KNOWSLEY MBC HACKNEY CARRIAGE VEHICLE PROPRIETOR- CONDITIONS OF LICENCE

1. LICENCE ISSUE, FEES AND APPLICATION OF CONDITIONS

This Licence shall remain the property of the Council at all times. Any licence which is obtained via a payment which is dishonoured will be immediately ineffective until such fee has been paid in full.

Section 80 of the 1976 Act defines "proprietor" as including a person in possession of the vehicle under a hiring agreement. This includes a "settle driver" and so the conditions below are effective against Hackney Carriage Vehicle Drivers and Proprietors alike. Please ensure any driver who hires the vehicle from you is aware of that fact.

2. RULES FOR APPLYING FOR THE RENEWAL OF A LICENCE

The proprietor shall when seeking to renew this licence:

1. Apply before the expiry of the existing licence;

2. When subsequently presenting the vehicle for inspection at the Council's approved compliance testing station, ensure that the vehicle complies with all current Council compliance test requirements in respect of Hackney Carriage Vehicles;

3. Ensure that the vehicle shall be complete and in a thoroughly good condition, the engine, chassis, body, wheels, fitting, furniture and all parts must be in good repair and order. All steering parts and braking linkages must be thoroughly clean;

4. Ensure that the vehicle is presented for testing to the Council's approved testing station on the date and time appointed by the Council. Any failure to attend promptly will lead to the forfeiture of any test fee paid unless the proprietor has given the Licensing Office 24 working hours' notice of the inability to attend.

5. If no application is made before expiry and completed fully then the vehicle may not be used for hire and reward until such renewal has been completed. In order to regain licensed status for the vehicle an application to a Chairperson's Hearing will be required and there is no guarantee that such a hearing will grant a further licence

3. RETURN OF LICENCE

The vehicle proprietor(s) shall, immediately return this vehicle licence to the Council in the event of the surrender of the licence **or** within 7 days of service of a Section 58 Notice following the suspension or revocation of the licence under the provisions of either Section 60 or 68 of the 1976 Act.

4. MATTERS TO BE REPORTED TO THE COUNCIL

The vehicle proprietor shall during the life of the licence report to the Council, in writing , within 7 days of the event any of the following:

1. Any pending criminal or motoring offence relating to the proprietor or the use of the licensed vehicle by any other driver;

2. The proprietor's receipt of a conviction, fixed penalty or endorsement, formal caution or warning;

3. The loss or destruction of the Hackney Carriage Vehicle licence or licence plate.

4. In the event of accidental damage affecting the appearance, behaviour or safety of the vehicle the vehicle proprietor(s) shall notify the council within 72 hours of the accident and shall, if so required, complete an accident report, produce the vehicle for inspection and produce current insurance covering the date of the accident. The vehicle shall be withdrawn from service until such time as an Authorised Officer of the Council has inspected the vehicle.

5. In the event that the current owner(s) of the licensed Hackney Carriage Vehicle determine that they wish to transfer the vehicle and licence to another person they shall not part with the vehicle, licence and plates without:

    a) Notifying the council in writing as soon as is possible and at maximum within 14 days of the date of the transfer of the full details of the new owner(s);

    b) Providing to the Council the current paper licence and proof that the vehicle remained insured by them to the date of transfer;

    c) Returning the licence plates to the council unless the new and old owner(s) attend the Licensing Office together to complete the transfer and production of new insurance.

Proprietors who allow licences to expire cannot transfer an expired licence. Transfers can only be effectively made in relation to live licences.

5. APPEARANCE OF THE VEHICLE AND SIGNAGE

1. The vehicle must be maintained with the paintwork, bodywork and fittings in good order and to the vehicle manufacturer/ authorised converter's standard;

2. No alteration to the appearance or colour of the vehicle, made to the vehicle without the prior written approval of the Council Delegated Officer for that function;

3. The following advertisement types may be displayed on the vehicle, without further specific approval from the council, providing they do not contain any matter likely to cause offence and/or do not offend against the protected characteristics as defined under the Equality Act 2010;

Automatically permitted advertisements/ signs:

Matching signs not exceeding 18 inches x 24 inches (45cm x 60cm) [maximum area 432 square inches or 2700 square cm], and which are displayed on one side door or panel on each side of the vehicle and which advertise the Knowsley MBC-licensed Hackney Carriage operator through which the Hackney Carriage Vehicle accepts pre-bookings. These signs must include, in letters [minimum 1 inch/ 25 mm high] either the words KMBC HACKNEY CARRIAGE ONLY" or "KNOWSLEY MBC HACKNEY CARRIAGE ONLY";

A rear window sign measuring no greater than 24"(60cm) x 3"(7.5cm) [maximum area 72 square inches or 450 square cm] displaying the name and telephone number/ app name of the Knowsley-licensed Radio Circuit or Private Hire operator and which sign may not obscure the driver's rear visibility;

Matching non operator related advertising signs not exceeding 18 inches x 24 inches (45cm x 60cm) [maximum area 432 square inches or 2700 square cm], displayed on one side door or panel on each side of the vehicle providing the sign content conforms to the provisions of Hackney Carriage Vehicle Condition 5.3.

Small generic notices such as "no food and drink", "no smoking", "card payment available", "CCTV fitted" and similar advice items;

Any contra-vision© rear window advertising sign providing the sign content conforms to the provisions of Hackney Carriage Vehicle Condition 5.3.

Mandatory Signage and Notices:

Vehicles must display:

a) A Knowsley MBC-issued current Hackney Tariff sheet *(an additional PDA fare estimator is allowed to be present but the maximum fare chargeable is in accordance with the taximeter and hackney fare tariff)*;

b) Any other Passenger Advisory Notice which the council may from time to time issue in response to any current issue of concern.

c) The council- issued large rear licence plate and small interior windscreen plate.

6. ASSISTANCE DOGS

The proprietor of the vehicle must ensure that any driver is aware of their duty under S170 of the Equality Act 2010 to, if requested, convey an assistance dog together with a passenger unless the driver is already the holder of and is displaying an exemption notice.

7. ANIMALS

The proprietor shall not convey, or permit a driver to convey, in the vehicle whilst being used for hire and reward, any animal belonging to, or in the custody of themselves unless by way of a genuine hire and reward journey paid for by that custodian or in any case where Condition 6 applies in relation to an assistance dog and its' custodian.

8. CONDITION AND MAINTENANCE OF THE VEHICLE

The proprietor(s) of the vehicle shall ensure that at all times the vehicle is:

1. Kept clean and in a roadworthy condition to the vehicle manufacturer's original specifications and standards;

2. Unless the vehicle is provided with certified "run flat" tyres a spare wheel is required. In respect of all wheels and tyres the following conditions 6.2.a)-d) apply and condition 6.2 (e) is only not applied when "run flat" tyres are fitted to all wheels.

    a) The vehicle must be provided with all tyres, including the spare tyre, (at minimum a space saver) with a legal tread depth and free of side wall or wheel rim damage. In respect of any wheel and tyre provided with the vehicle the following applies:

    b) Space saver wheels and tyres shall only be used in accordance with the manufacturers' instructions and limitations;

    c) If due to a tyre defect a licensee is required to replace a tyre and use a space saver, no hire and reward journey may continue and a substitute licensed vehicle must be obtained for that journey. When arranging the substitute vehicle the licensee must inform any Radio Circuit or Operator that the vehicle cannot work for hire and reward until a replacement has been obtained and fitted;

    d) The vehicle must also carry an effective jack and wheel brace and be fitted with matching wheel trims on all road wheels;

3. If the vehicle is wheelchair accessible then it must be provided with all necessary wheelchair ramps, etched with the vehicle registration or licence number and any

required wheelchair securing belts or harnesses which must be kept in effective working order;

4. Not fitted with a radio scanner or citizen band radio;

5. If fitted with a taximeter it must be a Measuring Instrument Directive (MID) compliant taxi-meter which must be permanently sealed to the vehicle and kept in a fully working condition;

6. The proprietor of the vehicle shall at reasonable times permit an authorised officer or police constable to inspect the vehicle or any taximeter affixed to it for the purpose of ascertaining its fitness and shall comply with any direction to repair or replace any faulty item including at minimum:

   - ✓ The cleanliness of the interior and/ or exterior of the vehicle, condition of the engine, chassis, bodywork, wheels, tyres, fittings, furniture etc. steering parts, braking linkages and any observed fluid leaks and obligatory lights.

9. RECORDS REQUIRED TO BE KEPT BY THE PROPRIETOR

The proprietor must keep:

- The deposited Hackney Carriage driver licence of every driver using the Hackney Carriage Vehicle;
- Records of the times and dates when the vehicle was in the care of any other driver;
- The Hire and Reward Insurance Certificate and Policy for the vehicle in question.

FAILURE TO COMPLY WITH ANY OF THE ABOVE CONDITIONS MAY RESULT IN THE HACKNEY CARRIAGE VEHICLE LICENCE BEING SUSPENDED OR REVOKED OR, IN THE CASE OF AN APPLICATION TO RENEW, A LICENCE BEING REFUSED. (LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976)

Valid for all hackney vehicle licences issued from 0900 on the 26 February 2019 and for those proprietors who have requested the new conditions are applied as a commercial benefit to their business