

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976
PRIVATE HIRE VEHICLE LICENCES

CONDITIONS OF LICENCE

For the purposes of consultation, the conditions of licence are shown as below.

In the final policy the conditions of licence will show only the licence conditions approved by the Licensing Committee following the close of consultation and consideration of comments received

	Existing Wording	Officer Comments	Proposed Licensing Condition
A	Licensing Administration		
A1	The proprietor shall notify the Council in writing of any change of his address during the period of the licence within seven days of such change taking place.	Wording updated to reflect the common use of email.	The vehicle licence holder shall: <ul style="list-style-type: none"> • Within 7 days notify the Council in writing (an email will suffice) of any change of address.
A2		This proposed condition is deemed reasonably necessary as the DfT standards para 7.5 require that any change in partnership or company directors should be notified to the licensing authority. 14-day period proposed as this mirrors the time period specified in legislation in relation to change of ownership of a vehicle licence	The vehicle licence holder shall: <ul style="list-style-type: none"> • In the event of the private hire vehicle licence being held in the name of a company or partnership, the licensing authority shall be notified in writing (email will suffice) of any change in directors or partners within 14 days of any such change taking place.

<p>A3</p>		<p>This proposed condition is deemed reasonably necessary to ensure that the vehicle is clearly identifiable as a Lancaster licensed vehicle. It should not be licensed elsewhere, the use of different signage etc., tariff cards on display could cause confusion.</p> <p>In respect of lease companies, the proposed condition does not prevent them from surrendering a vehicle licence in order to enable the vehicle to be licensed by another local authority.</p>	<p>The vehicle licence holder shall:</p> <ul style="list-style-type: none"> • Ensure that whilst a private hire vehicle is licensed by Lancaster City Council the vehicle is not to be licensed by another local authority.
<p>A4</p>		<p>It is reasonably necessary that the Council can identify who is driving the vehicle at any particular time (whilst this may be possible via the operator when the vehicle is on a job – may not be possible at other times) especially if the vehicle is driven by more than one licensed driver. For example, if a complaint is received regarding the conduct of a driver whilst that driver/ vehicle is not working for example driving standards.</p>	<p>The vehicle licence holder shall:</p> <ul style="list-style-type: none"> • Upon request from an authorised officer provide details as to who had permission to drive the vehicle at a date and time specified by the officer

<p>A5</p>	<p>At all times, the Proprietor shall, during the currency of the licence, keep in force in relation to the user of the Private Hire vehicle a policy of insurance which cover third party liability both in respect of physical injury or death and in respect of damage to personal belongings. A copy of this certificate should be carried in the vehicle and, made available for inspection by an Authorised Officer on request.</p>	<p>This proposed condition is considered reasonably necessary as the legislation indicates that the council needs to satisfy itself that insurance is in place when the licence is granted. There is nothing specific in taxi licensing legislation that says the insurance has to remain in place throughout the duration of the licence, but clearly this is a relevant requirement</p> <p>Officers do not consider it reasonably necessary to expect the insurance cert to be kept in the vehicle. Developments in technology mean that police can now immediately access national data systems to identify whether a vehicle is insured Legal requirement to produce insurance doc when requested by authorised officer. (LGMPA 1976 S50 (4)).</p>	<p>The vehicle licence holder shall:</p> <ul style="list-style-type: none"> • Throughout the currency of the licence, keep in force in relation to the user of the private hire vehicle, a suitable policy of insurance which cover, private hire use, third party liability both in respect of physical injury or death and in respect of damage to personal belongings.
<p>A6</p>	<p>If the proprietor permits or employs any other person to drive the vehicle as a Private Hire vehicle, he shall before that person commences to drive the vehicle cause the driver to deliver to him a copy of his / her Private Hire driver’s licence for retention until such time as the driver ceases to be permitted</p>	<p>It is proposed to strengthen this existing condition by adding a requirement that the proprietor should not let the driver have use of the licenced vehicle once the driver licence has expired. This is a</p>	<p>The vehicle licence holder shall:</p> <ul style="list-style-type: none"> • Before permitting a licensed private hire driver to drive the licensed vehicle require the driver to deliver to him/her a

	<p>or employed to drive the vehicle or any other vehicle of his.</p>	<p>reasonably necessary public safety measure</p> <p>The extra element of the proposed condition is to ensure that private hire vehicle licence holders always know that the persons who are driving their vehicles have a current private hire drivers' licence It is an offence for a private hire vehicle licence holder to allow an unlicensed driver to work the vehicle (LGMPA 1976 section 46 1 c).</p>	<p>copy of their private hire driver's licence for retention, until such time as the driver ceases to be permitted or employed to drive the private hire vehicle.</p> <p>The vehicle licence holder shall:</p> <ul style="list-style-type: none"> • Keep a complete and accurate record of the name of the person driving the vehicle at any time and the expiry date of the drivers licence. • Not allow any person to drive the licensed vehicle without a valid private hire driver's licence being in place. • Keep information re driver's licences for six months after expiry and produce upon request to an authorised officer or constable.
<p>A7</p>		<p>This condition is deemed reasonably necessary to allow the City Council to require additional certification or training where required examples may include additional testing of a vehicle following accident damage,</p>	<p>The private hire vehicle licence holder shall</p> <ul style="list-style-type: none"> • Pay the reasonable administration charge or fee attached to any requirement to attend training, or produce

		validation checks on taxi meters following allegations of overcharging,	a relevant certificate, assessment, validation check or other administration or notification process.
B	Condition of the Vehicle		
B1	<p>The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements (including in particular those contained in Motor Vehicles (Construction and Use) Regulations) shall be fully complied with.</p> <p>The vehicle must have at least four doors, all of which are capable of being opened from the inside.</p> <p>The vehicle must be capable of carrying not less than four passengers but not more than eight.</p> <p>The vehicle shall be of right-hand drive manufacture and not converted as so.</p> <p>Any vehicle that is to be converted to Liquid Petroleum Gas (LPG) must be with the express permission of the licensing department. Only a garage authorised to do so may carry out the conversion. A Certificate of Compliance is to be obtained immediately after any such conversion and</p>	These are not licence conditions but are a repetition of the vehicle specification. The licence condition can be simplified as proposed	<p>The vehicle licence holder shall:</p> <ul style="list-style-type: none"> • Ensure no alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the prior approval of the Council at any time while the licence is in force.

<p>presented to the licensing department for inspection.</p> <p>The width of the rear seat shall be of no less than 51 inches unobstructed width, excluding armrests, window winders, etc.</p> <p>All vehicles must have adequate leg and foot-room, shoulder-width and head-height. 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> <p>All passenger seats shall be provided with a lap and diagonal 3 point seat belt which comply with the strength requirements specified in European Directive 76/115 EC (as amended by Directive 96/38 EC) and Regulations 46 and 47 of the Road Vehicle (Construction and Use) Regulations 1986, whether or not those Directives or Regulations apply to that</p>		
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	<p>particular seat or the vehicle.</p> <p>The boot / luggage compartment should be empty except for spare wheel, fire extinguisher, essential tools and first aid kit, (to comply with British Standard BS 8599-2). The compartment should be clean and any covering free from major cuts, tears or other damage or staining.</p>		
B2	<p>The boot /luggage compartment should be empty except for spare wheel, fire extinguisher, essential tools and first aid kit, (to comply with British Standard BS 8599-2). The compartment should be clean and any covering free from major cuts, tears or other damage or staining.</p>	<p>Valid condition no change suggested minor change re-clarification.</p>	<p>The vehicle licence holder shall:</p> <ul style="list-style-type: none"> • Ensure the boot / luggage compartment should be available for passenger luggage and otherwise kept empty except for spare wheel, fire extinguisher, essential tools and first aid kit. The compartment should be clean and any covering free from major cuts, tears or other damage or staining
B3		<p>This proposed condition is reasonably necessary as the responsibility for maintenance of the vehicle must ultimately lie with the licence holder, however where vehicles are rented to licensed drivers there is often conflict as to who is responsible for what, the</p>	<p>The vehicle licence holder shall:</p> <ul style="list-style-type: none"> • Ensure that the private hire vehicle is maintained in good order and should be capable of passing the Councils vehicle test/ inspection at any stage during the licence period

		<p>proposed condition seeks to put in a mechanism where both the driver and vehicle licence holder have a split responsibility.</p>	<ul style="list-style-type: none"> • On a monthly basis undertake and keep a written record of the vehicle inspection detailing the outcome of all the checks carried out. The documented information must as a minimum contained the following: • Lights and indicators • Tyre condition, pressures and tread/wheelnuts • Wipers, washers and washer fluid levels • Cleanliness inside and out • Bodywork – no dents or sharp edges • Licence plates present and fixed in accordance with licensing requirements • Signage present as required • Brakes • Horn in working order • Oil/ water levels • Drivers mirrors • Seats/ seat belts • Sundry equipment
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			<ul style="list-style-type: none"> • Suspension/steering appear to be working ok.
<p>B4</p>	<p>There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a suitable and efficient fire extinguisher, which must also be in-date and a first aid kit containing appropriate first aid dressings and equipment (to comply with British Standard BS 8599-2), such equipment to be carried in such a position in the vehicle as to be readily accessible for immediate use in an emergency and a notice shall be displayed in the vehicle as to where they are kept</p> <p>Your attention is drawn to your liability if rendering first aid, the kit carried is to enable ONLY those trained in its use to render assistance to third parties. If the need for its use should arise, it should only be used by a person who holds a current recognised first aid certificate. If a passenger requested the equipment then it may be provided for self-administration by the customer in the interest of customer care.</p>	<p>Proposed wording slightly amended to reflect case law of Benson V Boyce which detailed that once a vehicle is licensed it remains licensed at all times during the licence period even if it is not engaged on private hire work. In effect the licence conditions apply for the complete licence period</p> <p>Officers consider it reasonably necessary for first aid kits to be indelibly marked with the vehicle registration number, this prevents first aid kits being shared amongst vehicles and swapped from one vehicle to another at the time of the vehicle test</p>	<p>The vehicle licence holder shall:</p> <ul style="list-style-type: none"> • Ensure there is provided and maintained in the vehicle at all times a suitable and efficient fire extinguisher, which must also be in-date and a first aid kit containing appropriate first aid dressings and equipment (to comply with British Standard BS 8599-2), such equipment to be carried in such a position in the vehicle as to be readily accessible for immediate use in an emergency and a notice shall be displayed in the vehicle as to where they are kept <p>Your attention is drawn to your liability if rendering first aid, the kit carried is to enable ONLY those trained in its use to render assistance to third parties. If the need for its use should arise, it should only be used by a person who holds a current recognised first aid certificate. If a passenger requested the equipment</p>

			then it may be provided for self-administration by the customer in the interest of customer care.
B5			
B6	<p>The vehicle glass is to be kept clear of all obstructions.</p> <p>The minimum permitted light transmissions are as follows:</p> <ul style="list-style-type: none"> • Front windscreen transmission – minimum 75% light • Front side glass transmission – minimum 70% light • No restrictions to rear passenger side windows or rear windscreen. 	No change proposed	<p>The vehicle licence holder shall:</p> <ul style="list-style-type: none"> • Ensure The vehicle glass is to be kept clear of all obstructions <p>The minimum permitted light transmissions are as follows:</p> <ul style="list-style-type: none"> • Front windscreen transmission – minimum 75% light • Front side glass transmission – minimum 70% light • No restrictions to rear passenger side windows or rear windscreen.
C	Convictions and Suitability		
C1	<p>The proprietor shall within seven days disclose to the Council in writing details of any conviction imposed on him (or, if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence.</p>	<p>This proposed condition is deemed reasonably necessary it largely reflects previous requirements but has been updated to include other sanctions imposed by the judicial system. The 48 hours period reflects the time stated in the DfT</p>	<p>The vehicle licence holder shall</p> <ul style="list-style-type: none"> • within 48 hours notify the council in writing (email will suffice) providing full details of any arrest or criminal investigation, summons, charge conviction, formal or simple caution, fixed

		<p>statutory standards for drivers to notify of such matters. The terminology has been standardised in reflect of driver, vehicle and operator licence conditions and driver code of conduct for HCD.</p>	<p>penalty or alternative driving related course , binding over, criminal court order, criminal behaviour order or anti-social behaviour injunction, domestic violence related order against them during the period of the licence and or during the period since receipt of the application up to grant of the licence.</p>
D	Signage (including plates)		
D1	<p>The plates identifying the vehicle as a Private Hire vehicle are required to be exhibited on the vehicle pursuant to section 48(6) of the Local Government (Miscellaneous Provisions) Act 1976, one shall be securely fixed to the rear of the vehicle in a conspicuous position and in such manner as to be easily removable by an Authorised Officer of the Council or a Constable, and a further plate should be fixed at the front of the vehicle in a conspicuous position.</p>	<p>Officers consider that it is reasonably necessary to specify the location of the plates by way of licence conditions, this will encourage a uniformity of identity and customers will begin to familiarise themselves as to the common / uniform location of plates on Lancaster’s Licenced vehicles.</p>	<p>The vehicle licence holder shall</p> <ul style="list-style-type: none"> • Ensure that the rear plate is firmly affixed to the nearside of the rear bumper, all information on the plate should be visible from the rear of the vehicle and the plate must not in any way obscure the vehicle registration plates or lights on the vehicle • Ensure the front plate is firmly affixed to the offside area of the front bumper in such a way that all information on the plate is visible when stood looking at the front of the vehicle. The plate must not

			obscure the registration plate of any lights on the vehicle.
D2	Door signs supplied by Lancaster City Council must be affixed to the front doors of the vehicle. The proprietors own sign notice or advertisement may be displayed on the top section of the rear doors of the vehicle only and shall not exceed 20 inches by 12 inches.	<p>The proposed changes to the existing condition is reasonably necessary to reflect changes introduced in the draft taxi policy in respect of the intention to introduce mandatory private hire operator door signs to assist with passenger identification of licensed vehicles</p> <p>The proposed condition regarding passenger vehicle signage is considered reasonably necessary as it is a mechanism to comply with the DFT statutory standards requirement para 4.31 ways to complain to be displayed in all licensed vehicles.</p> <p>A condition will be applied to private hire operators for them to produce/provide door signs to the licensed trade</p> <p>Operator door signs will be required to be approved by the Licensing office.</p>	<p>The vehicle licence holder shall</p> <ul style="list-style-type: none"> • Ensure that before driving a licensed vehicle or renting/tracking a vehicle to a licensed driver the following signage is in place in accordance with the requirements of these conditions • Door signs supplied by Lancaster City Council must be affixed to the front doors of the vehicle. These cannot be magnitised • No smoking signs must be displayed in such a manner that they can be seen by passengers inside and outside of the vehicle • Ensure that the Council issued “passenger information signage” is displayed in the vehicle in such a way that it can be seen by all passengers when seated. If required multiple signs must be displayed

			<ul style="list-style-type: none"> • Ensure the licensed driver is made aware of the requirement to display the operators approved door sign in the middle of the rear doors of the vehicle in a 4 door saloon and in an equivalent position where they can be seen by all passengers approaching the vehicle in a vehicle which does not have 4 passenger doors. These signs cannot be magnetised.
D3	In addition Private Hire vehicles shall display a sticker in a conspicuous position as approved by an Authorised Officer, stating that the vehicle must be pre-booked and that any journey taken without there being a booking beforehand would render the insurance void, as the driver would not be complying with current legislation.	The existing licence condition is no longer required as the new requirement for signage includes the operator door sign containing wording regrading the need for prebooking	<ul style="list-style-type: none"> •
D4	Private Hire vehicles are not permitted to have a top sign fitted at any time.	The proposed condition is amended for the purposes of clarification to ensure that proprietors understand this relates to any form of roof sign and not just prohibited by section 64 of the Transport Act 1980 (this prevents	<p>The vehicle licence holder shall</p> <ul style="list-style-type: none"> • Ensure no roof sign of any type including advertisements are utilised on a private hire vehicle.

		roof signs on PHV that use the word cab/ taxi).	
D5	The proprietor shall cause to be clearly marked and maintained inside the vehicle in such a position as to be visible at all times to persons conveyed therein the licence number and the number of passengers prescribed in the licence	This proposed condition replicates the existing condition but with simplified terminology.	The vehicle licence holder shall <ul style="list-style-type: none"> • Provide signage displayed in the vehicle in such a position that it can be seen by all passengers when seated stating the Licence number of the vehicle and the maximum number of passengers to be carried in the vehicle.
D6		This proposed condition is deemed reasonably necessary as the City Council wants to promote the identification of licensed vehicles by the use of signage displayed in the same way on all licensed vehicles.	The vehicle licence holder shall <ul style="list-style-type: none"> • Ensure no sign, notice, flag, emblem or advertisement shall be displayed in or on a Private Hire Vehicle without the express permission of the Council.
E	Assistance Dogs		

<p>E1</p>		<p>Requirement to carry assistance dogs is in legislation but may be enhanced / clarified by the proposed condition which makes it clear that refusal to carry an assistance dog cannot be based on the instruction of the vehicle licence holder unless a relevant exemption certificate is in place.</p>	<p>The vehicle licence holder shall</p> <ul style="list-style-type: none"> • Not prevent a licensed driver from carrying assistance dogs in the vehicle, <p>(The only exemption to this is where a licensed driver who drives the vehicle has been issued with an exemption certificate by the City Council).</p>
<p>F</p>	<p>Meters</p>	<p>This proposed condition is deemed reasonably necessary as the majority of private hire vehicles in Lancaster City council are fitted with taxi meters.</p> <p>There is no legal requirement for private hire vehicles to be fitted with taxi meters but if they are fitted, they should be operated in a manner that is fair and transparent.</p>	<p>The vehicle licence holder shall ensure if the vehicle is fitted with a meter:</p> <ul style="list-style-type: none"> • It is always of a type approved by the Council and maintained in a sound mechanical condition • It is illuminated and is located in a position where any hirer can see the fare easily <p>The licensee shall ensure:</p> <ul style="list-style-type: none"> • the words 'FARE' shall be printed on the face of the meter in clear letters so as to apply to the fare recorded there on • The meter and any connected equipment is fitted securely

			without the risk of impairing the driver’s ability to control the vehicle or be a risk to any person in the vehicle.
G	CCTV		
G1	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.	It is unclear at this stage whether the Council will introduce a requirement for mandatory CCTV. It is a requirement of the DfT statutory standards (para 7.9) that local authorities consult on the issue of CCTV in licensed vehicles. A question on CCTV will be incorporated into the consultation questionnaire. If mandatory CCTV is introduced, then a specification and appropriate conditions will be devised at that time.	
H	Additional Conditions applicable to Wheelchair Accessible Vehicles		
H1		The current private hire vehicle licence conditions do not include any reference specific to wheelchair accessible private hire vehicles, however the council wishes to encourage the licensing of such vehicles and therefore it is	The vehicle licence holder shall: <ul style="list-style-type: none"> • Ensure any person permitted to drive the vehicle is fully trained and can safely use all the specialist equipment in the vehicle , in particular the

		reasonably necessary tat conditions relating to public safety of the carriage of passengers travelling in a wheelchair is addressed in licensing conditions.	licence holder must satisfy himself that the driver can safely load/ unload and secure any passenger travelling in a wheelchair.
H2		Officers consider that the proposed condition is reasonably necessary as passengers cannot assume that the appearance of a vehicle means it is wheelchair accessible, many of the wheelchair accessible vehicles use donor vehicles from standard MPV type vehicles.	The vehicle licence holder shall in respect of a wheelchair accessible licensed vehicle: <ul style="list-style-type: none"> • Ensure the private hire vehicle displays the nationally recognised wheelchair accessible sign immediately above the Council issued door signs.
I	Existing Conditions which are proposed to be deleted		
	No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force.	Already covered in B1 above no need to repeat.	

	<p>The proprietor may display signs advertising for the recruitment of drivers subject to the following conditions:</p> <ul style="list-style-type: none"> (a) maximum number of one advertisement in the vehicle at any one time (b) advertisement to be placed in rear side windows only (c) advertisement to be no larger than a normal postcard <p>Advertisement to be of a standard acceptable to the Council.</p>	<p>Remove no longer looking to facilitate any advertising on vehicles.</p> <p>The development of technology means that drivers would normally be recruited by word of mouth / social media/ digital platforms, e.g. trade Facebook pages.</p>	
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