

Rules Regulations and Procedures for Hackney Carriage and Private Hire Licensing

Summary of proposed changes following consultation with the trade

September 2010

Page number	Title/description	Proposed amendment	Reason
3	Notes for The Guidance of Applicants for Hackney Carriage and Private Hire Licences.	<p>Taken out the words :-</p> <p>(b) A full medical certificate in the prescribed form, issued by your own doctor (this will be required again on the 3rd annual renewal of your licence and every subsequent 3rd annual renewal, should the application be successful). Once a driver reaches the age of 65 he/she will be required to provide a full medical certificate annually.</p> <p>Inserted:-</p> <p>(b) A full medical certificate in the prescribed form, issued by a general practitioner on first application and every 3 years thereafter. Once a driver reaches the age of 65 he/she will be required to provide a full medical certificate annually.</p>	Representation received that some driver's own doctors don't do medical certificates.
9	Provisions securing the safe custody and re-delivery of any property accidentally left in hackney carriages.	<p>Inserted the wording:-</p> <p>"The Council acknowledges that at certain times during weekends and bank holidays whilst the office is closed it will not be possible to comply with b above. In these instances the property should be delivered to the office of the Council on the next working day after the closure."</p>	Representation received that drivers cannot always comply with the Byelaw during office closures.
11	Use of taxi metres and table of fares	<p>Inserted:-</p> <p>The driver may at his/her discretion require the payment of an agreed sum in advance of the journey. A receipt will be given and the amount will be</p>	Representation received as part of fare change proposal. Fares remained the same, so carried this forward to this document.

		set against the metered fare.	
13	Production of Driving Licence	<p>Removed:-</p> <p>“The licensee shall, within forty eight hours of receiving written notice requiring him to do so, produce to the Licensing office his current DVLA Driving Licence for inspection.”</p> <p>Inserted:-</p> <p>“The licensee shall, within 7 days of receiving written notice requiring him to do so, produce to the Licensing office his current DVLA Driving Licence for inspection”</p>	To make it compatible with the same section for private hire drivers.
15	Deposit of Licence	<p>Inserted the words :-</p> <p>“a copy of his private hire drivers”</p>	Clarity
17	Notes for the Guidance of Applicants For Hackney Carriage & Private Hire Vehicle Licences	<p>Removed:-</p> <p>“Vehicles for which Hackney Carriage/Private Hire licences are applied for must be under 5 years of age from date of first registration and on attaining 10 years of age from date of first registration, will cease to be licensed by this authority and will no longer be able to function as licensed Hackney Carriages/Private Hire vehicles within the Lancaster City.</p> <p>Exceptions to the 10 years age limit may be made in the case of certain vehicles, i.e. limousines, such as Rolls Royce, Bentley etc. Applications for such exceptions must be made in writing to the Licensing Manager.”</p>	<p>Representation received regarding age limits. DFT Best Practice Guidance states :-</p> <p>“Age Limits. It is perfectly possible for an older vehicle to be in good condition. So the setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles - for example, twice-yearly tests for vehicles more than five years old.”</p> <p>Whilst this is purely Guidance, the legislation states that a vehicle licence</p>

			must be granted if the vehicle is suitable mechanically. Age is not always an indicator of fitness.
18	Specification and Maintenance of Vehicle	Deleted:- "The vehicle engine capacity shall be not less than 1600cc"	Representation received that modern vehicles with small engines can perform as well as some older vehicles with larger engines.
17/18	Vehicle Testing	<p>Removed:-</p> <p>Vehicle Testing An MOT pass certificate must be produced for all vehicles that are over one year old.</p> <p>Subsequent MOT pass certificates must be produced annually. In addition to the MOT testing, the vehicle must also be mechanically tested and inspected by the Council's nominated garage. This process is referred to as "the Engineer's Report" or "Certificate of Compliance".</p> <p>When required to produce an MOT pass certificate, an Engineer's Report pass certificate must also be produced.</p> <p>The licence of any vehicle which fails its inspection requirements will be automatically suspended until such time as the vehicle has been re-examined and the necessary pass certificates obtained.</p> <p>When a car already licensed by this authority reaches 4 years of age it will be required to pass an authority vehicle examination test twice yearly until it reaches the 10 year age limit. Any vehicle over the age of 4 years will only be issued with a 6 month plate. A vehicle licence will not be issued beyond the date at which the vehicle becomes 10 years old. In the case of London type cabs, the upper age limit shall be 15 years old with replacement vehicles being less than 6 years old</p> <p>Inserted:-</p> <p>Vehicle Testing Before a licence can be issued the vehicle must be mechanically tested and inspected by the Council's nominated garage. This process is referred to as "the Engineer's Report" or "Certificate of Compliance".</p>	<p>Representations were received about the proposed changes to the vehicle testing procedure. Having taken them all into account the licensing manager has decided to propose that the vehicle testing remains as it is now.</p> <p>A section has been inserted requiring type approval for all vehicles that have been modified since manufacture, this is on the grounds of public safety.</p>

		<p>The licence of any vehicle which fails its inspection requirements will be automatically suspended until such time as the vehicle has been re-examined and the necessary pass certificates obtained.</p> <p>When a car already licensed by this authority reaches 2 years of age it will be required to pass an authority vehicle examination test twice yearly. Any vehicle over the age of 2 years will only be issued with a 6 month plate.</p> <p>Vehicles cannot be licensed for both public hire (hackney) and private hire.</p> <p>Vehicles which are licensed by another local authority will not be licensed by this (Lancaster City Council) authority.</p> <p>Applicants for private hire vehicle licences, who intend to operate independently, must obtain a private hire operator's licence, and any necessary planning permission from the authority's Regeneration and Policy Service, before such vehicle licence can be issued.</p> <p>All vehicles shall have an appropriate "Type Approval" which is either a European Community Whole Vehicle type approval (ECWVTA) or UK Low Volume Type Approval (UKLVTA) Vehicles shall not have been altered since that approval was granted. A Single Vehicle Type approval (SVA) may be accepted for wheelchair accessible vehicles. On 29th April 2009 the SVA was replaced by Individual Vehicle Approval (IVA). Vehicles presented for licensing, and while in use, shall comply with the Road Vehicles (Construction and Use) Regulations 1986 and any subsequent amendment or re-enactment thereof</p>	
19	Specification and Maintenance of Vehicle	<p>More information has been added to the paragraph on minimum leg room as follows:-</p> <p>" The minimum leg room available to any passenger shall be 200mm. The measurement will be taken from the base of the seat to the rear of the seat in front when the front seat is at its full, rearwards extension. If this measurement cannot be achieved then 1500mm shall be allowed from the base of the rear seat to the front well. Where there is no seat in front the measurement shall be taken from the base of the seat to the nearest obstruction in front. The internal headroom from the seat cushions to the lowest part of the roof in a vertical line shall be a minimum of 920mm."</p>	A representation was received from a member of the trade requiring clarification of the term 'adequate leg room'

19	Specification and Maintenance of Vehicle	<p>Added:-</p> <p>“. If a seat has to be removed to comply with this requirement, it shall be removed from the nearside of the vehicle, from the row of seats which are situated behind the front passenger seat.”</p>	clarification
19	Specification and Maintenance of Vehicle	<p>Deleted:-</p> <p>“Vehicles should be capable of carrying one piece of luggage per passenger”</p> <p>Inserted:-</p> <p>“Hackney carriage vehicles should be capable of carrying one average size piece of luggage per passenger. For the purpose of these conditions, average size luggage is deemed to be H48cm, W71cm,D19cm.”</p>	Representation from a member of the trade stating that the wording should be more prescriptive. This is only required in hackney carriage vehicles, as they should be able to pick up from a rank or station etc. whereas a private hire vehicle is pre booked, and the operator would be able to state whether or not a suitable vehicle is available.
20/21	Safety Equipment	<p>Inserted:-</p> <p>"CCTV surveillance systems to assist driver safety are permitted in vehicles. If such devices are fitted, adequate signage shall be displayed in the passenger compartment advising passengers that they are being monitored/recorded. Any such equipment shall be fitted overtly and in such a way as not to present any danger or hazard to any passenger. It will be the driver/proprietors responsibility to comply with all aspects of the law regarding such surveillance equipment.”</p>	Representation received from a member of the trade. Public and driver safety. The onus would be on the driver/proprietor to comply with all legislation in relation to CCTV.
22	Deposit of Drivers Licence	<p>Inserted:-</p> <p>9. Deposit of Drivers' Licences</p> <p>“If the proprietor permits or employs any other person to drive the vehicle, he/she shall before that person commences to drive the vehicle cause the driver to deliver to him a copy of his/her hackney carriage driver’s licence for retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his.”</p>	To protect the proprietor from liability for allowing an unlicensed person to drive his/her hackney carriage vehicle. Protection of the public.

22	Tinted Glass	Removed the paragraph:- Tinted Glass is not permitted except light tints and sun strips to help ensure public safety.	Taken into consideration the DFT Best Practice Guidance.
23	Specification and Maintenance of Vehicle	Deleted:- "The vehicle engine capacity shall be not less than 1600cc"	Representation received that modern vehicles with small engines can perform as well as some older vehicles with larger engines.
24	Local Government (Miscellaneous Provisions) Act 1976 Private Hire Vehicle Licences – Conditions of Licence- Specification and Maintenance of Vehicle.	Added:- "The minimum leg room available to any passenger shall be 200mm. The measurement will be taken from the base of the seat to the rear of the seat in front when the front seat is at its full, rearwards extension. If this measurement cannot be achieved then 1500mm shall be allowed from the base of the rear seat to the front well. Where there is no seat in front the measurement shall be taken from the base of the seat to the nearest obstruction in front. The internal headroom from the seat cushions to the lowest part of the roof in a vertical line shall be a minimum of 920mm"	Representation received from the trade who wanted this section to be more prescriptive.
24	As above	Added:- "If a seat has to be removed to comply with this requirement, it shall be removed from the nearside of the vehicle, from the row of seats , which are situated behind the front passenger seat."	Clarification
26	Safety Equipment - CCTV	Inserted section:- "CCTV surveillance systems to assist driver safety are permitted in vehicles. If such devices are fitted, adequate signage shall be displayed in the passenger compartment advising passengers that they are being monitored/recorded. Any such equipment shall be fitted overtly and in such a way as not to present any danger or hazard to any passenger. It will be the driver/proprietors responsibility to comply with all aspects of the law regarding such surveillance equipment."	Representation received from a member of the trade. Public and driver safety. The onus would be on the driver/proprietor to comply with all legislation in relation to CCTV.
28	Local Government (Miscellaneous	Inserted the words:-	Representations from members of the trade who

	Provisions) Act 1976 Private Hire Operators Licence – Conditions on Licence	“an electronic version is acceptable”	needed clarification on the term ‘suitable book’
30	Trailers	Inserted:- “to carry one piece of average sizes luggage (as defined above) for each passenger that the vehicle is licensed to carry.”	Representation from a member of the trade requiring clarification of the term ‘sufficient luggage capacity’