

LICENSING A NEW PRIVATE HIRE VEHICLE IN TEST VALLEY

APPLICATION FORM AND GUIDANCE



What is Private Hire?

Private hire is the provision of a vehicle and driver to undertake a journey carrying passengers from one location to another for a fee. The journey may only be undertaken if booked in advance with a licensed private hire operator.

Three licences are required to undertake a private hire journey:

1. **Private Hire Operator Licence** Authorises a company or an individual to receive bookings and dispatch licensed vehicles and drivers to undertake bookings.
2. **Dual Hackney Carriage/Private Hire Driver Licence** Authorises a driver to drive licensed vehicles to carry the passengers.
3. **Private Hire Vehicle Licence** Authorises a specific vehicle to be used for carrying the passengers.

This guidance document outlines the procedure that must be followed to apply for a new **private hire vehicle licence**. Separate guidance documents are available for **dual driver** and **operator licence** applications. All three licences must be in place and issued by the same authority for a legitimate private hire booking to be accepted.

How long will my application take?

Once your vehicle has been inspected at the Council's vehicle workshop, we aim to issue a licence and plate after 48 working hours. This assumes that all relevant documentation has been submitted and all other requirements met; if not then the process may take longer than this. You are reminded that it is an offence to make provision for the invitation or acceptance of bookings for a private hire vehicle until you are in possession of a current private hire vehicle licence issued by Test Valley Borough Council.

What do I need to consider before I apply for a new Private Hire Vehicle licence?

Any vehicle that seats eight passengers or less and is available for hire with a driver requires a licence. Licensed private hire vehicles may only be driven by persons holding a private hire driver's licence issued by the same council who issue the vehicle licence. This means other family members who do not hold a private hire driver's licence may not lawfully drive the licensed vehicle.

Private hire vehicles and drivers may only be dispatched by a licensed private hire operator. No private hire driver or vehicle may work without taking bookings directly from a licensed operator. They are not permitted by law to take bookings directly from a passenger.

In view of the vast numbers of makes and models of vehicles available, it is preferred not to produce a definitive list of vehicle makes and models that could be approved. The council requires all vehicles that are to be used for private hire meet a specification in respect of its age, condition and size. Before you make an application you should consider the following matters:

Applicants must complete and apply on the form provided and pay the current licence fee.	Use the online form
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Applicants for vehicle licences must produce a current certificate of insurance or cover note to include private hire use (hire and reward).	
The vehicle must undergo a compliance inspection undertaken at the Council's vehicle workshop at the West Portway Depot, Andover. It is the applicant's responsibility to arrange the inspection. A separate fee is charged for the inspection.	See notes below
Applicants must produce the DVLA V5 registration document stating that they are the registered keeper of the vehicle. If you do not have the vehicle registration document you will be required to provide other proof of ownership (e.g. sales invoice or receipt) and supply the vehicle registration document within one month.	
Before submitting a new vehicle licence application all applicants must ensure the proposed vehicle meets the criteria outlined within the vehicle specification contained in the Council's licence conditions. In addition, once licensed the vehicle must comply with the specific licence conditions for private hire vehicles.	Attached
If the vehicle is more than three years old, taken from the date of first registration, it will require a current MOT test certificate.	
All vehicles must be less than six years old and no more than 12 years old, taken from the date of first registration, when first licensed. NB see below	
Certain vehicles namely those of a prestige or vintage nature and those used solely for specific corporate/executive contract work may be licensed if they do not comply with the above vehicle age requirements. In addition, such vehicles may also apply to be exempt from displaying the vehicle identification plate. We recommend applicants contact the Licensing Team for further advice prior to making an application to license such a licence.	
Applicants are encouraged to have read the Council's Hackney Carriage and Private Hire Licensing Guidelines (Policy) on the Council's web site https://www.testvalley.gov.uk/taxi-licensing/vehicle-licensing-advice-for-applicants	See TVBC web site

Is the vehicle you intend to purchase suitable to be licensed?

The first stage of the application process requires the applicant to read the vehicle specification. Applicants must be satisfied that the vehicle meets that specification and the exemption policy (where applicable) before committing to purchasing a vehicle. If the proposed vehicle does not meet all the required criteria, it will not be licensed.

If you have any queries about the suitability of a vehicle or the number of passengers the vehicle will be licensed for after reading the specification please speak to a member of the Licensing Team on 01264 368000 or email licensing@testvalley.gov.uk

Where necessary the Licensing Team will arrange for an inspection of the vehicle at either the Council's vehicle workshop or the Andover offices.

What do I need when I submit my application?

Your application MUST be complete (see above). You should apply online using the form available on the Council's website here <https://testvalley.gov.uk/taxi-licensing/vehicle-licensing-advice-for-applicants> Using the online form will allow you to submit any supporting documents such as the MOT certificate and insurance and also pay the licence and inspection fees using a debit card. Once the online application has been received, you will be sent details of how to book the vehicle compliance test. This will take place at the West Portway Depot, 37 Macadam Way, Andover SP10 3XW.

Please note that if you book a vehicle inspection without having first submitted the licence application and/or having paid the necessary fees, the Council reserves the right to cancel your inspection booking until such time as an application has been received and/or the licence and inspection fees paid.

What happens next?

Assuming the application is complete, once the vehicle has passed the necessary compliance inspection the licensing team will consider the application and decide whether to grant or refuse your private hire vehicle licence within the given timescale.

Where a decision is made to **grant** the private hire vehicle licence, the applicant will be notified when their licence is ready for collection from the council's Andover offices. Alternatively, the plate and licence can be posted to the applicant although for security reasons this is not recommended. All private hire vehicle licences are issued subject to compliance with the standard private hire vehicle licence conditions which will be provided on issue of your vehicle licence.

Where a decision is made to **refuse** the private hire vehicle licence the applicant will be notified in writing and provided the opportunity to appeal the decision to the Magistrates Court within 21 days.

What do I need to do once my licence is issued?

All private hire vehicles (except those issued with an exemption notice) must display the vehicle identification plate on the external rear of the vehicle. You must ensure the vehicle complies with the licence conditions attached to the licence. A copy of the standard conditions is included within this pack.

How do I renew my vehicle licence?

Vehicle licences are due for renewal either no more than 12 months after issue for vehicles less than six years old or after 6 months if more than six years old. A renewal reminder is sent by the Licensing Team 4 to 8 weeks before the licence is due for renewal, however it is the responsibility of the licence holder to ensure their vehicle licence is valid.

Renewal applications must be submitted at least 10 working days before the current licence expires. Failure to do so could mean the licence is not renewed before your current licence expires, and therefore you will be unable to work.

Apply online

You can apply for both new and renewal vehicle licences online. Simply scan the QR code below which will take you to the online application process. The online system will allow you to upload relevant documents and pay for both the vehicle licence and inspection fees. Please note that if you have not already done so you will need to create a customer account before using the system.



Applicants

5.21 Private Hire Vehicle (proprietor) licences can be held by individuals, limited liability partnerships (LLP), conventional partnerships (two or more people in business together) or limited companies. Usually the vehicle must be registered to one of those, but there will be occasions where the vehicle is leased or hired. In all cases the applicant(s) must demonstrate that they have ownership of the vehicle, a financial interest in the vehicle or permission to use the vehicle on an extended basis (in the case of a lease or hire). A V5 registration document is not proof of ownership and other documentation will be required. This can include, but is not limited to

- a. Receipt for the purchase of the vehicle
- b. Lease/hire contract
- c. Partnership agreement between 2 or more individuals.

Character of the applicant

5.22 The licensee of a private hire vehicle can exert control over those who drive that vehicle, and as a consequence it is essential that they satisfy the Council that they are a suitable person to hold a Private Hire Vehicle (proprietor) licence.

5.23 All applicants (new and on renewal) will be required to provide a Basic Disclosure and Barring Service check at their own expense, as part of the application process (unless they are already licensed by the Council as a driver or operator). The same will be required of all partners in a limited liability or conventional partnership and all directors and secretary of a limited company when the application is made, or the licence is held, by a limited liability or conventional partnership or limited company.

5.24 The application will then be considered in the light of the Council's Convictions Policy.

5.25 In addition, the Council will take into account the compliance and maintenance history of previous and existing vehicles licensed by the applicant. The Council does not regard licensees whose vehicles fail regular tests as being a safe and suitable person to have responsibility for private hire vehicles. All vehicles must be maintained to a satisfactory standard at all times and should pass any test at any point.

Convictions

5.26 If you or anybody else with an interest in the vehicle or who is named on the licence is arrested in connection with, charged with or convicted of any criminal offence, that must be reported to the Council within 72 hours (including weekends and bank holidays). The same requirement applies in relation to any fixed penalty notices, speed awareness courses, Community Protection Notices, civil injunctions or Criminal Behaviour Orders that you receive or have to attend.

Vehicles

5.27 It is the applicant's responsibility to ensure that any vehicle presented for licensing as a private hire vehicle meets the Council's criteria which are detailed below. As the Council will not be liable for any loss as a result of a vehicle not being licensed, it is vital that applicants ensure that any vehicle that they are considering purchasing meets these criteria.

Licensed Vehicle Type, Age and Emissions

- 5.28 Any vehicle submitted to be licensed as a private hire vehicle must be of Category M1 (as shown on the registration document) unless the following applies:
Category M2 or N1 vehicles (as shown on the registration document) will be acceptable provided the vehicle has passed a DVSA Individual Vehicle Approval (IVA) test and there is evidence to show that no modification has been made to that vehicle since the date of that test.
- 5.29 Vehicles are constantly being improved by manufacturers, and improved standards are imposed by the Government. Newer vehicles are safer, less environmentally damaging and less likely to break down. Vehicles deteriorate due to a combination of age and use.
- 5.30 In order to reduce emissions it is important to set standards that are common to all within the private hire vehicle fleet, to ensure consistency and a level playing field for proprietors. The age of vehicles and the exhaust emissions are critical to the level of pollutants emitted. Consequently, to improve air quality and reduce emissions from the private hire vehicle fleet, the following standards will apply
- 5.31 From 1st January 2025 new licences will not be granted in respect of vehicles that were first registered (or, in the case of imported vehicles, manufactured) more than 6 years prior to the date that the application was made. All such vehicles will therefore meet or exceed Euro 6 emission standards.
- 5.32 From 1st January 2025 licences will not be renewed in respect of any licensed vehicle that was first registered (or, in the case of imported vehicles, manufactured) more than 12 years prior to the date of renewal. This applies to the renewal of licences only. All such vehicles will therefore meet Euro 5 standards.
- 5.33 A vehicle that does not comply with these emissions requirements may be considered for licensing if it is in 'exceptional condition'. The criteria for 'exceptional condition' are set out below.

Exceptional Condition Criteria

- 5.34 A vehicle will be considered to be in 'exceptional condition' if **all** of the following apply:
- a. The mileage for the vehicle is no higher than the average mileage that could be expected for a similar vehicle if that vehicle was used solely for social, domestic and pleasure purposes.
 - b. The vehicle passes the Council's vehicle inspection.
 - c. The bodywork is in near perfect condition with no signs of panel age deterioration, dents, scratches, stone chips, or rust or any other abrasions that may detract from the overall appearance of the vehicle.
 - d. The general paint condition should show no signs of fading, discolouration or mismatching that may detract from the overall appearance of the vehicle.
 - e. The interior trim, panels, seating and carpets and upholstery are in excellent condition, clean and free from damage and discolouration.
 - f. The boot or luggage compartment is in good condition, clean and undamaged.
 - g. Passenger areas are free from damp or any other odours that may cause passenger discomfort.

- h. The vehicle is in excellent mechanical condition and in all respects safe and roadworthy, with no signs of corrosion to the mechanical parts, chassis, underside or bodywork.
- i. The vehicle must have a service record to show that it has been properly serviced and maintained in accordance with the manufacturer's service specification.

Low Emission Vehicles

- 5.35 The Council aims to encourage the uptake of low emission vehicles in the Borough, and will examine the feasibility of introducing differential licensing fees for electric, hybrid and ultra-low emission vehicles.
- 5.36 It is hoped that more Electric Vehicle charging points for use by the public will be available at various locations within Test Valley Borough over the coming years.

Vehicle specification

- 5.37 There are 3 different types of vehicles that can be licensed as private hire vehicles: those which are Wheelchair Accessible Vehicles (WAV), those which are not and stretched limousines.
- 5.38 The Council maintains a list of all WAV (both private hire vehicles and hackney carriages). Drivers of those vehicles must then provide mobility assistance to wheelchair-bound passengers, and drivers of any type of vehicle must provide mobility assistance to any disabled passenger (please see the dual drivers licence documentation for details).
- 5.39 The following specifications detail the minimum requirements for each type of vehicle, together with the requirements for all private hire vehicles.

Non-Wheelchair accessible vehicles

- 5.40 If the vehicle is to be licensed as a non-WAV (saloons, estate cars, people carriers (MPV), sports utility vehicles (SUV) and any other vehicle that cannot carry a passenger whilst they remain in their wheelchair excluding stretched limousines) it must be approved by the Council and comply with the following specification:
- a. Be a right-hand drive vehicle.
 - b. Have at least four doors that can be opened from both inside and outside the vehicle. Each door (except the driver's door) must be capable of being opened by passengers.
 - c. Have a minimum seating capacity for one adult passenger, and vehicles that seat more passengers must provide at least four adult passengers based on a width of not less than 400 mm per person across the rear seat.
 - d. Must be so constructed as to provide adequate space within its structure for the safe carriage of each passenger's luggage or any equipment. If that is not possible or practical, then e. below will apply
 - e. Roof racks will be permitted. Any luggage carried on the roof rack must be protected from the elements by a waterproof cover and properly secured. A properly fitted roof box is an acceptable alternative.
 - f. Passengers must be able to communicate with the driver via a sliding screen, mesh or hole in any division between the drivers and passenger compartments.
 - g. Any vehicle which is a convertible must meet all other requirements and have a waterproof roof and side windows which must be raised at the request of any passenger.

Additional requirements for minibus and MPV type vehicles

5.41 In order to be licensed as a private hire vehicle, any Minibus/MPV-type vehicles must be fitted, in addition to the front driver and passenger doors, with at least:

- a. one other side loading door plus a rear door/doors or tailgate that can be opened from inside the vehicle; or
- b. two side loading doors that can be opened from the inside.

Wheelchair Accessible Vehicles (WAV)

5.42 The vehicle must be capable of carrying a wheelchair bound passenger which meets the following specification. It cannot look like a hackney carriage.

5.43 Any vehicle, before it can be considered to be licensed as a Wheelchair Accessible Vehicle, must have either UK/EU Whole Vehicle Type Approval, or UK/EU Small Series Type Approval or an Individual Vehicle Type Approval, including an inspection certificate issued by the Driver and Vehicle Standards Agency (DVSA) as **a minimum standard**:

- a. The interior of the vehicle must be able to accommodate a wheelchair and its user riding seated within the wheelchair itself.
- b. The passenger compartment must have a minimum unobstructed available width of 0.74 metres (including at the point of entry).
- c. The passenger compartment must have a minimum unobstructed available length of 1.2 metres for a wheelchair and user.
- d. The passenger compartment must have a minimum unobstructed available height for a wheelchair and user of 1.3 metres at the point of entry and 1.4 metres when in the travelling position.
- e. The passenger compartment must be fitted with suitable wheelchair anchorages, either chassis or floor linked.
- f. The passenger compartment must be fitted with a suitable 3-point belt or harness, either chassis or floor linked, for a wheelchair and its user. The belt/harness must be independent of the wheelchair anchorages.
- g. The vehicle must have suitable ramps for a wheelchair user. The vehicle must have a secure and safe place for the ramps to be stored when they are not being used. Alternatively, the vehicle may be fitted with a tail lift or some other mechanical means of access, approved by the Council.
- h. Where the vehicle is a rear loading wheelchair accessible vehicle a suitable ramp will be carried in the vehicle to be used at the commencement and end of a journey to ensure that the passenger is delivered safely onto the pavement.
- i. At least one door entrance must be designed and constructed to help elderly and disabled passengers get in and out of the vehicle. The door entrance and any steps must be conspicuously marked where appropriate, to help visually impaired passengers.
- j. All passenger door entrances must have grab handles or rails suitably located to help elderly and disabled passengers. All handles/rails must be conspicuously marked to help visually impaired passengers.

Stretched Limousines

- 5.44 The term “stretched limousine” in this policy will be taken to mean any vehicle that has been modified after manufacture with an additional body section, extending the vehicle length.
- 5.45 Any vehicle, before it can be considered to be licensed as a stretched limousine, must have either UK/EU Whole Vehicle Type Approval, or UK/EU Small Series Type Approval or an Individual Vehicle Type Approval, including an inspection certificate issued by the Driver and Vehicle Standards Agency (DVSA) as a minimum standard.
- 5.46 Stretched limousines will only be licensed to carry a maximum of 8 passengers.
- 5.47 All passenger seats must be equipped with a 3-point seat belt.

All vehicles

- 5.48 The following are the minimum requirements for all Private Hire Vehicles, irrespective of their type:
- a) The vehicle must be wind and water-tight (with the roof raised and properly secured and fastened in the case of a convertible vehicle).
 - b) The vehicle must have a floor properly covered with carpet or other suitable covering.
 - c) The vehicle must have an adequate internal light to enable passengers to enter and leave the vehicle safely.
 - d) The vehicle’s bodywork and paintwork must be in good condition, free from dents or other damage or rust.
 - e) The vehicle must not be fitted with any additional external accident protection devices (e.g. bull bars or additional bumpers).
 - f) The vehicle must carry a spare wheel and tyre of the correct size to fit the vehicle, together with equipment to change the wheel including a spare wheel and tyre, jack and wheel brace, all of which must be securely stored. If the manufacturer’s specification when the vehicle was new did not include a spare wheel, the manufacturers alternative (e.g. spray can) will be acceptable.
 - g) The vehicle must be fitted with tyres which meet the specifications detailed by the manufacturer in terms of size and speed rating. They must have at least 2 mm of tread across the entire contact surface.
 - h) The vehicle must be fitted with nearside and offside exterior rear view mirrors.
 - i) The vehicle must have at least one window on each side of the passenger compartment which is capable of being opened and closed.
 - j) All seats must be permanently fixed to the vehicle and must be factory fitted with a 3-point seat belt or, where that was not a manufacturer’s option when the vehicle was manufactured, a factory fitted lap belt. Any retrospectively fitted seat belts must be approved by the Council.
 - k) The vehicle must be fitted with glass which complies with current Construction and Use Regulations (the Road Vehicles (Construction and Use) Regulations 1986 as amended). These regulations require that the front windscreen allows 75% of light to be transmitted and the front door windows allow 70% of light to be transmitted. In addition, the remaining glass within the vehicle must have a minimum light transmittance of not less than 70%. The rear of the vehicle must be fitted with at least one window (or one

window per rear door fitted), the light transmission capacity of which must be a minimum of 70%. No self-adhesive material (tinted or clear) can be affixed to any part of the glass without the approval of the council.

- l) The vehicle's power output must not be less than 100 bhp or 74.5 kw.
- m) The vehicle must carry a 1kg dry powder extinguisher or a 2 litre AFFF extinguisher approved to BS EN3: 1996, with the licence number on it. The fire extinguisher must have been properly maintained in accordance with BS 5306: Part 3 and be secured in such a position in the vehicle as to be accessible for immediate use in an emergency. There must also be adequate signage visible to all passengers to identify the location of the fire extinguisher.
- n) The vehicle must carry a first aid kit in a suitable container, with the licence number on it. There must also be adequate signage visible to all passengers to identify the location of the first aid kit.
- o) The vehicle must not be fitted with any additional lights other than those originally fitted by the manufacturer unless they have been approved by the Council.
- p) The minimum unobstructed distance between the uncompressed seat cushion and the roof must be 0.9 metres (measured 0.25 metres from and parallel with the seat back) in relation to the front passenger and driver seats, and 0.84 metres in relation to any other passenger seats.
- q) The minimum unobstructed distance between the seat back and the footwell bulkhead/facing seat back must be 0.95 metres in relation to the front passenger and driver seats, and 0.6 metres in relation to any other passenger seats.
- r) The minimum unobstructed interior width of the vehicle must be 1.3 metres (excluding any arm rests).
- s) Any vehicle that has been converted to run on liquid petroleum gas (LPG) must be accompanied by a certificate stating that the conversion was undertaken in accordance with the LPG Gas Association's code of practice, and if the conversion was undertaken more than one month before the application for the licence, an annual installation check which is not more than one month old.

5.49 In addition, in all types of Private Hire Vehicle the following requirements must be met.

Seating

5.50 In any vehicle all exits must be easily accessible and not obstructed by another seat. Seats which are intended to move out of an exit way are acceptable. Access to all doors must be free from obstruction. The seating configuration and number of passengers that can be carried is subject to assessment by the Council.

Documents

5.51 A vehicle licence will only be issued where the vehicle has evidence of:

- a. A valid vehicle insurance certificate specifically stating that the vehicle is to be used for private hire use. Where appropriate this should include £2m public liability insurance cover.
- b. A current MOT Certificate which is less than 12 months old.

- c. A V5 vehicle registration document. In case of a new vehicle, the sales invoice, which must show engine and chassis numbers, shall be produced at the time of application and the registration document when it is received from DVLA. The registration document must in all cases be produced within 6 weeks of the licence being issued.
- d. The service history for the vehicle, if requested by the Council.

5.52 Before or on the date of expiry of any certificate, the certificate about to expire must be produced together with the relevant renewal certificate to the Council.

5.53 All documentation must be originals.

Engine/Chassis Numbers

5.54 The Chassis/Vehicle Identification Number Plates and engine numbers must match the numbers recorded with the DVLA as detailed on the V5 Document. Vehicle applications cannot be accepted without a copy of the vehicle registration document, or in the case of new vehicle purchase, the sales documentation indicating the engine and chassis numbers. In the event of a vehicle being presented with numbers that do not correspond to the paperwork the Council will inform the Police who may undertake checks to ensure the vehicle is not stolen. If the engine is changed at any time whilst the vehicle is a licensed private hire vehicle, the Council must be notified within 72 hours of that change and the updated V5 must be produced as soon as it is received from DVLA.

Maintenance and servicing

5.55 Vehicles must be maintained correctly and serviced in accordance with the manufacturer's recommendations. The service history of the vehicle will be inspected at first application and on every renewal of the licence.

Vehicle tests

5.56 A licence will be granted or renewed only if the vehicle is considered by the Council to be roadworthy, fit for purpose and meets the criteria specified.

5.57 Vehicles will be tested before the licence is initially granted, then annually for vehicles up to 6 years old and every 6 months for vehicles older than that.

5.58 Tests in relation to new applications, renewals and replacements are carried out at the Council's testing Centre at Portway Depot, Test Valley Borough Council, Unit 37 Macadam Way, Andover SP10 3XW.

5.59 The vehicle must have an MOT which is less than 12 months old.

5.60 The applicant or licensee must make an appointment for the vehicle to be tested as part of the application process. It is the responsibility of the applicant/licensee to do this and then to ensure that the vehicle is presented at the specified location and time. If the vehicle is presented late, there is no guarantee that the test will be able to be conducted on that day and a further test must be arranged. In that case the initial test fee will be forfeited and a second fee must be paid for the rearranged test.

5.61 A test appointment can be cancelled only if at least two clear working days notice (excluding Saturday, Sunday and Bank Holidays, the day on which notice is given and the day of the test) is given to the Council.

- 5.62 If the consequence of missing the test means that the licence cannot be renewed before expiry, this will prevent the vehicle being used until such time as the licence is renewed, with loss of income to the licensee. If the delay is considerable, this may result in the renewal application being treated as a new application for a Private Hire Vehicle (proprietor) licence.

Dual Plating

- 5.63 Once a vehicle has been licensed as a private hire vehicle by Test Valley Borough Council, it cannot be licensed as a private hire vehicle (or hackney carriage) by any other local authority or Transport for London during the duration of the Test Valley Borough Council licence.
- 5.64 The council will not licence a vehicle that is licensed as a private hire vehicle or hackney carriage by another local authority or Transport for London.

Insurance “write-offs”

- 5.65 The council will not license any vehicle as a private hire vehicle that has been written off by an insurance company in categories A and B. Vehicles in categories S (formerly C) and N (formerly D) will be licensed provided the vehicle is no more than five and a half years old, all damage repairs are supported by a full repair report and all requirements set by the DVLA are met.

Vehicle Use

- 5.66 You must maintain a policy of insurance for your licensed vehicle in accordance with section 143 of the Road Traffic Act 1988.
- 5.67 If your vehicle has an accident which results in damage which may affect its safety, performance, appearance or the comfort or convenience of your passengers, you must report this to the Council within 72 hours (including weekends and bank holidays) (section 50)(3) of the 1976 Act).
- 5.68 You must not obstruct any Authorised Officer of the Council or police officer. You must provide any assistance or information they may reasonably require (section 73 of the 1976 Act).
- 5.69 Any person driving a private hire vehicle at any time, for any purpose and anywhere in the United Kingdom, must be licensed to drive a private hire vehicle under section 51 of the 1976 Act, even if the vehicle is not being used for private hire purposes. Any person driving a private hire vehicle without the required private hire driver's licence will be committing an offence under section 46(1)(b) of the 1976 Act. There are no exceptions to this even in relation to testing the vehicle.
- 5.70 If any private hire vehicle proprietor permits a person who does not hold a private hire vehicle driver licence to drive the vehicle for any hiring the proprietor commits an offence under s46(1)(c) of the 1976 Act and the Council will consider this a serious matter and action may be taken against the Private Hire Vehicle (proprietor) licence (whether or not a criminal prosecution or conviction ensued).
- 5.71 Once a vehicle has been licensed as a private hire vehicle by the Council, it retains that status at all times for the duration of the licence (24 hours a day, 7 days a week). In addition to the requirement that it is only driven by a private hire driver licensed by the Council (see above) the proprietor must ensure that at all times and wherever it may be located it complies with all requirements contained within the legislation and conditions. This includes the cleanliness of the vehicle, display of licence plates and additional signage.

5.72 If the Private Hire Vehicle (proprietor) licence is suspended, revoked or not renewed, the proprietor must return the licence plates and any additional signage to the Council. This must be done immediately after the end of the appeal period (21 days from the written notification of the decision, or after any such appeal is determined or abandoned). If the suspension is immediate (under section 68 of the 1976 Act) this requirement must be complied with immediately.

5.73 If the proprietor refuses to surrender the vehicle plates and additional signage, tamperproof "Vehicle Licence Suspended" stickers will be affixed to the vehicle plates. These will destroy the plates, and replacements must be purchased from the Council if and when the suspension is lifted.

WARNING NOTICE

5.74 If there is anything in the design, construction, form or working appearance of a vehicle which, in the opinion of the Council or its authorised officers or testers, renders the vehicle unfit for use as a private hire vehicle then the Council will not license that vehicle.

5.75 The Council is not liable for any expense incurred in preparing or testing a vehicle which cannot be licensed for whatever reason.

5.76 Any unauthorised modifications made since a previous licence was issued may lead to the suspension, revocation or refusal to renew a licence.

Taximeters

5.77 There is no requirement for a private hire vehicle to be fitted with a taximeter. As there is equally no prohibition on meters being fitted to private hire vehicles, any meter that is fitted must be approved and tested by the Council.

Duration and renewal of the licence

5.78 The licence expires a maximum of 12 months from the date of issue. Any application for renewal must be made at least one month before the licence expires. If you do not apply to renew the vehicle licence in time there may be a period when you will be unable to use the vehicle as a private hire vehicle. If the renewal application is not received before the expiry of the current Private Hire Vehicle (proprietor) licence, it will be treated as a new application rather than a renewal and you will have to provide all the information that is required for a new application.

5.79 Renewals are generally dealt with by officers under delegated powers, and can be processed quite quickly. However, if there have been any changes since the last grant of the licence (e.g. if the vehicle's age or emissions exceed the policy or you or any of your joint proprietors (or directors or secretary in the case of a limited company) have been convicted of any offence, or there have been complaints or causes for concern about your behaviour) the renewal application may need to be considered in more detail. If this is the case, then a 2 month temporary licence may be issued, without prejudice to any decision the Council might make.

5.80 The licence is issued to you but it can be transferred to another individual, partnership or limited company. Notification of any transfer must be made in writing and indicate the consent of all interested parties. The Council has a specific form to use for notification of vehicle transfer. The Council will then issue a revised licence identifying the new licensee(s).

5.81 Following any transfer of licence to another person, on expiry of that licence, renewal will be at the Council's discretion.

Plates and Additional Signage

5.82 The licence plates and any other additional signage required by the Council must be displayed on the vehicle at all times. In addition, it is recommended that wheelchair accessible Private Hire Vehicles be required to always display appropriate signage indicating the vehicle may take a wheelchair user.

5.83 The Council may grant exemption from the display of the external licence plate on private hire vehicles used only for corporate bookings to transport employees and clients on corporate business journeys and/or airport and other 'special' journeys.

5.84 If you lose or damage the plates or additional signage, replacements must be purchased from the Council.

Vehicle substitution

5.85 If you wish to change the vehicle that is licensed the following procedures must be followed:

- a. You must complete an application form for the "replacement" vehicle.
- b. You must pay the stated fee.
- c. You must surrender the original licence.
- d. Your replacement vehicle must be presented for test and subsequently pass.
- e. Written proof of consent to the change of vehicle must be provided from all interested parties (joint proprietors).
- f. You must maintain and produce evidence of a continuous policy of insurance, which clearly states that the vehicle is to be used as a private hire vehicle. All such policies must be in the name of the licensee of the vehicle.

Letting/leasing of vehicles

5.86 You must not lease or let or hire a licensed private hire vehicle to any other person, other than a fare paying passenger, without first notifying the Council in writing. If you do enter into a leasing arrangement you will remain the licensee and will still be responsible for the vehicle.

5.87 You must notify the Council in writing of anyone no longer having an interest in the vehicle within 72 hours of the event.

Advertisements

5.88 No advertisements may be displayed in or from the vehicle unless prior written approval of the Council has been obtained. Any advertising must comply with all legislation and the British Code of Advertising Practice. No commercial third-party advertising may be displayed on or from within a licensed private hire vehicle.

Maps and navigational devices

5.89 Any electronic navigational device which is being used must be securely located within the vehicle and must not be operated by the driver while the vehicle is moving. No handheld devices can be used unless they are securely located in a suitable cradle or other mounting device.

The taximeter (if fitted)

5.90 The meter must be accurate, be capable of showing that the vehicle is or is not hired, it must be fitted with a key or other device that, when turned, will operate the meter and display the

word "HIRED". This key or device must be capable of locking the meter so it does not work and no fare is recorded on it.

5.91 When the meter is in use, the fare must be clearly legible on the face of the meter. This fare must be unambiguous.

5.92 The word "FARE" must be clearly printed on the meter so it clearly indicates the fare displayed.

Radios and other equipment

5.93 Any radio, booking systems/data heads and/or GPS equipment provided must be maintained in a safe condition and any defects must be repaired promptly. The licensed operator/booking agent must ensure that the licence issued by Ofcom for all radio equipment used is current and valid. All equipment must only be used on the frequencies stipulated in the Ofcom licence and the licensed operator/booking agent must allow the Council access to inspect all equipment and Ofcom licenses.

5.94 Any radio, booking systems/data heads and/or GPS equipment provided must not interfere with any other radio or telecommunication equipment.

5.95 Where apparatus for the operation of a two-way radio, booking system/data heads and/or GPS systems are fitted, no part of the apparatus can be situated in a way which could cause accident or injury to a passenger, nor can it be placed in the rear boot compartment if LPG tanks are situated in there.

Signs

5.96 No sign or advertisement is permitted on the vehicle, and no flag or other emblem can be flown from the vehicle, except as detailed below, unless required by law, or has been agreed by the Council in writing (see above in relation to advertisements).

5.97 The vehicle must not be fitted with any sign on the roof of the vehicle.

5.98 In due course, the Council may require signs to be permanently fixed to both front doors. Full details will be provided when this policy is introduced.

5.99 You may display the name, telephone number and other business-related details of the company operating your vehicle in either its front and rear windows or vehicle sides. However, the display must be no more than 10 cm high, must not contravene the Road Traffic (Construction and Use) Regulations, and must not be illuminated. Any signage must include the words "pre-booked only" (unless contained within Council issued signage as per 5.98 above). The signage must not include the words "taxi" or "cab" in whole or in part unless hackney carriages are offered for hire by the operator.

Seating Arrangements

5.100 Any seating arrangement other than the manufacturers original specification, or as approved by the Council will result in the suspension of the licence until such time as either the original or approved arrangement is restored, or the new arrangement is approved by the Council.

Incident logs

5.101 The proprietor must maintain an incident log in an accessible format (either on a computer, other electronic device or a notebook). This must be used to record all incidents affecting the use of the Private Hire Vehicle including, but not limited to:

- a. collisions or accidents.
- b. damage to the vehicle.
- c. problems with the meter.
- d. refusals by any driver to carry a passenger (including the date, time, location, and reason for the refusal).
- e. any events, circumstances or incidents which lead the driver or proprietor to suspect that a passenger is involved in or is a victim of child sexual abuse or exploitation or any other abuse, modern slavery or trafficking of people, County Lines movements of drugs, any other abuse or supply of drugs, involvement in terrorism or any other criminal activity.

5.102 Incidents must be recorded immediately, or as soon as possible thereafter and must state the date time and location of the incident, the names (if known) of any third parties and the date and time on which the incident was recorded.

5.103 This log must be available for inspection by an Authorised Officer of the Council or a police constable at all times on request.

Stretched limousines

5.104 Any stretched limousine (any vehicle which has been modified to be longer than the manufacturer's original specification) which is presented for licensing as a private hire vehicle must be covered by:

- a. An Individual Vehicle Approval Certificate; or
- b. A UK/EU Whole Vehicle Type Approval Certificate; or
- c. A UK/EU Small Series Type Approval Certificate.

CONDITIONS

5.105 The following Conditions are attached to your Private Hire Vehicle (Proprietor) licence and must be complied with at all times. Failure to comply with conditions may lead to suspension, revocation or refusal to renew the Private Hire Vehicle (Proprietor) licence.

5.106 You must return your licence (and the plates and additional signage if requested by the Council) to the Council immediately if:

- a. You change your home or business address (to allow it to be updated)
- b. If the licence expires, or is suspended or revoked
- c. You wish to surrender your licence
- d. When required to do so by an Authorised Officer of the Council.

5.107 You must notify the Council within 48 hours of the event (including weekends and bank holidays) if you or anybody named on the licence as a joint proprietor (or any director or secretary of a limited company, or partner in a Limited Liability Partnership when the licence is held by such a body) is arrested in connection with, charged with, investigated in connection with or convicted of any criminal offence. The same requirement applies in relation to any fixed penalty notices, speed awareness courses, community protection notices, civil injunctions that you receive or have to attend.

5.108 If your vehicle has an accident which results in damage which may affect its safety, performance or appearance or the comfort or convenience of your passengers, you must report

this to the Council within 72 hours (including weekends and bank holidays). If you are in doubt as to whether the vehicle is affected you must notify the Council.

- 5.109 You must maintain an incident log in an accessible format (either on a computer, other electronic device or a notebook). In this you must record all incidents affecting the use of the private hire vehicle including, but not limited to:
- a. collisions or accidents.
 - b. damage to the vehicle.
 - c. problems with the meter.
 - d. refusals by any driver to carry a passenger (including the date, time, location, and reason for the refusal).
 - e. any events, circumstances or incidents which lead the driver or proprietor to suspect that a passenger or passengers is involved in or is a victim of child sexual abuse or exploitation . or any other abuse, modern slavery or trafficking of people, County Lines movements of drugs, any other abuse or supply of drugs, involvement in terrorism or any other criminal activity.
- 5.110 Incidents must be recorded immediately, or as soon as possible thereafter and must state the date time and location of the incident, the names (if known) of any third parties and the date and time on which the incident was recorded.
- 5.111 This log must be available for inspection by an Authorised Officer of the Council or a police constable at all times on request.

Drivers

- 5.112 You must notify the Council of the details (name, address and taxi driver licence number) of any person who is permitted by you to drive your private hire vehicle for any purpose (this does not include mechanics undertaking vehicle maintenance). This notification must be made as soon as possible and in any event within 72 hours of that permission being given. If you no longer permit that person to drive your private hire vehicle you must notify the Licensing Section in writing, within 72 hours.
- 5.113 Before you allow anyone to drive your private hire vehicle you must ask that person for their taxi driver licence and keep [a copy of] it in your possession whilst that person is permitted to drive your vehicle. You must ensure that they understand and will observe the law, conditions and Code of Conduct that regulate their conduct and the conditions attached to the vehicle licence.
- 5.114 Note - No person may drive a private hire vehicle, unless they hold a taxi driver licence issued by the Council. Anyone found driving a private hire vehicle without a taxi driver licence, may be prosecuted.

Insurance

- 5.115 You must ensure that a valid policy of comprehensive insurance for private hire work is in place for the vehicle and covers anyone who drives your private hire vehicle.

Production of Documents

- 5.116 You must not obstruct any Authorised Officer of the Council or police officer. You must provide any assistance or information they may reasonably require.
- 5.117 If an Authorised Officer of the Council (or another council with whom a reciprocal arrangement is in place) or a police officer asks you, you must produce:

- a. Your licence
- b. The taxi driver licence of any person authorised to drive your private hire vehicle
- c. The vehicle registration document
- d. A valid certificate of insurance

within 5 days of the request being made.

Licence Plates

- 5.118 The licence plates and any additional signage remain the property of the Council and must be returned to the Council whenever the vehicle is not licensed as a private hire vehicle.
- 5.119 You must secure and display the exterior licence plate permanently to the outmost rear part of the vehicle using the fittings provided by the Council. The method of fixing must prevent the plate being removed without the need for tools. The plate must at all times must be displayed so that it can be clearly read by pedestrians and road users. The licence plate must not be displayed in any window of the vehicle. Vehicles granted exemption from displaying the plate are required to carry the plate together with a paper exemption certificate in the vehicle at all times.
- 5.120 If issued to you by the Council, you must display any additional signage on the near side and offside front doors and any internal signs issued by the Council inside the vehicle so that they are always visible to front and rear passengers.
- 5.121 You must report the theft or loss of the licence plates or additional signage to the Police immediately and as soon as possible, and in any event within 24 hours of becoming aware of the theft or loss, to the Council by email. You must also obtain a crime or lost property number from the police and present this to the Council. You must then obtain duplicate licence plates and/or additional signage for which a charge will be made.
- 5.122 You must not wilfully or negligently cause or suffer any plates or additional signage on your vehicle to be concealed from public view at any time.
- 5.123 You must return the licence plates and any additional signage to the Council If the Private Hire Vehicle (Proprietor) licence is suspended, revoked or not renewed.

Vehicle inspection

- 5.124 You must allow an Authorised Officer of the Council, or police officer, to inspect your vehicle at any reasonable time.
- 5.125 You must ensure the vehicle is presented for test in accordance with instructions from the Council
- 5.126 You must be prepared to produce the vehicle registration document and last MOT, and certificate of insurance to the Council Officer at the test.

Specification to be maintained during the currency of a licence for a Private Hire Vehicle

- 5.127 No change in the specification, design, condition or appearance, or any modification, conversion or alteration of the vehicle can be made unless prior written approval has been given by the Council.
- 5.128 The vehicle must fully comply with all relevant road traffic legislation and in addition:
- a. All doors must function correctly and be capable of being opened from the outside and within the vehicle.

- b. All opening windows must function correctly and be capable of being opened from within the vehicle.
- c. All luggage must be properly secured inside a vehicle that does not have a separate and self-contained boot.
- d. If a roof rack (or roof box) is being it must be securely fitted to the roof in accordance with the manufacturer's instructions. All luggage must be properly secured and in the case of a roof rack a waterproof cover must be fitted. Any roof box must be correctly closed before moving off.
- e. Passengers must be able to communicate with the driver via a sliding screen, mesh or hole in any division which may be fitted between the drivers and passenger compartments.
- f. If the vehicle is a convertible, the driver must close the roof and raise the side windows if requested to do so by any passenger.
- g. The vehicle and all seats, door handles and trim, and all internal and external parts of the vehicle must be maintained at all times in a clean, comfortable, safe, and mechanically sound condition and be in every way suitable for public service.
- h. The floor covering must not be torn or frayed.
- i. The vehicle must have an adequate functioning internal light to enable passengers to enter and leave the vehicle safely.
- j. The vehicle's bodywork and paintwork must be maintained to an acceptable standard free of dents or rust.
- k. The vehicle must carry a spare wheel to fit the vehicle, and the wheel together with equipment to change the wheel, jack and wheel brace must be securely stored. This does not apply if the manufacturers specification when new did not include a spare wheel, in which case the manufacturer's alternative (e.g. spray can) will be acceptable.
- l. The vehicle must be fitted with tyres which meet the specifications detailed by the manufacturer in terms of size and speed rating. All tyres must have at least 2 mm of tread across the entire contact surface.
- m. The vehicle must be fitted with nearside and offside exterior rear view mirrors which must be maintained in a serviceable condition
- n. The glass in the vehicle must not be replaced with glass that is different from the glass fitted when the vehicle passed the Council's vehicle test. Any unapproved (by the Council) self-adhesive material (tinted or clear) must not be affixed to any part of the glass
- o. The vehicle's power output must not be less than power output when the vehicle was new, and any replacement engine must be of the same or greater power output. In the case of a replacement engine, the Council must be notified of that within 72 hours of the fitting, and the revised V5 must be presented to the Council as soon as it is received.
- p. At all times the vehicle must carry a 1 kg dry powder extinguisher or a 2 litre AFFF extinguisher approved to BS EN3: 1996, with the licence number on it. The fire extinguisher must be properly maintained in accordance with BS 5306: Part 3 and be secured in such a position in the vehicle as to be fit for immediate use in an emergency.
- q. At all times the vehicle must carry a first aid kit in a suitable container, with the licence number on it.

- r. The vehicle must not be fitted with any additional lights other than those originally fitted by the manufacturer unless they have been approved by the Council.

Additional Conditions for wheelchair accessible Private Hire Vehicles

- 5.129 At all times, the vehicle must carry in a safe, usable condition suitable ramps for a wheelchair user. If the alternative tail lift or some other mechanical means of access is fitted it must be maintained in a safe, functioning condition.
- 5.130 The driver must ensure before the commencement of the journey that the passenger is correctly seated and the wheelchair is correctly secured and the passenger is correctly restrained, and at the end of the journey must ensure that the passenger is delivered safely onto the pavement
- 5.131 The door entrance and any steps must always be conspicuously marked where appropriate, to help visually impaired passengers.
- 5.132 All grab handles or rails must always be conspicuously marked to help visually impaired passengers.

Sliding doors

- 5.133 Where sliding doors are an integral part of a vehicle and a locking device has not been fitted, the child locking systems must be engaged by the driver at all times when the vehicle is in motion and carrying passengers.

Lost property

- 5.134 The driver must search the vehicle after each hiring has been completed, and any lost property found must be recorded. If the driver knows the identity and/or whereabouts of the last passenger, they can return the property to them. If not it must be delivered to the operator within 24 hours.

The meter

- 5.135 Any taximeter that is fitted to the vehicle must be mounted in such a way as to avoid injury to the driver or passengers in the case of any collision and where it is visible to passengers. This must be in a safe and practical position in the vehicle where all letters and figures displayed on the meter are clearly visible to any passenger. The letters and figures must therefore be illuminated when in use.
- 5.136 The meter must be accurate, be capable of showing that the vehicle is or is not hired, it must be fitted with a key or other device that, when turned, will operate the meter and display the word "HIRED". This key or device must be capable of locking the meter so it does not work and no fare is recorded on it.
- 5.137 When the meter is in use, the fare must be clearly legible on the face of the meter. This fare must be unambiguous and the word "FARE" must be clearly printed on the meter so it clearly indicates the fare displayed.
- 5.138 If this is the arrangement for charging for a private hire journey (as agreed between the operator and the hirer), the meter must only be brought into action and the fare or charge must only commence from the point at which the hirer starts their journey.
- 5.139 If the meter fails or does not comply with the conditions, the meter must be removed from the vehicle before it is used as a private hire vehicle.

Maps and navigational devices

5.140 Any electronic navigational device which is being used must be securely located within the vehicle and must not be operated by the driver while the vehicle is moving. No handheld devices can be used unless they are securely located in a suitable cradle or other mounting device.

Signage

5.141 No sign or advertisement is permitted on the vehicle, and no flag or other emblem can be flown from the vehicle, except as detailed below, unless required by law, or has been agreed by the Council in writing.

5.142 You may display the name, telephone number and other business-related details of the company operating your vehicle in either its front and rear windows or vehicle sides. However, the display must be no more than 10 cm high, must not contravene the Road Traffic (Construction and Use) Regulations, and must not be illuminated. Any signage must include the words “pre-booked only” (unless contained within Council issued signage as per 5.98 above). The signage must not include the words “taxi” or “cab” in whole or in part unless hackney carriages are offered for hire by the operator.

5.143 No sign can be displayed on or above the roof of the vehicle.

No Smoking

5.144 The vehicle must have at least 1 “no smoking” sign displayed inside the vehicle clearly visible to passengers.

LEGAL REQUIREMENTS (contained in national legislation) relating to a Private Hire Vehicle

5.145 The private hire vehicle proprietor must ensure that the vehicle is always displaying the plate in accordance with the conditions (section 48 (6) of the 1976 Act).

5.146 The private hire vehicle proprietor must notify any transfer of the vehicle licence to another proprietor within 14 days (section 49 of the 1976 Act).

5.147 The private hire vehicle proprietor must present the private hire vehicle for inspection as required by the Council (section 50(1) of the 1976 Act).

5.148 The private hire vehicle proprietor must inform the Council where the private hire vehicle is stored if requested to do so (section 50(1) of the 1976 Act).

5.149 The Private Hire Vehicle proprietor must report any collision that has caused damage to the safety performance or appearance of the vehicle to the Council within 72 hours (section 50(3) Local Government (Miscellaneous Provisions) Act 1976).

5.150 The private hire vehicle proprietor must produce the vehicle licence and insurance if requested to do so by an Authorised Officer of the Council (section 50(4) of the 1976 Act).

5.151 The private hire vehicle proprietor must return the plate to the Council once you receive notice to do so after expiry revocation or suspension of the proprietors licence (section 58(2) of the 1976 Act).

5.152 The private hire vehicle proprietor must ensure that the vehicle is not permitted to stop or wait on any hackney carriage stand (section 64 of the 1976 Act).

5.153 It is an offence to interfere with a taximeter (section 71 of the 1976 Act).

5.154 The private hire vehicle proprietor must not obstruct, fail to comply with any requirement made by, or fail to give any information to, an Authorised Officer of the Council, an authorised officer of another Council with which there is a reciprocal enforcement arrangement, or a police constable (section 73 of the 1976 Act).