <li>k. A notice identifying the maximum seating capacity to be displayed in the passenger compartment and clearly visible to all passengers. It may be necessary to display more than one sign indicating the maximum seating capacity.</li> </ul> <p><b>Note: <u>Any vehicle presented in a dirty, untidy condition will not be tested</u></b></p> | <ul style="list-style-type: none"> <li>i. Unable to open, close and or lock boot lid, failure of boot lid support mechanism, defective seals/evidence of water ingress, dirty boot and or carpets, loose items stored in boot (i.e. spare wheel tools and equipment etc).</li> <li>j. Any fixture or fitting, that is loose or insecure or where walkways are blocked that prevents ease of ingress or egress from the passenger compartment.</li> <li>k. No maximum seating capacity sign or signs displayed. A sign or signs not clearly visible to all passengers</li> </ul> |



## 6.2 DOORS and SEATS

| Method of Inspection   | Reason for Rejection  |
|--|---|
| <p><b>Doors and Emergency Exits</b></p> <p>Examine the condition of all doors and emergency exits. Check door locks, striker plates, handles and hinges for security, wear and missing and damaged trim/cover plates.</p> <p>Check markings describing the presence and method of opening emergency exit(s) are readily visible on or adjacent to the exit and are legible.</p> <p>Check that seats are secure, clean and not unduly worn.</p> <p><b>IMPORTANT NOTE: With the exception of 'novelty vehicles' only vehicles with forward and rear facing seats will be accepted.</b></p> <p><b>For more information on seating for novelty vehicles see Section 12.2</b></p> | <p><b>Doors and Emergency Exits</b></p> <ul style="list-style-type: none"> <li>a. A door or emergency exit does not latch securely in the closed position.</li> <li>b. A door or emergency exit cannot be opened from both the inside and outside the vehicle from the relevant control in each case.</li> <li>c. Missing, loose or worn handles, lock or striker plate.</li> <li>d. Markings describing the presence and method of opening an emergency exit missing, illegible or incorrect.</li> <li>e. Missing, loose or damaged trim/cover plate.</li> <li>f. Seat cushion(s) stained, torn, holed, worn or insecure. A seat that does not provide adequate support at base or backrest. Torn, slashed or badly stained seats are not acceptable.</li> </ul> |

## 6.2 DOORS and SEATS (continued)

| Method of Inspection   | Reason for Rejection   |
|--|--|
| <p><b>Accessibility: Wheelchair Vehicles</b></p> <p>Door Configurations for wheelchair accessible vehicles:</p> <ul style="list-style-type: none"><li>a. Single rear door – must open to a minimum of 90 degrees and be capable of locking in place.</li><li>b. Twin rear doors – both must open to a minimum of 180 degrees and be capable of being locked in place. This is to enable an attendant (driver or guide) to assist the wheelchair passenger if required.</li></ul> | <ul style="list-style-type: none"><li>a. Door does not open to a full 90 degrees and cannot be secured in the open position</li><li>b. Twin doors do not open to a full 180 degrees and cannot be secured in the open position</li></ul> |

#### 6.4 BUMPER BARS

| Method of Inspection  | Reason for Rejection  |
|---|---|
| <p>Examine the bumper bars and check:</p> <ul style="list-style-type: none"><li>a. They are secure to their mountings.</li><li>b. The mountings are secure to the vehicle.</li><li>c. There is no evidence of damage.</li></ul> | <ul style="list-style-type: none"><li>a. A loose bumper bar or mounting. A weakened bumper bar and/or mounting is insecure because of poor repairs.</li><li>b. A fractured mounting bracket. Mounting bolts so worn or elongated that the bumper bar is likely to detach partially or completely from the vehicle when in use. A bumper bar secured by wire or other temporary means is regarded as insecure and must be rejected.</li><li>c. Bumper bars which have jagged edges, cracks, splits or projections, which may cause injury to persons near the vehicle. Paint miss match or fading which is significantly different to that of the rest of the paintwork.</li></ul> |

## SECTION 7 – FUEL & EMISSIONS

### Section Contents:

| Sub-section | Subject                     |
|-------------|-----------------------------|
| 7.1         | Exhaust System              |
| 7.2         | Fuel System – Pipes & Tanks |

## 7.1 EXHAUST SYSTEM

| Method of Inspection   | Reason for Rejection                          |
|--|---|
| Where applicable, check for presence, security and adequacy of grease shields to hot exhausts. | A heat shield missing, insecure or inadequate |

## 7.2 FUEL SYSTEM - PIPES & TANKS

| Method of Inspection   | Reason for Rejection   |
|--|--|
| <ul style="list-style-type: none"><li>a. Examine fuel tank(s) for security and leaks</li><li>b. Check that fuel tank filler caps are:<ul style="list-style-type: none"><li>o Present</li><li>o Of the correct type</li><li>o Secure and seated properly to ensure correct function of sealing</li></ul></li><li>c. Examine pipes to see they are securely clipped to prevent damage by chafing and cracking, and are not in a position where they will be fouled by moving parts</li><li>d. Check that no fuel pipe runs immediately adjacent to or in direct contact with electrical wiring or the exhaust system</li></ul> | <ul style="list-style-type: none"><li>a. Fuel tank insecure or leaking</li><li>b. A filler cap missing or unsuitable or in such condition that it would not prevent fuel leaking or spilling</li></ul> <p><b>Note:</b> Temporary/emergency fuel caps are not permitted.</p> <ul style="list-style-type: none"><li>c. Damaged, chafed, insecure pipes, or pipes so positioned that there is a danger of them fouling moving parts</li><li>d. A fuel pipe immediately to or in direct contact with electrical wiring or exhaust system</li></ul> |

## SECTION 8 – DRIVERS VIEW OF THE ROAD

### Section Contents:

| Sub-section | Subject                                    |
|-------------|--|
| 8.1         | Mirrors                                    |
| 8.3         | Windscreen – View to the Front             |
| 8.5         | Window Glass or Other Transparent Material |

## 8.1 MIRRORS

| Method of Inspection   | Reason for Rejection   |
|--|--|
| <p>The number and position of all obligatory mirrors must be checked:</p> <p>a. Check the condition of each mirror reflecting surface and whether a person sitting in the drivers seat can see clearly to the rear</p> | <p><b>Note: A defective additional external mirror is not a reason for rejection.</b></p> <p>a. Mirror condition</p> <ul style="list-style-type: none"><li>• A mirror reflecting surface deteriorated or broken.</li><li>• In such a position that a person sitting in the driver's seat cannot see clearly to the rear.</li></ul> |



### 8.3 WINDSCREEN - VIEW TO THE FRONT

| Method of Inspection  | Reason for Rejection   |
|---|--|
| <p>Sit in the driver's seat and check that there is reasonable view of the road ahead, bearing in mind the original design of the vehicle.</p> <p>a. For all air operated wipers examine:</p> <ul style="list-style-type: none"><li>○ The condition of any visible piping</li><li>○ The function of the operating mechanism, and</li><li>○ The function of necessary valves to protect the braking system</li></ul> <p><b>Note:</b> Equipment or objects not originally fitted to the vehicle as part of the original design must not obstruct the designed forward view of the driver. In particular, objects such as (but not limited to) pennants, cab decorations and external stone guards/visors should not interrupt the view through the swept area by the windscreen wipers.</p> | <p>The position or size of any object restricts the driver's view of the road ahead, bearing in mind the original design of the vehicle.</p> <p>a. Air operated wipers</p> <ul style="list-style-type: none"><li>○ Pipes inadequately clipped or supported</li><li>○ Incorrect function of the wipers or leaking components</li><li>○ Incorrect operation of protection valves</li></ul> |

## 8.5 WINDOW GLASS OR OTHER TRANSPARENT MATERIAL

| Method of Inspection   | Reason for Rejection   |
|--|--|
| <p>a Visually check the condition of all windscreens, internal screens, partitions, side, rear, roof and door windows for cracks, surface damage and discolouration.</p> <p>b Check presence and security of all windscreens, side, roof, or rear windows, or internal screens or partitions.</p> <p>c Check for evidence of obvious leaks from all windscreens and side, rear, roof or door windows.</p> <p>d Check for presence, security and condition of guard rails or barriers at windows, internal screens or partitions</p> <p>e For all vehicles first used before 1 January 1959. As far as is practicable, check that glass fitted to windscreens and outside windows facing to the front is safety glass, except glass fitted to the upper deck of a double deck bus.</p> <p>f For all vehicles used on or after 1 January 1959, as far as is practicable, check that glass used for windscreens and all outside windows is safety glass, or safety glazing.</p> <p>g Vehicles first used on or after 1 June 1978, check that windscreens and other windows, wholly or partly, on either side of the drivers' seat are made from safety glass displaying an acceptable safety mark.</p> <p><b>Note:</b> Marking is not required for safety glass used on vehicles first used before 1 June 1978.</p> | <p>a A crack, surface damage or discoloration in glass or other transparent material that:</p> <ul style="list-style-type: none"> <li>o Impairs the driver's front, side, or rear view of the road, or;</li> <li>o Presents a danger to any person in the vehicle.</li> </ul> <p>b A windscreen or any other outside window missing, or any windscreen, window, internal screen or partition insecure.</p> <p>c Any external window or windscreen is obviously leaking.</p> <p>d A guard-rail or barrier at a window, internal screen or partition missing, insecure or damaged.</p> <p>e The windscreen and/or any outside window facing to the front of a vehicle obviously not safety glass fitted to a vehicle first used before 1 January 1959.</p> <p>f Glass used for a windscreen or an outside window is obviously not safety glass.</p> <p>g For vehicles first used on or after 1 June 1978, that windscreens and/or other windows wholly or partly on either side of the drivers seat that are not made from safety glass display an acceptable safety mark.</p> |

## **SECTION 9 – Tricycles & Quadricycles**

### **Section Contents:**

| <b>Sub-section</b> | <b>Subject</b> |
|--------------------|----------------|
|--------------------|----------------|

|                                       |  |
|---------------------------------------|--|
| No additional inspection requirements |  |
|---------------------------------------|--|

## SECTION 10 – ADDITIONAL REQUIREMENTS

### Section Contents:

| Sub-section | Subject                         |
|-------------|---------------------------------|
| 10.1        | Speedometer                     |
| 10.2        | Transmission                    |
| 10.3        | Engine & Transmission Mountings |
| 10.4        | Oil & Water Leaks               |
| 10.5        | Luggage/Load Space              |
| 10.6        | Trailers & Towbars              |

## 10.1 SPEEDOMETER

| Method of Inspection                              | Reason for Rejection   |
|---|--|
| a. Check that a speedometer is fitted.            | a. Speedometer not fitted.   |
| b. Check the condition of the speedometer.        | b. Speedometer not complete or clearly inoperative, or dial glass broken or missing. |
| c. Check that the speedometer can be illuminated. | c. The speedometer cannot be illuminated.  |

## 10.2 TRANSMISSION

| Method of Inspection   | Reason for Rejection  |
|--|---|
| Examine transmission, check for:                                 |   |
| a. Missing or loose flange bolts                                 | a. A loose or missing flange bolt(s)  |
| b. Cracked or insecure flanges                                   | b. A flange cracked, or loose on the transmission shaft                         |
| c. Wear in shaft and/or wheel bearings                           | c. Excessive wear in shaft bearing  |
| d. Security of bearing housings                                  | d. A bearing housing insecure to its fixing                                     |
| e. Cracks or fractures in bearing housings                       | e. A cracked or fractured bearing housing                                       |
| f. Wear in universal joints                                      | f. Excessive wear in a universal joint  |
| g. Deterioration of flexible couplings                           | g. Deterioration of a transmission shaft flexible coupling                      |
| h. Distorted, damaged shafts                                     | h. A damaged, cracked or bent shaft   |
| i. Deterioration of bearing housing flexible mountings           | i. Deterioration of a flexible mounting of a bearing housing                    |
| j. Clearance between transmission shafts and adjacent components | j. Evidence of fouling between any transmission shaft and an adjacent component |

## 10.2 TRANSMISSION (cont'd)

| Method of Inspection  | Reason for Rejection   |
|---|--|
| Front Wheel Drive <ul style="list-style-type: none"><li>a. Check the drive shaft inner and outer universal joint couplings and constant velocity joints for:<ul style="list-style-type: none"><li>○ Wear and security</li><li>○ Damage to flexible rubber or fabric universal joints</li><li>○ Security and oil contamination of flexible rubber or fabric universal joints</li><li>○ Condition, presence and security of constant velocity joint gaiters</li></ul></li></ul> | <ul style="list-style-type: none"><li>○ Drive shaft constant velocity or universal joint coupling worn or insecure</li><li>○ A flexible rubber or fabric universal coupling unit damaged by severe cracking or breaking up</li><li>○ A flexible rubber or fabric universal coupling unit excessively softened by oil contamination or insecure</li><li>○ A drive shaft constant velocity joint gaiter split, missing or insecurely mounted</li></ul> |

### 10.3 ENGINE AND TRANSMISSION MOUNTINGS

| Method of Inspection                      | Reason for Rejection        |
|---|-----------------------------|
| a. Examine condition of:                  | }                           |
| o mountings                               | }                           |
| o sub-frames                              | }                           |
| And                                       | }                           |
| b. The security to chassis and check for: | }                           |
| o fractures                               | }                           |
| o looseness                               | }                           |
| o Deterioration                           | }                           |
|   | }                           |
|   | } Any mounting or sub-frame |
|   | - loose                     |
|   | - fractured                 |
|   | - deteriorated              |
|   | - inappropriate repair      |
|   | }                           |



#### 10.4 OIL AND WATER LEAKS

| Method of Inspection  | Reason for Rejection  |
|---|---|
| <ul style="list-style-type: none"><li>a. Check vehicle for oil and water leaks from any assembly or component to the ground.</li><li>b. And/or which could be deposited on surrounding bodywork or onto the exhaust system.</li></ul> <p><b>Note:</b> If necessary, the engine can be run at <u>idle speed</u> to confirm the existence of an oil leak.</p> | <ul style="list-style-type: none"><li>a. An oil or water leak, from any assembly, which deposits fluids underneath the vehicle whilst stationary.</li><li>b. Leaks which, when the vehicle is moving, could be deposited upon the surrounding bodywork, exhaust and brake system so that it would:<ul style="list-style-type: none"><li>○ Contaminate areas</li><li>○ Could potentially cause a health, safety or fire risk</li></ul></li></ul> |

## 10.5 LUGGAGE/LOAD SPACE

| Method of Inspection  | Reason for Rejection  |
|---|---|
| <p>Physical separation is not so much an issue as is the safety of passengers in the event of an accident. The luggage should therefore be secure and prevented from becoming dislodged in an accident in such a manner as may cause injury. Such security can be by means of a sheet or net, which could be anchored to the floor of the luggage area. Clearly if the luggage compartment is not physically separated from the passenger compartment then care will need to be taken so as not to carry any hazardous items such as fuel cans, detergents or other loose items that could leak if they become damaged.</p> | <ul style="list-style-type: none"><li>○ Load restraint system, if required, not present at time of test.</li><li>○ Load restraint system faulty or unserviceable.</li></ul> |

## 10.6 TRAILERS & TOWBARS

| Method of Inspection  | Reason for Rejection  |
|---|---|
| <p><b>TRAILERS</b></p> <p>a. Where a local licensing authority permits the use of trailers for the carriage of luggage, then the trailer needs to be presented for test along with the vehicle that will be authorised to tow it. The trailer will also need to display the appropriate registration plate and a licence plate.</p> <p><b>Note:</b></p> <p>Trailers presented for inspection should be built by an approved or recognised trailer manufacturer.</p> <p>An example of a typical trailer inspection sheet can be found at Appendix 'A'.</p> <p><b>TOW-BARS</b></p> <p>b. Where tow bars are fitted checks must be made on the condition and security to the towing vehicle.</p> | <p>a. Rejections as indicated on the trailer inspection sheet shown at Appendix 'A'</p> <p>b. Rejections as indicated on the trailer inspection sheet shown at Appendix 'A'</p> |

## SECTION 11 – ANCILLARY EQUIPMENT


### Section Contents:

| Sub-section | Subject                                 |
|-------------|---|
| 11.1        | Wheelchair Restraint & Access Equipment |
| 11.2        | Fire Extinguisher                       |
| 11.3        | First Aid Kit                           |

## 11.1 WHEELCHAIR RESTRAINT & ACCESS EQUIPMENT

| Method of Inspection   | Reason For Rejection   |
|--|--|
| <p><b>WHEELCHAIR RESTRAINT</b></p> <p>a. Where applicable check condition and operation of wheelchair restraint.</p> <p>b. A system for the effective anchoring of wheelchairs shall be provided within the vehicle in all spaces designated as wheelchair spaces.</p> <p><b>WHEELCHAIR ACCESS &amp; EQUIPMENT</b><br/>A vehicle shall be fitted with either of the following forms of wheelchair access equipment:</p> <p><u>Ramps</u></p> <p>c. Check that appropriate ramps fitted are securely installed in the designated storage area. Examine for damage, deformity, sharp edges etc. and provision of anti-slip covering.</p> <p><u>Wheelchair lift</u></p> <p>d. A purpose designed wheelchair lift shall conform to the LOLER 98 Regulations. A report, confirming that the lifting equipment is safe to use, shall be presented at the time of the vehicle inspection. Vehicles presented for inspection with a wheel chair lift will require a LOLER certificate that is valid for a period of six months from the date of issue.</p> <p><b>Note:</b><br/>Passenger lifting equipment will need to be thoroughly examined by a competent person, in use, at least once every six months.</p> | <p>a. A wheelchair restraint is defective, worn or missing.</p> <p>b. Wheelchair anchorage systems and devices does not conform to European Directive 76/115 EEC (as amended by 90/629 EEC). See Appendix 'B'.</p> <p>c. Ramps missing, insecurely stored, damaged/deformed, anti-slip covering in poor condition or missing.</p> <p>d. Vehicle not presented with a valid or current LOLER certificate.</p> |

### 11.1 WHEELCHAIR RESTRAINT & ACCESS EQUIPMENT (Continued)

| Method of Inspection   | Reason for Rejection   |
|--|--|
| <ul style="list-style-type: none"> <li>e. Any purpose designed wheelchair access ramp that is carried must be lightweight and easy to deploy. The installed ramp shall have visible reference to safe working load of 250 kgs and certified to BS 6109.</li> <li>f. Wheelchair access equipment shall be fitted either into the rear or side access door of the vehicle. Where it is fitted to a side door this shall be the door situated on the near side of the vehicle, i.e. kerbside when stopped in a normal road.</li> <li>g. The aperture of the door into which the access equipment is fitted shall have minimum clear headroom in its central third of 48 inches (1,220mm). The measurement shall be taken from the upper centre of the aperture to a point directly below on either, the upper face of the fully raised lift platform, or the upper face of the ramp fully deployed on level ground.</li> <li>h. A locking mechanism shall be fitted that holds the access door in the open position whilst in use.</li> <li>i. All wheelchair tracking must be fit for purpose and structurally sound.</li> </ul> <p><i>Further information on disabled people's transport is available from the <b>Disabled Persons Transport Advisory Committee (DPTAC)</b> website</i></p> | <ul style="list-style-type: none"> <li>e. The installed ramp does not have any visible reference to a maximum safe working load or certification to BS 6109.</li> <li>f. Wheelchair access equipment is fitted to the off- side access door of the vehicle.</li> <li>g. There is not clear headroom in the aperture within the central third of 48 inches (1,220mm).</li> <li>h. No evidence of a suitable locking mechanism to hold the door open.</li> <li>i. Damaged or insecure tracking or detritus deposits within the tracking rails</li> </ul> |
| <p><i>Further information on disabled people's transport is available from the <b>Disabled Persons Transport Advisory Committee (DPTAC)</b> website</i></p>    | <p><a href="http://www.dptac.gov.uk">www.dptac.gov.uk</a></p>  |

## 11.2 FIRE EXTINGUISHER

| Method of Inspection   | Reason For Rejection  |
|--|---|
| <p>a. Check the fire extinguisher for presence:</p> <ul style="list-style-type: none"><li>• the expiry date</li><li>• Seal.</li><li>• Type – water, CO<sub>2</sub> or foam or dry powder</li><li>• Approved mark - BS5423 or EN3</li></ul> <p>b. The fire extinguisher must be kept in an accessible position inside the vehicle. The extinguisher may be carried out of view, i.e. in a fastened glove compartment provided there is a clear sign on the dashboard, stating the location.</p> | <p>a. A fire extinguisher is missing or:;</p> <ul style="list-style-type: none"><li>• out of date</li><li>• broken or missing seal.</li><li>• No approved marking visible or other non-approved marking shown</li></ul> <p>b. Not fitted in an accessible position or its position is not clearly marked.</p> |

### 11.3 FIRST AID KIT

| Method of Inspection   | Reason For Rejection  |
|--|---|
| <ul style="list-style-type: none"><li>a. Check the first aid kit for presence, the expiry date and the seal is intact.</li><li>b. The first aid kit must be kept in an accessible position inside the vehicle. The first aid kit may be carried out of view, i.e. in a fastened glove compartment provided there is a clear sign on the dashboard, stating the location.</li></ul> | <ul style="list-style-type: none"><li>a. A first aid kit is missing, out of date, broken or the seal has been broken.</li><li>b. The first aid kit is not fitted in an accessible position or its position is not clearly marked.</li></ul> |



## **SECTION 12 – NOVELTY VEHICLES (STRETCH LIMOUSINES):**

### **Section Contents:**

| <b>Sub-section</b> | <b>Subject</b>                      |
|--------------------|-------------------------------------|
| 12.1               | Vehicle Identification Number (VIN) |
| 12.2               | Seating Capacity                    |
| 12.3               | Undue Stresses                      |
| 12.4               | Passenger Notices                   |

### 12.1 Vehicle Identification Number (VIN)

| Method of Inspection  | Reason For Rejection   |
|---|--|
| <p>Vehicle Identification Number (VIN), should be checked to ensure it complies with the guidance as follows:</p> <ul style="list-style-type: none"><li>• For vehicles constructed from 1998 onwards the VIN should begin with ILI;</li><li>• Pre 1998 vehicles (not recommended for licensing as private hire vehicles) VIN should begin with ILM;</li><li>• If a VIN begins with ILN or anything other, then this is likely to be a non approved ('cut-and-shut') modification.</li></ul> | <p>a. Inappropriate VIN markings displayed or no VIN markings present.</p> |

## 12.2 Seating Capacity

| Method of Inspection  | Reason For Rejection  |
|---|---|
| It is strongly recommended that prior to the inspection of a novelty vehicle the inspector checks the seating capacity on the V5C to ensure it does not exceed 8 passenger seats. | If the V5C states more than 8 passengers, then this vehicle MUST NOT be tested or licensed as a Private Hire Vehicle. The vehicle should be referred to VOSA for licensing as a passenger carrying vehicle (PCV). |

### 12.3 Undue Stresses

| Method of Inspection  | Reason For Rejection  |
|---|---|
| <p>Vehicle inspectors should be aware of undue stresses caused to the steering, brakes and tyres due to the additional weight imposed on the vehicle at the modification process.</p> | <p>Tolerances and wear should be as defined in the VOSA Car &amp; Light Commercial Vehicle Testing Manual as follows:</p> <ul style="list-style-type: none"><li>• Steering - Section 2</li><li>• Brakes - Section 3</li><li>• Tyres - Section 4</li></ul> |

## 12.4 Passenger Notices

### Driver Declaration

Local licensing authorities are strongly advised to obtain a declaration, from the operator of a licensed novelty vehicle, that vehicles with side facing seats will never be used to carry passengers under 16 years of age, **regardless of whether the vehicle is fitted with or without seatbelts.**

### Passenger Notices

- i. In addition, notices forbidding children to be carried in side facing seats must be displayed in prominent positions, i.e. on entry to the passenger compartment and on the inside of the vehicle on either side of the passenger compartment. In addition, local licensing authorities may require outward facing signs adjacent to all entrance/exit doors to the passenger compartment.
- ii. Further notices should be displayed inside the vehicle, where all passenger can clearly read the notice, advising passengers of the maximum carrying capacity of the vehicle and a warning to passengers that should the capacity be exceeded then the vehicle will not be insured.

**HACKNEY CARRIAGE & PRIVATE HIRE****TRAILER INSPECTION SHEET**

Plate Number of towing vehicle: .....

Registration number of towing vehicle: .....

Registered owner of vehicle: .....

Manufacturers plate showing chassis number: .....

Manufacturers plate showing maximum weight: .....

| <b>Inspection area</b>    | <b>Description</b>   | <b>Pass<br/>(✓)</b> | <b>Fail<br/>(x)</b> |
|---------------------------|--|---------------------|---------------------|
| Licence plate             | Contains details & complies with local licensing authorities format          |                     |                     |
| Licence plate             | Clearly displayed, legible, and securely fixed                               |                     |                     |
| Licence plate             | Serviceable – not damaged or defaced   |                     |                     |
| Trailer couplings         | Check condition & operation and presence of a safety <i>breakaway</i> cable. |                     |                     |
| Tow bar mounting brackets | Check condition and security   |                     |                     |
| Trailer body              | Check condition of side and rear tailboards                                  |                     |                     |
| Trailer chassis           | Check condition  |                     |                     |
| Suspension                | Check condition and operation  |                     |                     |
| Wheel bearings            | Check for excessive free play or roughness in bearings                       |                     |                     |
| Tonneau cover & fittings  | Check for condition  |                     |                     |
| Wheels and tyres          | Check security, condition and wear   |                     |                     |
| Braking system            | Operates satisfactorily  |                     |                     |
| Lighting                  | All obligatory lights work   |                     |                     |
| Indicators                | All indicators work  |                     |                     |
| Reflective triangle       | Check presence and condition   |                     |                     |
| Number plate              | Check condition, security of fitting and displayed clearly                   |                     |                     |
| Speed restriction notice  | Check condition and displayed clearly  |                     |                     |

I hereby certify that the above trailer has been inspected and has/has not\* been found to be roadworthy and suitable to be used as a hackney carriage/private hire\* trailer at the time of inspection.

Examined by (name) .....

Signature ..... Date.....

\* Delete as appropriate

## DEFINITION OF MOTOR VEHICLES

### Appendix 'B'

| Category             | Definition   |
|----------------------|--|
| <b>M</b>             | <b>A motor vehicle with at least four wheels designed and constructed for the carriage of passengers.</b>  |
| <b>M<sub>1</sub></b> | Vehicles designed and constructed for the carriage of passengers and comprising no more than eight seats in addition to the drivers seat.  |
| <b>M<sub>2</sub></b> | Vehicles designed and constructed for the carriage of passengers and comprising more than eight seats in addition to the drivers seat, and having a maximum mass not exceeding five tonnes |
| <b>M<sub>3</sub></b> | Vehicles designed and constructed for the carriage of passengers and comprising more than eight seats in addition to the drivers seat, and having a maximum mass exceeding five tonnes     |

## **Appendix H**

### **Hackney Carriage Vehicle Conditions**

The Neath Port Talbot County Borough Council “the Council” has adopted the following licensing conditions for Hackney Carriage Vehicles.

#### **General**

1. Licensed vehicles shall comply with these conditions at all times unless specific written exemption has been given by the Council.
2. No alterations shall be made to any licensed vehicle without the written approval from the Council.
3. The licensed vehicle shall be maintained so as to comply at all times with :-
  - Construction & Use Regulations
  - Town Police Clauses Act 1847
  - Local Government Miscellaneous Provisions Act 1976
  - The Conditions set out in this document

#### **Appearance**

4. Vehicles shall be maintained so as to be safe and comfortable.
5. Vehicle seats, floor covers and interior trims shall be maintained to be clean with no unpleasant odours and free from tears, damage, grease or any other contamination.
6. The vehicle body shell shall be maintained in a good condition, free from significant or any visible damage.



## Equipment

7. All vehicles shall be fitted with a taximeter which complies with current legislative requirements, and which has been tested and in good repair and working order. All charges shall be calculated from the point in the district at which the hirer commences his or her journey. All meters shall display the current fare tariff. Where the fare tariff is amended, meters shall be adjusted without undue delay.
8. Where a vehicle is equipped with a CCTV system, this must comply with the “Specifications and Conditions for Closed Circuit Television Cameras (CCTV) in Hackney Carriage and Private Hire Vehicles” as set out in the Council’s taxi policy.
9. All vehicles shall carry and maintain a British Standard or European Standard fire extinguisher which is fixed in a position approved by an authorised officer. The vehicle plate number shall be permanently marked on the extinguisher body. The extinguisher shall not have passed its expiry date.
10. All vehicles shall carry and maintain a first aid kit. The vehicle plate number shall be permanently marked on the case / cover of the first aid kit. The first aid kit shall not have passed its expiry date.
11. Any communication or audio equipment shall be of such specification and so operated as to meet with the relevant legal requirements. This equipment shall be operated so as to ensure that no annoyance or nuisance arises which may affect passengers or members of the public.
12. Wheelchair accessible vehicles shall have the ramps readily available at all times and maintained in a safe condition.
13. When transporting a wheelchair user, approved anchorages (i.e. straps/ clamps) shall be used to secure both the wheelchair and the occupant.

14. “Designated Vehicles” under Section 167 Equality Act 2010 shall have the driver medical exemption holder provided by the Licensing Authority affixed directly behind the front windscreen on the nearside (closest to the pavement) of the vehicle.

#### Spare Wheels and Emergency Puncture Repair Kits

15. Vehicles shall be equipped with either,
- A spare wheel of full or space saver design in good condition and the tools to change a wheel, or
  - An emergency puncture repair kit which has not passed the expiry date.
16. Where fitted, spare wheels shall meet the legal tread depth limit and the tools to change a wheel shall be maintained in good working order.
17. Emergency repair kits shall be maintained in a good condition and shall not have passed the expiry date
18. Vehicles that utilise a spare wheel or emergency puncture repair kit in order to complete a hiring shall not be used for any further hiring until the wheel or tyre has been replaced.

#### Advertising

19. No signs or advertisements shall be attached to the outside of a vehicle without the written consent from the Council. Proprietors may apply on the prescribed form to have signs or advertising placed on the vehicle.
20. Where the Council gives written consent for signs or advertisements to be displayed on the vehicle, it will be restricted to the following locations:-
- The offside and/or nearside rear door (excluding the windows)
  - The offside and/or nearside panel (excluding the windows)
  - The rear of the vehicle (excluding the windows)

21. A sign with lettering no more than 5 cm high indicating the name and telephone number of the proprietor may be placed on the rear of the roof sign and / or at the top of the front / rear windscreen provided they do not impair the driver's vision.
22. All advertisements shall conform with the requirements of the Advertising Standards Council in all matters relating to good taste, both in content and appearance and shall not relate to matters concerning tobacco, gambling, alcohol, politics or matters of a sexual nature. The Council may permit advertisements that they consider to be for educational purposes.

### Vehicle Inspections

23. Vehicles shall be subject to two scheduled inspections at the Council's Vehicle Inspection Centre within a 12 month period.
24. Proprietors shall ensure that the vehicle is presented for inspection at the scheduled time and date. Vehicles which fail to attend are likely to have their licence suspended until a satisfactory vehicle inspection report has been obtained.
25. Vehicles that fail to attend a scheduled inspection without adequate prior notice being given to the authority will be subject to a re-inspection fee.
26. Proprietors shall ensure that vehicles presented for inspection are clean and in good working condition, vehicles that are not presented in this fashion will not be inspected and will be subject to a re-inspection fee.
27. Vehicle inspections will be carried out in accordance with the "VOSA Car and Light Commercial Vehicle Testing Standards" and the "Hackney Carriage and Private Hire National Inspection Standards"

## Trailers

28. Any trailer used for the conveyance of luggage shall be submitted for inspection along with the licensed towing vehicle.
29. The trailer shall be fully covered for protection against wind and rain penetration and secured for the protection of the luggage carried.
30. The trailer shall be covered by a policy of insurance.
31. The trailer shall be of an approved type indicating: -
  - (i) unladen weight
  - (ii) gross weight
  - (iii) manufacturer's detail
32. The trailer shall display an additional licence plate issued by the Council.
33. Trailers shall be equipped with either,
  - A spare wheel in good condition and the tools to change the wheel, or
  - An emergency puncture repair kit.
34. Where fitted, spare wheels shall meet the legal tread depth limit and the tools to change a wheel shall be maintained in good working order.
35. Emergency repair kits shall be maintained in a good condition and shall not have passed the expiry date.
36. Trailers that utilise a spare wheel or emergency puncture repair kit in order to complete a hiring shall not be used for any further hiring until the wheel or tyre has been replaced.
37. Trailers shall not be used when plying for hire.

### Licence Plate and Door Signs

38. The vehicle licence plates are the property of the Neath Port Talbot County Borough Council and are not transferable except with the written permission of the Council.
39. Vehicles shall display the licence plate issued by the Council externally on the rear of the vehicle (excluding the rear windscreen). The plate shall be permanently attached to the vehicle at all times.
40. Vehicles shall display the current door signs issued by the Council on the nearside and offside front doors. The door signs shall be permanently attached to the vehicle at all times.
41. If the vehicle licence, licence plate or the door signs are lost, damaged or stolen then replacements shall be obtained as soon as possible.

### Miscellaneous

42. Animals in the charge of the hirer may be transported at the discretion of the driver. All animals shall be carried in the rear passenger compartment of the vehicle. N.B. It is a legal requirement to permit assistance dogs to be carried in the vehicle.
43. Vehicles shall have a copy of the current fare tariff prominently displayed inside the vehicle.
44. The luggage compartment shall be kept clear in order to accommodate a reasonable amount of luggage.

## **Appendix I**

### **Private Hire Vehicle Conditions**

The Neath Port Talbot County Borough Council “the Council” has adopted the following licensing conditions for Private Hire Vehicles. Licensed vehicles shall comply with these conditions at all times unless specific written exemption has been given by the Council.

#### **General**

1. Licensed vehicles shall comply with these conditions at all times unless specific written exemption has been given by the Council.
2. No alterations shall be made to any licensed vehicle without the written approval from the Council.
3. The licensed vehicle shall be maintained so as to comply at all times with :-
  - Construction & Use Regulations
  - Road Tax requirements
  - Local Government Miscellaneous Provisions Act 1976
  - The Conditions set out in this document

#### **Appearance**

4. Vehicles shall be maintained so as to be safe and comfortable.
5. Vehicle seats, floor covers and interior trims shall be maintained to be clean with no unpleasant odours and free from tears, damage, grease or any other contamination.
6. The vehicle body shell shall be maintained in a good condition, free from significant or any visible damage.

## Equipment

7. Where a vehicle is fitted with a taximeter it shall comply with current legislative requirements.
8. Where a vehicle is equipped with a CCTV system, this must comply with the “Specifications and Conditions for Closed Circuit Television Cameras (CCTV) in Hackney Carriage and Private Hire Vehicles” as set out in the Council’s taxi policy.
9. All vehicles shall carry and maintain a British Standard or European Standard Fire Extinguisher which is fixed in a position approved by an authorised officer.

The vehicle plate number shall be permanently marked on the extinguisher body. The extinguisher shall not have passed its expiry date.

10. All vehicles must carry and maintain a first aid kit. The vehicle plate number shall be permanently marked on the case / cover of the first aid kit. The first aid kit shall not have passed its expiry date.
11. Any communication or audio equipment shall be of such specification and so operated as to meet with the relevant legal requirements. This equipment shall be operated so as to ensure that no annoyance or nuisance arises which may affect passengers or members of the public.
12. Wheelchair accessible vehicles shall have the ramps readily available at all times and maintained in a safe condition.
13. When transporting a wheelchair user, approved anchorages (i.e. straps / clamps shall be used to secure both the wheelchair and the occupant.
14. “Designated Vehicles” under Section 167 Equality Act 2010 shall have the driver medical exemption holder provided by the Licensing Authority affixed directly behind the front windscreen on the nearside (closest to the pavement) of

the vehicle.

### Spare Wheels and Emergency Puncture Repair Kits

15. Vehicles shall be equipped with either,
  - A spare wheel of full or space saver design in good condition and the tools to change a wheel, or
  - An emergency puncture repair kit which has not passed the expiry date.
16. Where fitted, spare wheels shall meet the legal tread depth limit and the tools to change a wheel shall be maintained in good working order.
17. Emergency repair kits shall be maintained in a good condition and shall not have passed the expiry date
18. Vehicles that utilise a spare wheel or emergency puncture repair kit in order to complete a hiring shall not be used for any further hiring until the wheel or tyre has been replaced.

### Advertising

19. No signs or advertisements shall be attached to the outside of a vehicle without the written consent from the Council. Proprietors may apply on the prescribed form to have signs or advertising placed on the vehicle.
20. Where the Council gives written consent for signs or advertisements to be displayed on the vehicle, it will be restricted to the following locations:-
  - The offside and/or nearside rear door (excluding the windows)
  - The offside and/or nearside panel (excluding the windows)
  - The rear of the vehicle (excluding the windows)
21. A sign with lettering no more than 5 cm high indicating the name and telephone number of the proprietor may be placed on the rear of the roof sign and / or at the top of the front / rear windscreen provided they do not impair the



driver's vision.

22. All advertisements must conform with the requirements of the Advertising Standards Council in all matters relating to good taste, both in content and appearance and must not relate to matters concerning tobacco, gambling, alcohol, politics or matters of a sexual nature. The Council may permit advertisements where they consider that they are for educational purposes.

### Vehicle Inspections

23. Vehicles shall be subject to two scheduled inspections at the Council's Vehicle Inspection Centre within a 12 month period.
24. Proprietors must ensure that the vehicle is presented for inspection at the scheduled time and date. Vehicles which fail to attend are likely to have their licence suspended until a satisfactory vehicle inspection report has been obtained.
25. Vehicles that fail to attend a scheduled inspection without adequate prior notice being given to the authority will be subject to a re-inspection fee.
26. Proprietors shall ensure that vehicles presented for inspection are clean and in good working condition, vehicles that are not presented in this fashion will not be inspected and will be subject to a re-inspection fee.
27. Vehicle inspections will be carried out in accordance with the "VOSA Car and Light Commercial Vehicle Testing Standards" and the "Hackney Carriage and Private Hire National Inspection Standards"

### Trailers

28. Any trailer used for the conveyance of luggage shall be submitted for inspection along with the licensed towing vehicle.

29. The trailer shall be fully covered for protection against wind and rain penetration and secured for the protection of the luggage carried.
30. The trailer must be covered by a policy of insurance.
31. The trailer shall be of an approved type indicating: -
- (i) unladen weight
  - (ii) gross weight
  - (iii) manufacturer's detail
32. The trailer shall display an additional licence plate issued by the Council.
33. Trailers shall be equipped with either,
- A spare wheel in good condition and the tools to change wheel, or
  - An emergency puncture repair kit.
34. Where fitted, spare wheels shall meet the legal tread depth limit and the tools to change a wheel shall be maintained in good working order.
35. Emergency repair kits shall be maintained in a good condition and shall not have passed the expiry date.
36. Trailers that utilise a spare wheel or emergency puncture repair kit in order to complete a hiring shall not be used for any further hiring until the wheel or tyre has been replaced.

#### Licence Plate and Door Signs

37. The vehicle licence plates are the property of the Neath Port Talbot County Borough Council and are not transferable except with the written permission of the Council.
38. Vehicles shall display the licence plate issued by the Council externally on the rear of the vehicle in a position approved by a licensing officer.

39. Vehicles shall display the current door signs issued by the Council on the nearside and offside front doors. The door signs shall be permanently attached to the vehicle at all times
40. If the vehicle licence, licence plate or the door signs are lost, damaged or stolen then replacements shall be obtained as soon as possible

#### Miscellaneous

41. The luggage compartment must be kept clear in order to accommodate a reasonable amount of luggage.
42. Animals in the charge of the hirer may be transported at the discretion of the driver. All animals must be carried in the rear passenger compartment of the vehicle.  
N.B. It is a legal requirement for assistance dogs to be carried in the vehicle.

## **Appendix J**

### **Specifications and Conditions for Closed Circuit Television Cameras (CCTV) in Hackney Carriage and Private Hire Vehicles**

#### **Data Controller**

The information Commissioner defines a “data controller” as the body which has legal responsibility under the Data Protection Act 1998 for all matters concerning the use of personal data. For the purpose of the installation and operation of a CCTV system in Hackney Carriage and Private Hire Vehicles, the “data controller” will be the holder of the licence and not the driver.

The licence holder, as the data controller, will therefore be responsible for ensuring compliance with these specifications and conditions and with all relevant data protection legislation, including the Data Protection Act 1998. The data controller is legally responsible for the use of all images including breaches of legislation.

#### **Third Party Data Processor**

Where a service provider is used for the remote storage of CCTV data they will act as a “data processor”. A data processor, in relation to personal data, means any person (other than an employee of the data controller) who processes data on behalf of the data controller, in response to specific instructions. The data controller however retains full responsibility for the action of the data processor.

There must be a formal written contract in existence between the data controller and data processor. The contract must contain provisions covering security arrangements, retention/deletion instructions, access requests and termination arrangements. A copy of the contract must be provided to an authorised officer of the Licensing Authority, or to the Police, on reasonable request.

## General Requirements

1. The installation and operation of CCTV shall comply with the requirements of the Information Commissioner's CCTV code of practice.
2. All equipment must comply with any legislative requirements in respect of Motor Vehicle Construction and Use Regulations
3. All equipment must be designed, constructed and installed in such a way and in such materials as to present no danger to passengers or to the driver, including impact with the equipment in the event of a collision or danger from the electrical integrity being breached through vandalism, misuse, or wear and tear. In particular the camera(s) must be fitted safely and securely in such a way that it does not adversely encroach into the passenger area and must not impact on the safety of the driver, passenger, or other road users.
4. All equipment must be installed as prescribed by the equipment and/or vehicle manufacturer installation instructions by a qualified auto-electrician.
5. The CCTV system must not weaken the structure or any component part of the vehicle or interfere with the integrity of the manufacturer's original equipment.
6. All equipment must be installed in such a manner so as not to increase the risk of injury and/or discomfort to the driver and/or passengers. For example, temporary fixing methods such as suction cups will not be permitted, or lighting, such as infra-red which emits at such a level that may cause distraction or nuisance to the driver and/or passengers
7. All equipment must be protected from the elements, secure from tampering and located such as to have the minimum intrusion into any passenger or driver area or impact on the luggage carrying capacity of the vehicle

8. Equipment must not obscure or interfere with the operation of any of the vehicle's standard and/or mandatory equipment i.e. not mounted on or adjacent to air bags/air curtains or within proximity of other supplementary safety systems which may cause degradation in performance or functionality of such safety systems.
9. Viewing screens within the vehicle for the purpose of viewing captured images shall not be permitted.
10. All wiring must be fused as set out in the manufacturer's technical specification and be appropriately routed.
11. The location of the camera(s) installed within the vehicle must be for the purpose of providing a safer environment for the benefit of the Hackney Carriage or Private Hire driver and passengers, and not for any other purpose.
12. All equipment must be checked regularly and maintained to the manufacturer's operational standards, including any repairs after damage.
13. All system components requiring calibration in situ should be easily accessible.

#### Automotive Electromagnetic Compatibility Requirements (EMC)

14. CCTV equipment must not interfere with any other safety, control, electrical, computer, navigation, satellite, or radio system in the vehicle. Any electrical equipment such as in-vehicle CCTV system installed after the vehicle has been manufactured and registered, is deemed to be an Electronic Sub Assembly (ESA) under the European Community Automotive Electromagnetic Compatibility Directive and therefore must meet with requirements specified in the directive.
15. CCTV equipment should be e-marked or CE-marked. If CE marked, confirmation by the equipment manufacturer as being non-immunity related and suitable for use in motor vehicles is required.

### Audio Recording

16. CCTV systems must not be used to record conversations between members of the public as this is highly intrusive and unlikely to be justified except in exceptional circumstances. You must choose a system without the facility wherever possible; however, if the system comes equipped with sound recording facility then this function must be disabled (subject to the proviso in 7 below)
17. Audio recording will only be justified where the recording is triggered due to a specific threat to the driver or passenger safety, e.g. 'panic button' is utilised and must be subject to the following safeguards:-
  - i. Where the audio recording facility is utilised a reset function must be installed which automatically disables audio recording and returns the system to normal default operation after a specified time period has elapsed.
  - ii. The time period that audio recording may be active should be the minimum possible and should be declared at the time of submission for approval of the equipment

### Security of Images

18. All images captured by the CCTV system must remain secure at all times.
19. The captured images must be protected using encryption software which is designed to guard against the compromise of stored data, for example, in the event of the vehicle or equipment being stolen. It is recommended by the Information Commissioner that the data controller ensures that any encryption software used meets or exceeds the current FIPS 140-2 standard or equivalent. System protection

access codes will also be required to ensure permanent security.

### Retention of Images

20. The CCTV equipment selected for installation must have the capability of retaining images either:
  - i. Within its own hard drive
  - ii. Using a fully secured and appropriately encrypted detachable mass storage device, for example, a compact flash solid state card;
  - iii. Or where a service provider is providing storage facilities, transferred in real time using fully secured and appropriately encrypted GPRS (GSM telephone) signalling to a secure server within the service provider's monitoring centre.
21. Images must not be downloaded onto any kind of portable media device (e.g. CDs or memory sticks) for the purpose of general storage outside of the vehicle.
22. The CCTV system must include an automatic overwriting function, so that images are only retained within the installed storage device for a maximum period of 31 days from the date of capture.
23. Where a service provider is used to store images on a secure server, the specified retention period must also be for a maximum period of 31 days from the date of capture.

### Use of Information Recorded Using CCTV

24. Requests may be made to the data controller by Authorised Officers of the Licensing Authority, the Police or other statutory law enforcement agencies, insurance companies/brokers/loss adjusters or exceptionally other appropriate bodies, to view captured images, or obtain audio recordings if applicable. The licence holder, as the data controller, is responsible for responding to and dealing with



such requests in accordance with the Data Protection Act 1998.

25. All requests should only be accepted where they are in writing, and specify the reasons why disclosure is required by the requestor.
26. Under Section 7 of the Data Protection Act 1998, members of the public have a legal right to make a request for the disclosure of images, but only where they have been the subject of a recording. This is known as a 'subject access request'. Such requests must only be accepted where they are made in writing and include sufficient proof of identity (which may include a photograph to confirm they are in fact the person in the recording).
27. Data controllers are also entitled to charge a fee (currently up to a maximum of £10) for responding to a subject access request as published in the Information Commissioner's CCTV Code of Practice.

### Signage

28. All Hackney Carriages and Private Hire Vehicles with CCTV must display signage within the vehicle to indicate that CCTV is in operation. The driver must also verbally bring to the attention of the passengers that CCTV equipment is in operation within the vehicle.
29. The signage must be displayed in such positions so as to minimise obstruction of vision and to make it as visible as possible to passengers, before and after entering the vehicle.
30. In the limited circumstances where audio recording is justified, signs must make it very clear that audio recording is being or may be carried out and this must also be verbally brought to the attention of the passengers.
31. Where a CCTV system is installed within the vehicle in order to record incidents outside of the vehicle, it will not be practical to display a sign. Instead, when the CCTV is activated in response to an incident, the driver of the vehicle must inform the person(s) recorded that their personal data was captured

– as soon as practicable after the incident. They should also be informed of the purpose for which the device has been installed, being driver and passenger safety.

### Contact Details

32. The name and the contact telephone number of the licence holder, as data controller must be included on the sign

## **Appendix K**

### **Stretched Limousines** **Pre-Licensing Requirements and Conditions**

Stretched limousines shall comply with the private hire vehicle specifications and conditions unless an exemption is listed below.

#### **Exemptions**

1. Vehicles may be right hand or left hand drive.
2. Vehicles with sideways facing seats can be considered for PHV licensing.
3. Vehicles are permitted to have heavily tinted glass in the rear offside/nearside windows. Glass in the driver cockpit must meet legal requirements.
4. Vehicles will not be obliged to display door signs or a back plate, but must display a sticker issued by the Licensing Authority on the front windscreen.

#### **Pre-Licensing Requirements**

1. Vehicles must hold a valid Individual Vehicle Approval (IVA) Certificate
2. Vehicles must be fitted with tyres that meet both the size and weight specification
3. Vehicles must have a maximum of 8 passenger seats (which includes any passenger seat located in the driver cockpit)
4. All forward and rear facing seats must be fitted with seatbelts. Seatbelts are not required on sideways facing seats.

#### **Conditions**

1. Any seats in the driver's cockpit (other than the driver's seat) shall not be used to carry passengers.
2. All containers/bottles shall be stored securely in the vehicle

3. All drinking vessels must be of polycarbonate or similar materials. Glass drinking vessels shall not be used.
4. The playing of any performance of media that, given its age classification or content, is unsuitable for the age of the passengers shall not be permitted.
5. Children under the age of 16 years shall not be carried unless accompanied by a responsible adult

## **Appendix L**

### **Conditions for the Licensing of Private Hire Operators**

1. The operator's premises where open to the public, shall be kept clean, adequately heated, ventilated and lit.
2. The operator shall ensure that any waiting area for the use of prospective hirers shall be provided with adequate seating properly cushioned or covered.
3. The operator shall ensure that where any passenger waiting area or room is provided, it is kept physically separate from any driver resting area and operations room.
4. The operator shall ensure that members of his/her staff, drivers and vehicle proprietors do not congregate in any passenger waiting area or room.

### **Vehicle and drivers**

5. The operator shall keep an current list of all drivers and vehicle licences which includes registration numbers, plate numbers and details of any radio call sign
6. The operator shall ensure that all licensed vehicles, including those not owned by the operator, have appropriate private hire insurance at all times that the vehicles are used to satisfy bookings made through the operator.

### **Equipment**

7. The operator shall provide adequate telephone facilities and staff to provide and efficient service to the public using the operator's facilities.
8. The operator's radio and computerised equipment shall be maintained in good working order and any defects shall be repaired promptly.

## Bookings

9. Every contract for hire of a private hire vehicle shall be deemed to be made with the operator whether or not the vehicle is provided by that operator.
10. A record of every hiring accepted by the operator shall be kept in chronological order on a computerised system or in a bound book, the pages of which shall be numbered
11. Each record of hiring shall contain the following information:
  - a. Time and date of hire;
  - b. How the booking was made;
  - c. Pick-up point;
  - d. Destination
  - e. Name and address of hirer
  - f. Vehicle used
  - g. Name of the driver
  - h. Details of any sub-contract to another operator
12. The operator shall keep all records of hiring for at least six months and the operator shall produce any information or records on request to a police officer or any authorised officer of the council.
13. The operator shall notify the Council of any conviction, including traffic and criminal, imposed upon them as soon as reasonably practicable, and in case within 72 hours.
14. When the operator accepts a hiring, the operator shall, unless prevented by some sufficient cause, ensure that a licensed private hire vehicle attends at the appointed time and place.

## **Appendix M**

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**



### **BYELAWS With respect to hackney carriages**

**Made under Section 68 of the Town Police Clauses Act 1847 and  
Section 171 of the Public Health Act 1875, by Neath Port Talbot  
County Borough Council with respect to hackney carriages in the  
County Borough of Neath Port Talbot**

## **BYELAWS**

Made under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875, by Neath Port Talbot County Borough Council with respect to hackney carriages in the County Borough of Neath Port Talbot

## **INTERPRETATION**

- 1 Throughout these byelaws “the Council” means Neath Port Talbot County Borough Council.

**Provisions regulating the manner in which the number of each hackney carriage corresponding with the number of its licence shall be displayed**

- 2 The proprietor of a hackney carriage shall cause to be permanently affixed to the carriage, the plates and door signs provided by the Council on which shall be marked the number of the licence granted in respect of the carriage in the following manner namely:-
  - (a) The exterior plate to be permanently fixed to the rear of the carriage in a conspicuous position where it is legible and can be easily viewed.
  - (b) The interior plate to be fixed to the inside of the carriage in such position as to be easily observed by passengers.
  - (c) The door signs to be permanently fixed to the offside and nearside front doors of the vehicle.
- 3 A proprietor or driver of a hackney carriage shall not:-
  - (a) Wilfully or negligently cause or suffer any such plates or door signs to be removed or concealed from public view while the carriage is standing or plying for hire;
  - (b) Cause or permit the carriage to stand or ply for hire with any such door signs or plates so defaced that any detail is illegible.



- (c) Cause or permit any plate, sign, sticker, mark, insignia or motif to be affixed either to the outside or inside of the carriage except as required by law, or as approved by the Council.

**Provisions regulating how hackney carriages are to be furnished or provided**

4 The proprietor of a hackney carriage shall:

- (a) provide sufficient means by which any person in the carriage may communicate with the driver;
- (b) cause the roof or covering to be kept watertight;
- (c) provide any necessary windows and a means of opening and closing not less than one window on each side;
- (d) cause the seats to be properly cushioned or covered;
- (e) cause the floor to be provided with a proper carpet, mat or other suitable covering;
- (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
- (g) provide a means for securing luggage if the carriage is so constructed as to carry luggage;
- (h) provide the carriage with a fire extinguisher and first aid kit;
- (i) provide at least two doors for the use of persons conveyed in the rear of such carriage and one door for persons conveyed in the front of the vehicle, with a separate means of ingress and egress for the driver.

5 The proprietor of a hackney carriage shall cause the same to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements:

- (a) the taximeter shall be fitted with a device, the operating of which will bring the machinery of the taximeter into action

- and cause the word HIRED to appear on the face of the taximeter;
- (b) such device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter when the vehicle is not hired;
  - (c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by time as well as for distance in pursuance of the tariff fixed by the Council in that behalf;
  - (d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as to clearly apply to the fare recorded thereon;
  - (e) the taximeter shall be so placed that all letters and all figures on the face thereof, are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring; and
  - (f) the taximeter and all the fittings thereof shall be so affixed to the carriage 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.

**Provision relating to the conduct of proprietors and drivers of hackney carriages plying within the council area in their several employments and determining whether such drivers shall wear any and what badges**

- 6 The driver of a hackney carriage shall:
  - (a) when standing or plying for hire, keep the taximeter fitted in pursuance of the byelaw in that behalf, locked in that position in which no fare is recorded on the fare of the taximeter.

- (b) Before beginning a journey for which a fare is charged by time as well as for distance bring the machinery of the taximeter into action by moving the device so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring; and
  - (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness (as defined for the purposes of the Road Vehicles Lighting Regulations 1989 or thereafter as amended by any subsequent legislation) and also at any other time at the request of the hirer.
- 7 A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with any seals affixed thereto.
- 8 The driver of a hackney carriage, when plying for hire in any street and not actually hired, shall:
- (a) proceed with reasonable speed to one of the ranks provided by the Council in that behalf;
  - (b) if a rank, at the time of arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another rank;
  - (c) on arriving at a rank not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the rank and so as to face in the same direction and remain with the carriage and be ready to be hired at once by any person;
  - (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.
- 9 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.

- 10 The driver of the hackney carriage shall 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 vehicle.
- 11 The driver or proprietor of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
- 12 The driver or proprietor of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
- 13 The badge provided by the Council and delivered to the driver of a hackney carriage shall, when standing or plying for hire, and when hired, be worn by the driver in such a position and manner as to be plainly visible.
- 14 Any second badge provided by the Council and delivered to the driver of a hackney carriage, when standing or plying for hire, and when hired shall be displayed within the vehicle in a prominent position as to be plainly visible to all passengers.
- 15 The driver of a hackney carriage shall ensure that any radio set fitted to the vehicle or any installation for playing music shall not be operated in a manner so as to cause annoyance by reason of its loud, continuous or repeated use. Any equipment (other than for receiving messages) shall be turned off if requested by the hirer.
- 16 The driver of a hackney carriage must report to the Council, within 3 working days, should his/her licence or badge be lost or stolen.

- 17 The driver of a hackney carriage must return his/her badge to the Council within 7 working days of its expiry or on suspension or revocation of his/her driver's licence.
- 18 The driver of a hackney carriage shall not use the vehicle's horn to attract the attention of the customer on attending a booking.
- 19 The driver of a hackney carriage must be properly dressed in suitable clean clothing and appropriate footwear in accordance with any guidance or dress code adopted by the Council.
- 20 The driver of a hackney carriage, when hired shall not drink or eat in the vehicle.
- 21 The driver of a hackney carriage when cautioned or convicted of any offence during the period of his licence shall inform the Council, in writing, within 5 working days of such caution or conviction.
- 22 The driver of a hackney carriage shall immediately notify the proprietor of the vehicle if the fire extinguisher provided for use in the vehicle has been used for any purpose.
- 23 The proprietor or driver of a hackney carriage shall produce a current certificate of insurance when requested by a Police Officer or authorised officer of the Council.
- 24 The driver of a hackney carriage, when hired shall not carry or allow to be carried any other person, without the consent of the hirer on that journey.
- 25 The proprietor and driver of a hackney carriage must notify the Council, in writing, and within 5 working days, any change of name and or address.
- 26 The driver of a hackney carriage, when requested by any person hiring or seeking to hire the carriage, shall:-
  - (a) convey a reasonable quantity of luggage, shopping or items of a similar nature;

- (b) afford reasonable assistance in loading and unloading; and
  - (c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such person.
- 27 The proprietor or driver of a hackney carriage shall be entitled to claim a sum not greater than that approved by the Council from any person who soils the vehicle in such a way as to cause the vehicle to be internally valeted or fumigated.

**Provisions securing the safe custody and redelivery of any property accidentally left in hackney carriages and fixing the charges to be made thereof**

- 28 The proprietor or driver of a hackney carriage shall, immediately after the termination of any hiring or as soon as practicable thereafter, carefully search the carriage for any property which may have been accidentally left therein.
- 29 The proprietor or driver of a hackney carriage, if any property is accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him, shall:-
- (a) carry it as soon as possible and in any event within twenty four hours if not sooner claimed by or on behalf of its owner, to any police station within the Council's area, and leave it in the custody of the officer in charge of the station on his giving a receipt for it, and
  - (b) be entitled to receive from any person to whom the property shall be redelivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the police station whichever be the greater) but not more than five pounds.

**Provision fixing the rates or fares to be paid for hackney carriages within the Council's area and securing the due publication of such fares**

- 30 The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare approved by the Council, the rate or fare being calculated by a combination of time and distance unless the hirer expresses at the commencement of the hiring his desire to engage by time. Provided always that where a hackney carriage furnished with a taximeter shall be hired by a combination of time and distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.
- 31 The proprietor of a hackney carriage shall cause a statement of the of the fares tariff fixed by the Council to be exhibited inside the carriage, in clearly distinguishable letters and figures.
- 32 The proprietor or driver of a hackney carriage shall not wilfully or negligently cause or suffer the letters or figures in the statement of fares tariff to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

### **Penalties**

- 33 Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the Standard Scale and in the case of a continuing offence to a further fine not exceeding £2 for each day during which the offence continues after conviction therefore.

### **Repeals**

- 34 Byelaws made by Lliw Valley Borough Council on the 22nd day of September 1988 and which were confirmed by Secretary of State for Transport on the 1st day of April 1989.
- Byelaws made by Neath Borough Council on the 26th day of April 1949 and which were confirmed by the Secretary of

State for the Home Department on the 1st day of August 1949.

Byelaws made by Neath Rural District Council on the 8th day of February 1956 and which were confirmed by the Secretary of State for the Home Office on the 1st day of June 1956.

Byelaws made by the Borough of Afan on the 5th day of March 1981 and which were confirmed by the Secretary of State for the Home Office on the 1st day of May 1981



The Common Seal of Neath Port Talbot  
County Borough Council was hereunto  
affixed this 22 day of December  
2011 in the presence of:-



David Michael  
Head of Legal and Democratic Services  
Proper Officer

*David Michael* 10514

The foregoing byelaws are hereby confirmed by the Welsh Government  
and shall come into operation on the 16<sup>th</sup> day of September  
2014

A stylized, handwritten signature in black ink, likely belonging to the Minister for Local Government and Communities.

Signed by Authority of the Minister for Local Government and  
Communities, one of the Welsh Ministers

~~Head of Integrated Transport~~ Deputy Director of Public Transport Division  
Welsh Government.