



## PRIVATE HIRE VEHICLE LICENCE

### CONDITIONS OF LICENCE

The Proprietor must ensure that any driver of his private hire vehicle is provided with a copy of these conditions.

#### 1. MAINTENANCE OF VEHICLE AND SAFETY EQUIPMENT

**The proprietor of a vehicle shall:**

- (a) ensure that the vehicle is at all times only driven by a person who holds a current Private Hire Vehicle Driver's Licence issued by Ipswich Borough Council;
- (b) provide a dry powder fire extinguisher, as specified by the Council, so as to be readily available at all times. This shall have a label provided by the Council affixed to it bearing the registration mark of the vehicle and the date when last inspected;
- (c) ensure that the vehicle and all its fittings and equipment are at all times kept in a fit, serviceable, efficient, safe and clean condition and all relevant statutory requirements (including those contained in the Road Vehicles (Construction & Use) Regulations 1986 are fully complied with. Should the vehicle fail to comply with any legal requirement when being used on a road then the vehicle should be removed from service until the reason for non-compliance is rectified. **The driver is required to inform the Proprietor of any such defects and the action taken in relation to this matter in writing, within 72 hours);**
- (d) ensure that no material alteration or change in the specification, design, condition, structure or appearance of the vehicle is made without prior consultation and approval of the Council. Any such work will only then be permitted by a person or organisation approved by the Council to carry out such conversion work;
- (e) not permit to be conveyed in the vehicle more than the number of persons for which the vehicle is licensed, regardless of the age or size of the passengers. The vehicle must be fitted with seat belts for each passengers and must be able to comply with the requirements of the Motor Vehicles (Wearing of Seatbelts) Regulations 2006, or as may be amended;
- (f) ensure that where a Sat Nav, mobile phone, DVD player or TV system device(s) is fitted or used within a vehicle, the fitment and use of that device:
  - (i) complies with relevant mainstream legislation;
  - (ii) is not used in such a manner as to cause annoyance or nuisance to passengers or others in the immediate vicinity;
  - (iii) must not be used to calculate fares.
- (g) not permit any form of CCTV camera to be in the vehicle without:
  - (i) the prior written approval of the Council; and
  - (ii) the display of a Council approved sign, in a position clearly visible to passengers, warning customers that camera surveillance equipment may be in operation. 'Dummy' cameras may not be used; and
  - (iii) ensuring the person responsible for the download and storage of CCTV footage is correctly registered with the Information Commissioners Office (ICO) as a data controller.
- (h) not permit radio scanners in the vehicle whether fitted or otherwise. No other radio equipment or receiving device is permitted in the vehicle, whether fitted or otherwise, which enables messages broadcast by Operators to be received, other than the Operator to which that vehicle is currently attached.
- (i) ensure that no smoking takes place in the vehicle, this includes E-Cigarettes and vaping.

#### 2. IDENTIFICATION PLATES

**The proprietor of a vehicle shall ensure that:**

- (a) the external vehicle identification plate issued by the Council shall be securely fixed to the rear of the vehicle in a conspicuous position on the outside of the vehicle where it can be clearly seen from the rear of the vehicle and all wording and lettering contained thereon read. It should also be able to be easily removed by an authorised officer of the Council or a Police Constable. The exterior vehicle plate will be fixed to the vehicle by use of the appropriate plate holder provided by the Council, of if this is not practical then it must be fitted immediately adjacent to the rear registration plate. If a plate holder is not used the plate may not be fitted on or below the rear bumper;

- (b) the internal vehicle identification plate issued by the Council shall be fixed to the front nearside of the vehicle windscreen in such a position that the information printed on it may be easily read from both inside and outside the vehicle;
- (c) the loss or damage of either the licence or vehicle plates is reported to the Council as soon as he is aware and in the event of ceasing to use the vehicle for Private Hire purposes shall return them to the Council within seven days.

### 3. SIGNS, NOTICES, ETC

#### 3.1 **No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle, with the exception of the following:**

- (a) any signs as may be required by statutory provision (including byelaws) or required or permitted by these conditions;
- (b) any indication on a 'taximeter' fitted to the vehicle in accordance with Condition 5;
- (c) it is permissible to display the name or logo of the Operator of the vehicle which must not be changed in anyway without approval from the Council. The Operator's sign must contain no words or numbers other than his name, address and telephone number or the name under which he carries on his business, its telephone number and its address (which may include his email or website address) and if so desired the words 'Ipswich Licensed Hire Car' or 'Licensed Hire Car', and shall not be displayed except on the nearside and offside door panels and/or front and rear windscreens of the vehicle with no more than one sign in each location;
- (d) a sign which shows the name of a passenger(s) to be carried in the vehicle;
- (e) any signs or notices which the Council may require or has approved;
- (f) where payment of fares is offered by credit card facilities, then a notice to this effect may be displayed inside the vehicle. There shall be a maximum of two such notices permitted and they must be positioned so as only to be read by passengers inside the vehicle;
- (g) a sign which requests passengers not to smoke, eat or drink, whilst in the vehicle;
- (h) small business/receipt cards which are **provided by the Operator**;
- (i) commercial advertising is permitted on wheelchair accessible vehicles on any part of the exterior of the vehicle and on the interior rear door panels and underside of tip-up seats provided that the prior approval of the Council has been obtained before the advertising has been placed, and that:
  - (i) all advertisements on the vehicle comply with the British Code of Advertising Practice and shall be in a form acceptable to the Advertising Standards Authority or successor body;
  - (ii) the advertising does not in any way obstruct the visibility of the driver;
  - (iii) any advertisements carried on a vehicle shall be maintained so that they are clearly visible and have not been disfigured;
  - (iv) no advertisement shall relate to or advertise alcohol, smoking materials or be of a political or religious nature;
  - (v) no advertisement shall contain the words "Taxi", "Taxicab" or "For Hire", or any other word or combination of letters which when pronounced would sound similar to those words or suggest to an ordinary person that the vehicle is available for immediate hire;
  - (vi) no vehicle shall display external advertising from more than one advertiser;
  - (vii) if a vehicle is displaying commercial advertisements, the Private Hire Operator logo signs should be in the front of and rear windscreens of the vehicle, positioned so as not to obstruct the visibility of the driver.

3.2 The Council reserves the right to require the licence holder to withdraw from display any advertisement which does not comply with the above conditions.

3.3 Apart from the "taximeter" any sign or lettering displayed shall be non-illuminated.

### 4. INSURANCE/MOT TEST CERTIFICATE

4.1 The vehicle must not be used to carry passengers for private hire work unless there is in force for the vehicle:

- (a) a current MOT Test Certificate;
- (b) a policy of Insurance covering the use of the vehicle for private hire work, including the person driving the vehicle;

4.2 These documents shall be produced to an authorised officer of the Council or a Police Officer at such time and place as may be required.

4.3 The proprietor shall deposit a valid and current copy of the MOT Test Certificate and Certificate of Insurance or cover note with the Operator before the vehicle is used to accept bookings provided by the Operator;

4.4 Should the required insurance cover for the private hire vehicle be cancelled, suspended or lapse, or the MOT test certificate expires then the vehicle must be immediately removed from the public highway. The proprietor must immediately notify the Council and surrender the vehicle licences and identification plates to an authorised officer of the Council.

## 5. TAXIMETER

- 5.1 A Private Hire Vehicle may only be equipped with a 'taximeter' of a type approved by the Council and which complies with the 'Taximeter Schedule'.
- 5.2 If the vehicle is fitted with a 'taximeter' it must have been checked and sealed for use within that vehicle, by an authorised officer of the Council. **If the 'taximeter' is not in working condition of it the Council's seal is not intact then the 'taximeter' must be removed from the vehicle, or the vehicle removed from service. The proprietor shall notify the Council immediately, if for any reason the seal is broken.**

## 6. DEPOSIT OF LICENCES

- 6.1 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 the second copy of his Private Hire Driver's licence for retention until such time as the driver ceases to be permitted or employed to drive any vehicle belonging to him.
- 6.2 As soon as the proprietor receives the Private Hire Vehicle licence then he shall deposit the top copy of that licence with the Operator from whom bookings are accepted.

## 7. TAXIMETER

**The proprietor of every vehicle licensed to carry passengers seated in wheelchairs shall ensure:**

- (a) that any additional equipment such as clamps, ramps and belts, required to cater for wheelchair passengers are carried at all times and are in a fit and serviceable condition;
- (b) that the vehicle is not driven until both the wheelchair and its occupant have been properly and securely fastened within the vehicle by means of appropriate restraining devices.

## 8. CHANGE OF CONTACT DETAILS

- 8.1 The holder of this licence shall notify the Council in writing within 7 days of any change of their name, address, phone number and/or email address during the period of licence.
- 8.2 The phone number and email address provided by the licence holder will be the primary method of contact. Any blocking of text messages or emails will be a breach of these conditions of licence.
- 8.3 If a driver updates their name or address and has not received a replacement Licence showing the new details within 21 days, they must inform the Licensing Office in writing (by letter or email) immediately. Post Office Box addresses or forwarding addresses are not acceptable.

## 9. CONVICTIONS

- 9.1 The driver or proprietor of a Private Hire Vehicle shall, within 48 hours, disclose to the Council in writing details of **any conviction**, criminal or motoring (including police cautions or fixed penalty notices) imposed on them during the period of the licence. If no acknowledgement is received within 14 days they must inform the Licensing Office by telephone immediately.
- 9.2 The driver or proprietor of a Private Hire Vehicle shall, within 48 hours, notify the Council of any arrest or of being charged for an offence, incurred during the life of their licence. Details shall be provided in writing to Licensing.
- 9.3 The driver or proprietor of a Private Hire Vehicle shall be subscribed to the DBS Update Service and have Licensing nominated as an authority to view their DBS certificate status during the life of this licence. Should the licence holder's DBS certificate status change, the driver is required to apply for a new DBS certificate within 48 hours.
- 9.4 The driver and proprietor of a Private Hire Vehicle are required to provide any DBS certificates issued during the life of their licence to Licensing within 7 days of the certificate date.

## 10. VEHICLE DAMAGE

- 10.1 **The proprietor of the vehicle must notify the Council in writing (letter or email) as soon as possible or in any event within 72 hours if the vehicle is involved in an accident or incident causing damage affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons carried therein. The notification must give details of the extent of the damage and details of how it occurred. If requested the vehicle must be presented for inspection by an authorised officer of the Council.**
- 10.2 **The proprietor must arrange for all accident damage to be repaired with the minimum of delay.** If not completed within six weeks of its occurrence a written explanation must be provided to the Council via letter or email.
- 10.3 The proprietor must inform the Council in writing forthwith **upon satisfactory completion of repairs.**

## 11. TYPES OF VEHICLES

- 11.1 The vehicle must be of a type approved by the Council, that is to say a saloon type vehicle with a boot adequate for the carriage of a reasonable quantity of luggage (which must be kept clear for that purpose), an estate or hatchback type vehicle or one of the personnel carrier design. It must have a minimum of four and a maximum of eight passenger seats.

- 11.2** If the vehicle is a saloon, hatchback or estate it must conform to the Council's 'General Specifications' (copies of which are available from the Licensing team). An estate type vehicle must be fitted with a grille behind the rear seat of other means approved by the Council to prevent luggage entering the passenger area.
- 11.3** The suitability of vehicles of the personnel carrier type will be judged individually by an authorised officer of the Council. If luggage is to be carried in the rear of the vehicle then the above requirement in 11.2 for estate type vehicles shall apply.
- 11.4** The proprietor shall not cause or permit the vehicle to stand on a road in such a manner, so as to suggest or lead any person to believe that the vehicle is a Hackney Carriage and shall in no circumstances cause or permit the vehicle to wait or stop on a Hackney Carriage stand.
- 11.5** The proprietor shall not cause or permit anything to be done to the vehicle which will change or alter its design or appearance, so as to suggest or lead any person to believe that the vehicle is a Hackney Carriage.

## **12. VEHICLE TESTING**

- 12.1** All vehicles will be subject to a mechanical examination, by examiners appointed by the Council, when required and must meet the standard as laid down with regard to roadworthiness and appearance, this applies to rust, dents, standards of repair, stains, tears, cigarette burns, cuts, paintwork etc.
- 12.2** No vehicle which has damage, will be mechanically examined, unless all relevant sections of Condition 10 have been complied with and prior approval for the examination has been obtained from an authorised officer of the Council.

## **13. PURCHASE/SALE OF VEHICLE**

- 13.1** The purchase of a licensed Private Hire Vehicle must be notified to the Council on the form(s) provided for that purpose within 14 days of such change of ownership occurring. If a replacement licence with the new owner's name and address is not received from the Council within 21 days then he must inform the Licensing Office immediately by telephone or email.
- 13.2** The sale or change of ownership of a licensed Private Hire Vehicle must be notified to the Council on the form provided for that purpose within 14 days of such change, if no acknowledgement is received from the Council then they must inform the Licensing Office by telephone or email immediately. If sold out of trade the licence and plates must be returned at the time of notifying this sale or change.

## **14. GENERAL CONDITIONS**

- 14.1** Any licence obtained by any form of payment which is subsequently dishonoured, will render the licence invalid. The licence and any badges or plates associated with that licence must be returned to the Council until an alternative form of acceptable payment is made.
- 14.2** All licences, badges and vehicle plates remain the property of the Council.
- 14.3** The proprietor of the vehicle shall ensure that during the period of this licence the vehicle is not licensed as a Hackney Carriage or Private Hire Vehicle with another Authority.

## **15. PENALTIES**

If any of these conditions are NOT complied with then the Council may under Section 60 of the Local Government (Miscellaneous Provisions) Act 1976 suspend or revoke a Private Hire Vehicle Licence if any of the above conditions are not complied with.

## **21. APPEALS**

Any person aggrieved by any condition which is attached to this licence may appeal to a Magistrates Court within 21 days of receipt of the licence.