

HACKNEY CARRIAGE VEHICLE CONDITIONS OF LICENCE

The Hackney Carriage Vehicle Licence is granted subject to the following conditions. Failure to comply with these conditions could lead to a criminal prosecution and/or your licence being suspended, revoked or not renewed.

If you are aggrieved by any of the conditions attached to this licence you may make an application for exemption from them and attend a hearing before the Licensing Sub Committee, alternatively you can appeal to a Magistrates Court within 21 days of the service of this licence on you.

If you have any difficulty in understanding or complying with any of the conditions below, please let the Licensing Office know immediately so that arrangements can be made to assist you in that respect.

These conditions are attached to your licence in addition to any other legal requirements to which you are required to comply. These include, but are not restricted to, the Local Government (Miscellaneous Provisions) Act 1976, the Health and Safety at Work etc. Act 1974.

CONDITIONS

No front seat passengers are permitted to travel in any Hackney Carriage Vehicle.

DETAILS TO BE REPORTED

1. You must notify the Licensing Office, in writing, within **7 days** if you,
 - a) are convicted of any criminal or motoring offence;
 - b) are cautioned for any criminal or motoring offence (by the Police or any other agency);
 - c) receive a Magistrates' Court summons;
 - d) receive a fixed penalty notice for any criminal or motoring offence;
 - e) receive a police warning or court order in relation to harassment or any other form of anti-social behaviour;
 - f) receive a civil or family law injunction;
 - g) are arrested for any offence (whether or not charged);
 - h) are charged with any criminal offence;
 - i) are refused any type of licence by any other regulatory authority or any such licence is suspended, revoked or not renewed and provide the following information:
 - i. The name of the council.
 - ii. The licence number(s) of the licence(s) suspended or revoked.
 - iii. The date of the decision.
 - iv. A copy of the decision notice issued by the other council giving the grounds for the action taken.
 - j) change your home address;
 - k) keep the vehicle when it is not in use at an address that is not specified on your licence.

2. If any of your vehicle's identity plates are lost or stolen you must report the loss or theft in writing to the Licensing Office within **3 days**.

DOCUMENTATION TO BE MAINTAINED FOR VEHICLE & DRIVER(S)

3. Only a licensed hackney Carriage driver can drive a licensed Hackney Carriage vehicle. If you propose to allow someone else to drive your vehicle at any time, before doing so you must obtain from the driver the following documents:

- a) A copy of their current Birmingham City Council Hackney Carriage Driver's Licence, and
- b) A copy of their insurance documentation covering them to use the vehicle for the purpose of public hire.

You must ensure that the driver's Hackney Carriage Driver's Licence and insurance remain current for the duration of the period they have your vehicle.

4. You must retain the above documents for a period of 12 months following their expiry and these documents must be available for inspection at any time to an authorised officer. If you let the vehicle to a driver you must ensure that the driver's licence is deposited with you first. The vehicle cannot ply for hire in Birmingham unless it is driven by a Birmingham licensed Hackney Carriage Driver.
5. If the driver(s) details change at any time from the details notified at the time of application, in addition to the preceding condition, you must notify the Licensing Section, in writing within 7 days and forward a copy of the revised insurance documentation at the same time.
6. You must ensure that there is a current certificate or policy of insurance in force for the vehicle throughout the duration of the licence, whether it is being driven or not at the time.
7. If there are exceptional reasons which prevent you from maintaining or ensuring continuous insurance cover, for whatever reason, throughout the duration of the licence you must attend and notify the Licensing Office, in writing, within 72 hours following the insurance cover expiring or lapsing. At the same time you must return the vehicle identification plates as the vehicle will be liable to suspension until insurance cover is produced.

LOST PROPERTY

8. You must immediately after the termination of any hiring, or as soon as practicable thereafter, carefully search the private hire vehicle for any property which may have been accidentally left therein.
9. Any property accidentally left in a Hackney Carriage Vehicle must be handed in to the nearest West Midlands Police Station as soon as possible, and, in any event, within 3 days of the property being found.

VEHICLE IDENTIFICATION PLATES & SIGNAGE

10. The vehicle identification plate issued to you remains the property of the Council and must not be sold or transferred separately from the Hackney Carriage.
11. Should your Hackney Carriage Vehicle Licence expire, you must return the vehicle identification plate to the Licensing Office within 7 days.
12. The rear identity plate must be fitted externally on the rear of the vehicle in such a place and manner to ensure that all of the information displayed on the identity plate is clearly visible at all times.
13. The rear identity plate must be securely attached to the vehicle in such a manner so that it cannot be removed without the use of tools. It must not be affixed using string, tape, magnets, Velcro or any other similar material. If a securing bracket is not used the identity plate must be fixed to the vehicle using bolts, rivets or screws.
14. You must ensure that the vehicle licence number and a copy of the approved fare table are displayed in a prominent position within the vehicle so as to be clearly visible to passengers at all times.

ADVERTISING

15. No advertisement shall be displayed upon the interior or exterior of a Hackney Carriage which contains, promotes or involves drugs, alcoholic drinks, politics, nudity (partial or otherwise) or sex (including articles or products associated with birth control) without the permission of the City Council.
16. No advertisement which has been prohibited by the Advertising Standards Agency shall be displayed upon the exterior or interior of any Hackney Carriage.
17. No advertisement shall be displayed in such a manner so as to contravene the Road Traffic Acts or the Road Vehicle (Construction and Use) Regulations.
18. Any advertisement displayed upon the exterior of a Hackney Carriage shall be located either upon:-
 - a) The whole vehicle (whole livery);
 - b) Each side of the vehicle;
 - c) The rear windscreen provided that an advertisement shall only be displayed upon the rear windscreen if the advertisement is printed upon a transparent screen which does not obscure the driver's view.

NB - Only one advertisement is allowed in any one location on the vehicle. For this purpose, both doors on each side of the vehicle constitute one location.

19. The proprietor shall maintain the advertisement in a clean and tidy condition and shall remove any advertisement, which is damaged, defaced or out-dated.

20. No advertisement shall be displayed within the interior of the vehicle unless it is located upon the underside of the tip-up seat within the vehicle or displayed via an electronic media system with the prior approval of the Licensing Committee.
21. Any advertisement, which, in the absolute discretion of the City Council, is considered to contravene these conditions shall be removed forthwith.

The following condition only relates to licences issued in respect of van derived vehicles e.g. Mercedes Eurocab, Peugeot Euro 7 Taxi and Fiat Eurocab:

22. The licence is granted on condition that the vehicle will not be allowed to carry whole livery advertisements and that the colour of the vehicle must remain black throughout the period of the licence.

TAXIMETERS

23. The taximeter fitted to the vehicle shall be of an approved type, and shall be subject to an annual test to be carried out by a manufacturer approved tester.
24. A current calibration certificate shall be supplied to the City Council on renewal of the Licence plate to demonstrate that it is calibrated to the fare table in force at the time of the test.
25. The seal on the taximeter will not be tampered with at any time.

MAINTENANCE OF VEHICLES

26. The interior of the vehicle shall be kept clean and tidy at all times when in use as a Hackney Carriage Vehicle.
27. The exterior of the vehicle to be clean at all such times, having due regard to the weather conditions on the day.
28. The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition. In particular all data boxes, radios, PDA's or any other equipment installed in the vehicle must be affixed to the vehicle by use of secure fittings so they cannot be easily removed, to prevent injury or harm to the driver or passengers.
29. Once a vehicle has been inspected by one of the Licensing Office's approved MOT stations and a licence has been granted it must be maintained in that form and condition. No change in the specification, design or appearance of the vehicle or addition of any body work accessories shall be made within the duration of the licence without the prior written approval from the Licensing Office.
30. Only tinted and anti-glare windows fitted by the vehicle's manufacturer are acceptable

MISCELLANEOUS

31. A copy of these conditions must be kept in the vehicle at ALL times and shall be made available for inspection on request by an authorised officer of the Licensing Authority or

a Police Constable.

GUIDANCE

The Equality Act 2010 brings together a number of existing laws into one place so that it is easier to use. It sets out the personal characteristics that are protected by the law and the behaviour that is unlawful.

Under the Act people are not allowed to discriminate, harass or victimise another person because they have any of the protected characteristics including disability. The act gives examples of unacceptable behaviour whilst the Equality Commission web site (www.equalityhumanrights.com) gives examples of best practice.

Smoke Free Legislation

Private Hire Vehicles and 'Taxis' are smoke free vehicles and nobody may smoke within these vehicles. Appropriate 'No Smoking' signage must be displayed in the vehicle. Furthermore, any enclosed premise that is used as a workplace or is used by the public, for example, making bookings, must be smoke-free. Failing to prevent smoking in a smoke free place can lead to prosecution and a maximum fine of £2,500 being imposed on whoever manages or controls the smoke-free premises or vehicle. For further advice and guidance on this matter please go to www.smokefreengland.co.uk