Hackney Carriage Vehicle Licence Conditions

1. Definitions

“Appointed Test Station” a garage approved by the Council for the purposes of carrying out a Test

“Authorised Officer” means any Officer of the Council authorised in writing by the Council for the purposes of the Local Government (Miscellaneous Provisions) Act 1976

“The Council” means Rochdale Metropolitan Borough Council

“Hackney Carriage” has the same meaning as in the Town Police Clauses Act 1847

“The Identification Plates” the plates issued by the Council for the purpose of identifying the vehicle as a hackney carriage

“The Taximeter” means any device for calculating the fare to be charged in respect of any journey in a private hire vehicle by reference to the distance travelled or time elapsed since the start of the journey or a combination of both

“Test” means a compliance test of the vehicle undertaken at an Appointed Test Station. The Test Station being at Rochdale MBC Environmental Management, Green Lane, Heywood.

“The Proprietor” means the person who owns the vehicle.

2. Identification Plates

2.1 The Identification Plates when issued by the Council shall be securely affixed to the exterior of the Hackney Carriage at the rear and on the front of the vehicle by the Proprietor in accordance with the reasonable instructions of an Authorised Officer at the cost of the Proprietor. The plates shall be fixed in such a manner as to be easily removable only by the Authorised Officer or a Police Constable.

2.2 The driver and Proprietor of the Hackney Carriage Vehicle shall ensure that the ‘Identification Plates’ are maintained and kept in such condition that the information contained on the plate is clearly visible to public view at all times.

2.3 The council has specified that the vehicle licence number, make, model and licence expiry date together with the number of passengers it is licensed to carry shall be placed on the vehicle plate attached to the vehicle. This plate must not be tampered with or amended by anybody other than an Authorised Officer.

2.4 The driver and Proprietor of the Hackney Carriage Vehicle shall cause the number of the licence granted by the council in respect of the vehicle to be clearly marked and kept and maintained inside the vehicle in such a position as to be clearly visible at all times to passengers being conveyed in the vehicle.

3. Condition of Vehicle

3.1 The Proprietor shall ensure that the Hackney carriage vehicle shall be maintained in a sound mechanical and structural condition at all times and be capable of satisfying the Council’s mechanical and structural inspection at any time during the continuance of the Council’s licence in respect of the vehicle.

3.2 The interior and exterior of the Hackney carriage Vehicle shall be kept in a clean condition and maintained in a safe condition by the driver and Proprietor.

REV. 04/02/2015
3.3 The Proprietor shall not allow the mechanical and structural specification of the Hackney carriage Vehicle to be varied without the express consent of the Council in writing.

3.4 The Proprietor of the Hackney carriage vehicle shall:-

- provide sufficient means by which any passenger in the Hackney carriage vehicle may communicate with the driver during the course of the hiring;
- cause the interior of the vehicle to be kept wind and water tight;
- provide any necessary windows and means of opening and closing with not less than one window on each side of the passenger compartment;
- provide at least two doors for the use of passengers conveyed in such vehicle and a separate means of ingress and egress for the driver;
- cause the seats in the passenger compartment to be properly cushioned and covered;
- cause the floor in the passenger compartment to be provided with a proper carpet, mat or other suitable covering;
- cause every fittings and furniture of the Hackney Carriage vehicle to be kept in a clean condition and well maintained and in every way fit and safe for public use;
- provide facilities for the conveyance of luggage safely and protected from inclement weather;
- shall provide and maintain in the vehicle to the satisfaction of an Authorised Officer an efficient fire extinguisher which is suitable for dealing safely with flammable liquid fires and fires involving live electrical equipment to comply with any specification required in writing from time to time by the Authorised Officer. It shall be carried in such a position as to be easily available for use, and such apparatus shall be clearly marked with the appropriate British Standards Institution specification number and with the name and address of the manufacturing or vendor thereof.

4. Accidents

4.1 The proprietor of a Hackney Carriage vehicle shall report to the Authority, in writing, as soon as is reasonably practicable and in any case within seventy two hours of any accident causing damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers.

4.2 The vehicle under 4.1 shall not be used until the damage has been repaired to the satisfaction of an Authorised Officer of the Council and may have to undergo a compliance safety test at the Appointed Test Station at the Proprietor’s expense.

5. Advertisements

5.1 The driver and Proprietor shall ensure no sign, notice or advertisement shall be displayed whatsoever on the exterior of a Hackney carriage Vehicle, unless authorised by the Council in writing.

6. Signage

6.1 The Proprietor shall cause to affix and maintain in a conspicuous position in accordance with the directives of the Council any other signs or notices required from time to time by the Council.

6.2 The illuminated Roof signs displayed on non-purpose built Hackney Carriage vehicles must comply with the Council’s specification.

6.3 The Council may use their discretion when considering whether national flags and or emblems are appropriate or not and the driver or proprietor must seek written permission from the Council prior to displaying national flags and or emblems.

REV. 04/02/2015
Rochdale Borough Council

(The following condition will be applicable once the Private Hire Operator Award Scheme has been approved and implemented:

6.4 If applicable, the Proprietor shall ensure a sign/disc of a size approved by the Council specifying the grade awarded to the Hackney Carriage Proprietor’s Operating company will be permanently displayed and affixed on the front window screen of the vehicle in accordance with reasonable instructions of an Authorised Officer and in such a manner as to be easily removable only by an Authorised Officer or a Police Constable at the cost of the Proprietor).

7. Animals
7.1 The Proprietor shall not permit any animal to ride in the vehicle in the custody or control of the driver.
7.2 The Proprietor shall however convey any guide dog, hearing dog or assistance dogs belonging to a passenger. In the case of a Saloon type vehicle the dog will be carried in the front passenger foot well or on the floor between the back and front seats, or in the case of an estate car in the above locations or the rear compartment. In all cases, the location of the guide/assistance dog must be agreed with the passenger at all times.
7.3 Any other animal belonging to the passenger can be carried at the discretion of the driver and or the Proprietor.

8. Taximeters
8.1 The proprietor shall cause the taxi meter to be so constructed, attached, maintained and operated so as to comply with byelaws 4, 5 and 6 as made by the council with respect to hackney carriages as follows:

(4) The proprietor of a hackney carriage shall cause the same to be provided with a taxi meter so constructed, attached and maintained as to comply with the following requirements, that is to say:

(a) The taxi meter shall be fitted with a key, flag or other device the turning of which will bring the machinery of the taxi meter into action and cause the word “HIRED” to appear on the face of the taxi meter;
(b) Such key, flag or other 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.
(c) When the machinery of the taxi meter is in action there shall be recorded on the face of the taxi meter 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 distance in pursuance of the byelaw in that behalf;
(d) The word “FARE” shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
(e) The taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any persons 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;
(f) The taximeter and all fittings thereof shall be so fixed 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.

(5) The driver of a hackney carriage provided with a taxi meter shall:

REV. 04/02/2015
(a) When standing or plying for hire keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in position in which no fare is recorded on the face of the taxi meter;

(b) Before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taxi meter into action by moving the said key, flag or other device, so that the word “HIRED” is legible on the face of the taxi meter and keep the machinery of the taximeter in action until the termination of the hiring;

(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 Road Traffic Act 1972, and also at any other time at the request of the hirer;

(d) Immediately on the completion of the hiring by distance cause the taximeter to cease recording but allow the amount of fare recorded to remain displayed on the taxi meter so as to permit the hirer to have a reasonable opportunity of examining the same;

(e) When the hirer has had a reasonable opportunity ascertaining the amount of the fare, cause the amount of the fare to cease to be recorded on the taximeter.

(6) Tampering with taxi meter

(a) Subject to the provisions of paragraph (b) of this byelaw the proprietor or driver of a hackney carriage shall not tamper with or permit any other person to tamper with the taximeter or its fittings or connections after it has been fitted to the carriage and sealed by an authorised officer and shall not wilfully break or tamper with or permit any other person to break or tamper with any seal or mark placed on the taxi meter or its connections;

(b) If a taxi meter affixed to a hackney carriage is found to be defective or inaccurate, the proprietor of the carriage, or a person authorised by him, may break the seals of the taxi meter for the purpose of effecting the necessary repairs, provided that the proprietor shall, within twenty four hours after breaking the seals, give or cause to be given notice of the action which he has taken in writing to an authorised officer at the Hackney Carriage Office, specifying the number of the license of the carriage, and the makers name and number of the taximeter and provided also that nothing in this byelaw shall be deemed to authorise a hackney carriage to be used or continued in use as such after the seals or any taxi meter with which the hackney carriage is provided have been broken as aforesaid and before the taxi meter has again been certified to a register correctly.

9. Fare Table

9.1 The driver and Proprietor shall ensure that a current copy of the fare table is exhibited inside the hackney carriage vehicle at all times.

9.2 The driver and Proprietor shall ensue that the fare table is not concealed from view or rendered illegible whilst the vehicle is being used for hire.

10. Licence

10.1 The Proprietor shall retain a copy (after viewing the original and making any necessary checks with Council) of the hackney carriage driver’s licences of all drivers driving the hackney carriage vehicle and regularly check them to ensure the licences have not expired and produce the same to an Authorised Officer or Constable upon request.

10.2 The proprietor shall keep accurate records to show the hours that the vehicle is working and the details of the driver(s) and produce the same to an Authorised Officer or Constable upon request.

REV. 04/02/2015
11. Two Way Radio
11.1 The driver and Proprietor shall ensure that any radio equipment fitted to the hackney carriage vehicle is at all times kept in a safe and sound condition and maintained in proper working order.

12. Convictions
12.1 The Proprietor shall notify the Council in writing of any conviction, caution, fixed penalty or any other formal action taken by a regulatory body against him/her immediately after the caution, fixed penalty, other formal action taken by a regulatory body or the conviction and sentence imposed and shall provide such further information about the conviction, caution, fixed penalty or any other formal action taken by a regulatory body as the Council may require.

13. Notification of Transfer
13.1 The Proprietor shall notify the Council in writing within 14 days of any transfer of the interest in the vehicle.

14. Notification of Change of Address
14.1 The Proprietor shall give notice to the council in writing of any change in address during the period of the licence within 7 clear days of such a change taking place.

15. Passengers
15.1 The driver and Proprietor shall not permit the Hackney Carriage Vehicle to be used to carry a greater number of passengers than the number prescribed in the licence.
15.2 The driver and Proprietor shall not allow any child 17 years of age or under to be conveyed in the front of the vehicle unless accompanied by the child’s own parent/guardian/responsible adult who must be aged 18 years or over and who is also sat beside the child at the front of the vehicle during the entire length of a journey (except in the case of vehicles not properly constructed for the carriage of front seat passengers when no person shall be conveyed in the front).

16. Over 100 Series

Schedule of additional conditions to be read in conjunction with the existing conditions attached to the grant of a Hackney Carriage vehicle licence. These additional conditions apply only to those Hackney Carriage vehicle licences which the Council has decided to grant under the terms of the Transport Act 1985.

16.1 This Licence is granted solely in respect of a purpose-built Hackney Carriage vehicle which is converted so as to safely transport a disabled person confined to a wheelchair, and has been approved by the Council.
16.2 The identification plates, issued by the Council for the purpose of identifying the vehicle as a Hackney Carriage, shall at all times remain the property of the council, and must be surrendered to an authorised Officer of the Council, either:

1. Upon expiry of the licence, or
2. Suspension or revocation of the licence, or
3. For any other reasonable cause.

16.3 The identification plates shall not be transferred to any other vehicle unless:

(1) Such vehicle is a purpose-built Hackney Carriage vehicle, which is converted so as to safely transport a disabled person confined to a wheelchair, and approved by the Council.

(2) The licence holder has notified the Council, in writing, of the intention to undertake a change of vehicle.

There is an age restriction applied to these vehicles, that is, upon grant of new licence the vehicle age has to be less than 5 years old. Any subsequent change of vehicle will only be approved if the age of the proposed new vehicle does not exceed the age of the previously licensed approved vehicle at that material time.

NOTE: FAILURE TO FULLY COMPLY WITH THESE CONDITIONS MAY RESULT IN ENFORCEMENT ACTION AND / OR LEGAL ACTION BEING INSTITUTED AGAINST THE RELEVANT PERSON(S)