

## STAFFORD BOROUGH COUNCIL

### CONDITIONS ATTACHED TO

### HACKNEY CARRIAGE VEHICLE LICENCE

- 1 The Hackney Carriage shall be either a London type cab or a saloon and except for the Council's licence plate the only distinguishing marks permitted are:
  - (a) an illuminated roof sign of maximum height of 16.5 cm and maximum width of 43.2 cm shaped similar to the standard sign incorporated in the roof of the London type cab, bearing the word "TAXI" in black lettering to a maximum of 12.7 cm in height on the plain background (no other fixture or fitting being permitted on the roof); except that a roof-rack for luggage may be fitted at the proprietor's discretion. "TAXI" signs of the pattern approved by the Council, which span the width of the vehicle roof, may be used. The "TAXI" sign must remain on the vehicle at all times that the vehicle is licensed and must not be removed under any circumstances.
  - (b) the taxi meter flag or other device bearing the words "FOR HIRE" in lettering as required by the Hackney Carriage Byelaws.
  - (c) advertisements may be displayed only on the front doors of the vehicle SUBJECT TO THE FOLLOWING CONDITIONS:-
    - (i) advertisements may be in respect of the proprietor's own business or other person's businesses;
    - (ii) advertisements shall consist of a single panel, not exceeding 30" x 20" on each front door;
    - (iii) advertisements must be submitted to the Council for approval before being displayed;
    - (iv) advertisements shall not contain matter which (a) would offend public decency (b) relates to religious or political topics.
- 2 Without prejudice to the provisions of Section 25 of the Road Traffic Act 1972, the proprietor of the hackney carriage shall report to the Council's Proper Licensing Officer as soon as reasonably practicable, and in any case within seventy-two hours of the occurrence thereof, any accident to such hackney carriage causing damage materially affecting the safety, performance or appearance of the hackney carriage or the comfort or convenience of persons carried therein.
- 3 Before using the vehicle as a hackney carriage such insurances or securities as are required under Part VI of the Road Traffic Act 1988, must be obtained in respect of the vehicle and the certificate or cover note relating to the policy of insurance or security must be produced to the Council's Proper Licensing Officer.

Evidence of each renewal of insurance by way of certificate or cover note must be produced to the Council's Proper Licensing Officer before the new certificate or cover note comes into effect.

Failure to comply with this requirement will result in five penalty points being endorsed on the vehicle licence. If a reminder letter is sent a charge at the current rate of fees and charges will be made for the administrative costs incurred.

- 4 The hackney carriage shall not be used in the Borough of Stafford under a contract or purported contract for private hire except at a rate of fares or charges not greater than that fixed by the table in force, and, when the vehicle is so used, the fare or charge shall be calculated from the point in the Borough of Stafford at which the hirer commences his journey.
- 5 If the proprietor of the hackney carriage transfers his interest in the licensed vehicle to a person other than the proprietor whose name is specified in the licence, within fourteen days after such transfer, notice in writing thereof shall be given to the Council's Proper Licensing Officer specifying the name and address of the person to whom the vehicle has been transferred, and that person shall supply the Council's Proper Licensing Officer with the information required by the Hackney Carriage Licence Application Form.
- 6 The proprietor of the hackney carriage shall present the vehicle and any taxi meter affixed thereto for inspection and testing by or on behalf of the Council within such period and at such place within the area of the council as they may by notice from the Proper Licensing Officer reasonably require, on up to three separate occasions during any period of twelve months, without prejudice to the Council's right to carry out spot checks from time to time. The taxi meter must be programmed so as to record correctly only the normal tariff.
- 7 The proprietor of the hackney carriage shall within such period as the Council may by notice from their Proper Licensing Officer reasonably require, state in writing the address of every place where such vehicle is kept when not in use, and shall if the Council so require, afford to them such facilities as may be reasonably necessary to enable them to cause such vehicle to be inspected and tested there.
- 8 There shall be affixed prominently to the rear bumper or rear boot panel of the hackney carriage the plate issued by the Council bearing the licence number and the number of passengers which the vehicle is licensed to carry. These plates shall remain the property of the Council and shall be returned to the Council on the sale or transfer of licensed vehicles (or in the event of the revocation, expiry or suspension of the licence).
- 9 Upon request the proprietor shall issue to hirers receipts in respect of fares charged for hiring, and a card shall be prominently displayed in the hackney carriage advising hirers of this facility.

- 10 When an increase or alteration to the rate of fare which may be charged has been approved, the taxi meter shall be recalibrated to show the new fare.
- 11 Vehicle must have engines rated as not less than 1300 cc.
- 12 In calculating the seating capacity of a vehicle, a seat length of 16 inches per passenger, measured at the front of the seat, will be taken.
- 13 A spare wheel and tyre, in good condition, properly inflated and suitable for the vehicle, or a suitable tyre repair kit, together with sufficient tools, shall be provided in or on the vehicle.
- 14 Have seat belts fitted and available for rear seat passengers.
  - (a) The requirement for normal saloons/hatchbacks/estate cars will be for 2 lap and diagonal belts and one lap belt.
  - (b) Vehicles with more than 3 seats in the rear, eg Peugeot 7 seaters, minibuses, shall have a seat belt fitted for use with each seat. Belts are to be of lap and diagonal or lap type as appropriate depending on the location of the seat.
  - (c) All vehicles shall carry at least one purpose designed booster cushion for use as necessary.
- 15 Hackney Carriages shall be kept clean externally and internally.
- 16 The licensee shall produce this licence upon request to any officer authorised by the Council's Proper Licensing Officer or any constable for inspection.
- 17 This licence may be revoked, suspended or not renewed in accordance with statutory provisions.
- 18 The Council may vary any or all of the conditions herein contained at any time after consultation with the trade.
- 19 The Licensee shall not transfer a licence plate from one vehicle to another without the prior consent of the Council.
- 20 The Licensee must notify the Council of any changes:-
  - (i) in the particulars disclosed on the application;
  - (ii) in respect of a vehicle registration document.
- 21 The Licensee must notify the Council of all details of convictions as soon as reasonably practicable and in any case within seven days of the conviction.

- 22 The Licensee must present a vehicle for testing or inspection as required by the relevant legislation (ie Section 68 Notices). He must attend any appointment made by Officers of the Council, unless he has a reasonable excuse for being unable to do so.
- 23 Penalty points will be issued for any breach of legislation, regulation or condition and for any endorsement or disqualification of a DVLA driving licence in accordance with the Council Penalty Point Scheme. (This penalty point scheme does not preclude the right of the local Authority to take other legal action in appropriate circumstances.

**Note:** The attention of the licence holder is drawn to the Hackney Carriage Byelaws, a copy of which can be obtained from the Licensing Officer, Environmental and Health Services, Civic Centre, Riverside, Stafford, ST16 3AQ.

A Licensee who is aggrieved by any of these conditions has a right of appeal to a Magistrates' Court.

### **Offences and Penalties**

The contravention of certain of these conditions may also constitute the commission of an offence under the various provisions of the Local Government (Miscellaneous Provisions) Act 1976 and The Town Police Clauses Act 1847 for which specific penalties are provided. In the case of the Local Government (Miscellaneous Provisions) Act 1976 there is a general penalty, applicable where specific penalties are not provided, with a fine not exceeding level 3 on the standard scale. In addition, it is also an offence to obstruct an authorised officer or Police Constable in his duty.