

CROSS PARTY WORKING GROUP RECOMMENDATIONS PRIVATE HIRE VEHICLE LICENCE CONDITIONS

Condition 5 - Inspection and Testing

The proprietor shall:

- a) present the vehicle and any meter affixed to it for inspection and testing by or on behalf of the Council within such period and at such place within the district of the Council require on up to three separate occasions during any 12 months.
- b) take all reasonable steps to ensure that the vehicle is presented for testing on the date and at the time allocated in writing by the Council. Should it fail to be so represented then a charge shall be levied against the proprietor unless written notice of cancellation has been received by the Council giving 24 hours clear notice of cancellation.

Trade Comments:

If car less than 3 yrs old and not breaching any conditions, why is a test needed?
Said operators are having to pay for a meter test when some vehicles don't have one (as part of the standard taxi vehicle test)

Officer Comment & Recommendation:

There is central government guidance endorsing the need for PHV's to be tested annually regardless of age because of the relatively high mileages they cover and the knock-on effect that this may have on wear and tear and vehicle safety.

Operators pay for a test that checks either the accuracy of a taximeter ,if fitted, or the milometer of the vehicle in the absence of a meter.

The recommendation is the condition remains unaltered.

Working Party Recommendation:

Agreed – condition to be unaltered.

Condition 7 - Safety Equipment

There shall be provided and maintained in the vehicle at all times when it is in use or available for hire;

- a) a suitable and efficient 1.36 kg (3lb) BCF or dry powder fire extinguisher, and
- b) a suitable first aid kit containing the following items:

- i) six individually wrapped sterile adhesive dressings;
- ii) one medium sized unmedicated dressing approximately 100 millimetres by 80 millimetres (eg standard dressing No. 8 or No. 13 BPC);
- iii) one triangular bandage sterile, and;
- iv) six safety pins.

Such equipment to be carried in such a position in the vehicle as to be readily visible and available for immediate use in an emergency provided that if the design of the vehicle is such that a first aid kit cannot be carried in a position where it is easily visible a sign shall be displayed on the vehicle dashboard indicating the position of the kit.

Trade Comments:

6 safety pins?? Too prescriptive, suggests it says a first aid kit.

Officer Comment & Recommendation:

Primary legislation requires an adequate first aid kit for the particular for work environment.

Recommendation is to remove the detailed requirements in b) so that the condition reads – ‘a suitable first aid kit’ and to add as a final paragraph ‘Attention must be paid to expiry dates which, once reached, shall result in the first aid kit being replaced’

Working Party Recommendation:

To leave the condition as existing, but amendments to b) to read–

‘in accordance with the Health and Safety (First Aid) Regulations 1981 and guidance contained in the First Aid at Work (Approved Code of Practice) Guidance 1997, a suitable first aid kit containing the following items:’

‘and to add ‘a pair of disposable gloves’ to the list of requirements in the first aid kit.

Condition 10 - Plate and Licence Card

- (a) The plate shall be securely affixed to the exterior rear side of the vehicle immediately on or above the bumper in such a position that the particulars are clearly visible OR
- (b) The plate shall be securely affixed to the exterior rear side of the vehicle above, below, or to the side of the number plate on a Council approved bracket.

- (c) The plate shall be kept in such a condition that the information carried on it is clearly visible to public view at all times when the vehicle is being used as a private hire vehicle.
- (d) The plate shall remain the property of the Council at all times and shall be returned to the Council on the sale of the vehicle or in the event of surrender, suspension or revocation of the licence.
- (e) The licence card shall be securely affixed to the near side upper interior of the front windscreen so that the particulars are clearly visible to public view of persons outside the vehicle.
- (f) The licence card shall remain the property of the Council at all times and shall be returned to the Council on the side of the vehicle or in the event of surrender, suspension or revocation of the licence.
- (g) The proprietor shall report to the Police and to the Council the loss or damage to the plate or licence card as soon as the loss or damage becomes known.

Trade Comments:

General comments were the same as for the driver – more discreet sign in the rear window, i.e. fluorescent green, so that it can be identified by the public and enforcement officers.

Officer Comment & Recommendation:

Same as in Private Hire Driver Conditions

Recommendation is the condition remains unaltered.

Working Party Recommendation:

Agreed – condition to be unaltered.

Condition 11 - Signs/Notices/Advertisements etc

- (a) Company signs must be displayed at all times when a vehicle is working for a particular company.
- (b) Should a company vehicle be used by a driver for other work (e.g. the driver's own school contract work, for which they hold a separate operator's licence), appropriate signage for their own company must be displayed – the 'main' company signs shall not be displayed.
- (c) Company signs shall be displayed on both sides of a licensed private hire vehicle, on either front or rear doors and must be a minimum size of at least 40 cm by 20 cm, with a minimum height of lettering for the company named being 4 cm.

- (d) Any typeface used on signs shall be clear and easily legible. No italicised letters or numbers will be permitted.
- (e) The words “Advanced Bookings Only” shall be present on each door sign.
- (f) The combination of typeface colour and background colours used should be high contrast (e.g. dark letters on a light background). Reflective backgrounds will be acceptable.
- (g) Each private hire operator shall have only one design of door sign which must be used by all vehicles in its fleet.
- (h) No such sign shall include the words “TAXI” or “CAB” whether in the singular or plural or the words “FOR HIRE” or any other word or words of similar meaning or appearance likely to cause a person to believe the vehicle is a hackney carriage or is presently available to carry any passengers wishing to hire it.
- (i) No other externally visible sign, notice, advertisement, plate, mark, number, letter, figure, symbol or emblem shall be displayed on, in or from the vehicle except as may be required by any statutory provision or as may be required or permitted by these conditions or as may be otherwise be approved from time to time by the Council in writing.

Trade Comments:

No stickers at all. My customers are collected, customers greeted personally. Look unsightly. Executive hire trade have no intention to carry out traditional PH work.

Gov’t ministers, corporate executives need a discreet service

Ditto, Clients request discreet service as part of the contract.

Hard to enforce as drivers take them off. Want the same as executive trade if any concession is allowed.

Can it be operator discretion?

Why aren’t ‘no smoking’ signs included in the test?

Officer Comment & Recommendation:

Officers are mindful that a licensed vehicle, once licensed, is licensed for all purposes i.e. there is no concept in law of a restricted licence. Government guidance suggests that in the interests of public safety Private Hire Vehicles are easily identified both from an enforcement perspective as well as to ensure that there is sufficient differentiation between Private Hire Vehicles and Hackney Carriage’s licensed by the authority for the area. Signage also provides an assurance of legitimacy to hirers.

Recommendation is the condition remains unaltered.

Working Party Recommendation:

Agreed – condition to be unaltered. However, the provision of no smoking signs within vehicles should be included in the Supplementary Testing Manual as a recommendation within the vehicle test i.e. it should not in itself result in a vehicle being failed.

Condition 15 - Passengers

- (a) No greater number of passengers than that specified in the licence shall be carried in the vehicle.
- (b) No child under the age of 14 years shall be conveyed in the front passenger seat of the vehicle.
- (c) One passenger shall be conveyed in each front passenger seat of the vehicle unless this licence specifically states otherwise.

Trade Comments:

Query age and height restriction. Officers to clarify.

Officer Comment & Recommendation:

As for Private Hire Drivers' Licence Condition. Recommendation is for b) to read the same.

'Allow any child under the age of 12 or under the height of 135 cms (4 feet 5 inches) to be conveyed in the front of the vehicle. For the avoidance of doubt, a child under the age of 12 who has attained the height of 135 cms may be conveyed in the front of the vehicle;'

Working Party Recommendation:

Agreed to amend wording as suggested.

Condition 16 - Animals

- (a) No animal belonging to the proprietor or driver of the vehicle shall be conveyed in the vehicle.
- (b) Any animal belonging to a passenger must be conveyed in the rear seating area of the vehicle and shall when necessary be contained so as not to present a nuisance or hazard to the occupants of the vehicle.
- (c) Notwithstanding anything in (b) a partially sighted or otherwise disabled passenger shall be entitled as of right to be accompanied by an assistance dog in the vehicle.

Trade Comments:

Query guide dogs in the front seat.

Officer Comment & Recommendation:

Officers agree this is confusing. Recommend to amend b) to read –

‘the driver may carry any animal belonging to a passenger at their own discretion anywhere in the vehicle and they shall ensure, where necessary, that such animals are suitably restrained so as not to present a nuisance or hazard to the occupants of the vehicle’

Working Party Recommendation:

Agreed to amend wording as suggested, but with an amendment – to include ‘/contained’ after ‘suitably restrained’