

APPENDIX 1

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

PRIVATE HIRE VEHICLE LICENCE CONDITIONS

*A District Council may attach to the grant of a private hire vehicle licence, such conditions as it may consider reasonably necessary (Section 48(2)) Local Government (Miscellaneous Provisions) Act 1976).*

*All relevant information will be taken into account when consideration is given to an application for a private hire vehicle licence. Whilst an application for a licence should conform to the licensing conditions and Council policies or guidelines, each application will be considered on its own merits.*

*Should an application be refused, the applicant has a right of appeal, in writing, within 21 days, to the Licensing Committee.*

*Wyre Forest District Council may, at its discretion, waive, alter or add to any of the conditions, standards or requirements.*

*A private hire vehicle licence is issued, upon application, on 1 August each year and is valid for one year.*

- 1 Wyre Forest District Council will licence vehicles for private hire operation. Vehicles must be unaltered from the manufacturer's specification and documentation must be produced to show that the vehicle is certified to M1, European Whole Vehicle Approval or Low Volume Type Approval standards.
- 2 Production of the registration document (V5 form) that records when the vehicle was first registered; body type, vehicle type approval will be required to be produced at the time of MOT testing and licensing, together with a certificate provided by the manufacturer, issued by the Vehicle Certification Agency (VCA form ) and a bill of sale from the vendor that stipulated the vehicle is the standard of the new specification.
- 3 Private hire vehicles will be coloured (red) suitably finished to a high quality. The red colour shall be matching to BS 5252 (reference no. 04E55) or other similar colour as the Council may agree. The identification decal provided by the Council shall be applied to the mid or upper section of the nearside and offside front doors.
- 4 Where rubbing strips are fitted on the doors or panels they should comply with the colour scheme of the relevant door or panel unless they consist of black plastic, rubber or other material as normally supplied by the manufacturer.

- 5 All Vehicles when first submitted for licensing, must be less than 2 years of age. The upper age limit for private hire vehicles will be 7 years at the time of application for renewal. These age limits can be waived if the vehicle is special or prestigious as designated by the Council's Licensing Officer.

*In accordance with a resolution of a meeting of the Public Protection Committee on 23<sup>rd</sup> October 1994, Mini Buses licensed as Private Hire vehicles are exempt from the upper age limit. The Council may, on a vehicle by vehicle basis, extend this period dependent on the condition of the vehicle.*

- 6 All vehicles shall have a minimum of four doors, each adjacent to, and allowing direct access to and from the seats.
- 7 Vehicles capable of carrying a wheelchair passenger must be able to do so in a secure forward or rear facing position.
- 8 All wheelchair accessible private hire vehicles are to permit loading of wheelchairs ONLY through the side door(s) of the vehicle. Vehicles, which load wheelchairs through the tailgate, will not be accepted for licensing.
- 9 All wheelchair accessible private hire vehicles shall be equipped with properly mounted fittings for the safe securing of a wheelchair and the passenger seated in it, when carried inside the vehicle.
- 10 Anchorage provided for wheelchair access must be either chassis or floor linked. Restraints for wheelchair and occupant must be independent of each other. Anchorage must be provided for the safe stowage of a wheelchair when not in use when folded or otherwise, if carried within the passenger compartment.
- 11 Provisions must be made for the ramps to be stowed safely when not in use.
- 12 Each seat in every private hire vehicle shall have a minimum width of not less than 16 inches per person; The seat width for 3 persons of 48" shall be measured by taking the actual distance between the arm rests.
- 13 The rear seat shall accommodate not less than three persons; unless the safe carriage of a passenger seated in a wheelchair necessitates the removal of any seat.

**Maintenance of vehicle**

- 14 The private hire vehicle hereby licensed is to be tested to a Ministry of Transport standard, and the vehicle shall be taken to the appropriate Council testing station. Vehicles will be tested and inspected three times per year.

- 15 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 and all relevant statutory requirements (including in particular those contained in the Motor vehicles (Construction and Use) Regulations shall be fully complied with.
- 16 Vehicles submitted for test/inspection shall be in such a condition as to be suitable for inspection, free from oil and any other matter, thoroughly cleaned inside and out. Vehicles not meeting these conditions will not be inspected. These vehicles will be treated as having failed to attend the inspection centre and be suspended immediately until they pass a re-examination.
- 17 Proprietors of vehicles, which fail to attend any notified inspection, or whose vehicles are refused an inspection due to their condition, shall be liable to pay a fee for the re-inspection.
- 18 Vehicles that fail to attend for any inspection will be suspended immediately until such time as they attend and pass the inspection.
- 19 A Department of Transport test certificate where required by the Road Traffic Acts.

**Alteration of Vehicle**

- 20 No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without prior approval of the Council at any time while the licence is in force.

**CCTV**

- 21 There may be installed a CCTV camera, providing all image handling and recording equipment complies with the requirements of current and future data protection legislation. There must be signs displayed in and out of all windows of the vehicle informing passengers that the vehicle is fitted with surveillance equipment. The signs shall be not less than 11 x 8cm.

**Advertising**

- 22 The private hire vehicle shall display no advertisement unless the Council shall have first approved its size colour and subject matter, and position on the vehicle in writing. A daft copy of the advertisement must be firstly submitted for approval. The letter of approval must be produced to the Council testing station at the time of the vehicle inspection.

- 23 The advertisement shall only be permitted on the rear doors of the vehicle of a maximum size of 39" x 16". No advertisement shall be permitted to be displayed on the windows, roof or bonnet of the vehicle. The advertisement will include the words 'ADVANCE BOOKINGS ONLY' which must be displayed in letters of a minimum size of two inches. This wording must be displayed before the company name and or telephone number. The word "taxi" or Cab shall not be permitted to be displayed in the advertisement or anywhere on the vehicle. The proprietor of the private hire vehicle shall pay the full cost of any advertisement.

**Safety Equipment**

- 24 There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a suitable and efficient fire extinguisher.

**Accidents**

- 25 In the event of the private hire vehicle being involved in any accident to the vehicle causing damage material affecting the safety, performance, or appearance of the vehicle, or comfort or convenience of the passengers, the proprietor shall report such accident to the Council as soon as reasonable practicable, and in any event within 72 hours of the occurrence thereof.

**Change of address**

- 26 The proprietor shall notify the Council in writing of any change during the period of licence within 7 days of such change-taking place.

**Liquid Petroleum Gas**

- 27 A private hire vehicle. Converting their licensed vehicle to run on Liquid Petroleum Gas (LPG) must notify the Council of such change and comply with the following conditions. These conditions will also apply to proprietors purchasing a new or used vehicle that runs on LPG.
- 28 That the installation of a LPG tank be fitted by an LPGA approved installer as recommended by the Liquid Petroleum Gas Association.
- 29 That the proprietor produces a certificate of compliance by an approved LPGA installer.
- 30 That the LPG tank fitted must be a multi-valve tank and be fitted with a sealed tank box made from aluminium and vented to the atmosphere.
- 31 That the vehicle displays on the front and rear screens a round sticker stating that the vehicle has been fitted with a LPG tank for the purpose of the emergency services in the event of an accident.

- 32 That if a doughnut tank is fitted in the spare wheel well of the boot, the spare wheel must be securely fixed in a position not obstructing the entire luggage space.
- 33 That the proprietor of the vehicle must notify DVLA Swansea, of the change in fuel from petrol to both LPG and petrol.
- 34 The vehicle be serviced by a person competent in LPG powered vehicles.

**Limousines**

***(Left hand drive) – All conditions applying to Private Hire Vehicles will also apply with the exception of condition 3, i.e. Limousines are not required to be coloured red matching to BS 5252 (reference no. 04E55)***

In addition, the following apply:

- 35 The Seating capacity to be a minimum of 6 and a maximum of 8.
- 36 Seat belts to be provided for all passengers.
- 37 All vehicles to have full Department for Transport type approval.
- 38 Vehicles to be put through a normal MOT test at the Vehicle Testing Station at Summerfield, Kidderminster, and then brought to the Council Depot for checking and testing items which are in the Council test, but not in the MOT.
- 39 Testing frequency to be three times per year as directed by the Council.
- 40 These vehicles to be exempt from displaying licence identity plates on the outside, but to display an identity plate inside the driver's compartment and to carry a letter of dispensation.
- 41 The normal conditions applying to the licensing of operators and drivers to apply (including the wearing of identity badges by drivers at all times).

LOCAL GOVERNMENT (Miscellaneous Provisions) Act 1976

**Additional Special Conditions for Novelty Vehicles to be licensed as Private Hire Vehicles**

A District Council may attach to the grant of a Private Hire Vehicle Licence such Conditions as it may consider reasonably necessary.  
(Section 48 (2) Local Government (Miscellaneous Provisions) Act 1976.

All relevant information will be taken into account when consideration is given to an application for a Private Hire vehicle Licence.

Whilst an application for a Licence should conform to the Licensing Conditions and Council Policies and Guidelines each application will be considered on its own merits.

Where an applicant is aggrieved by the Council's decision to refuse to grant a private hire vehicle licence or by any conditions imposed on a private hire vehicle licence the applicant has a right of appeal to the Magistrates Court within 21 days of the Applicant being notified of the decision of the Licensing Committee

Wyre Forest District Council may at its discretion, waive, alter, or add to any of the Conditions, Standards or Requirements.

A Private Hire vehicle is issued, upon grant, on 1<sup>st</sup> August each year and is valid for one year.

**A Novelty Vehicle is defined as:**

- any vehicle that has been specially constructed or adapted or converted by a low volume specialist vehicle manufacturer or modifier;
- any vehicle that has been structurally or mechanically modified from its original design or specification that is capable of carrying up to but not exceeding 8 passengers;
- any vehicle intended for the carriage of fare paying passengers that, prior to the introduction of this policy / conditions would not be licensed by the Authority as a private hire vehicle because it did not comply with one or more of the standard Conditions relating to Private Hire vehicles;
- any vehicle that in the opinion of the Council's Principal Licensing Officer, because of its specialist design / styling or origin should be classed as a Novelty Vehicle.

A Novelty Vehicle will not only be subject to the Council's Standard Conditions relating to Private Hire vehicles (except where they conflict with these Special Conditions ) and the Provisions of the Local Government ( Miscellaneous

Provisions ) Act 1976 but also the additional special conditions enumerated below.

**LICENCE CONDITIONS**

**VOSA Documentation**

Wyre Forest District Council will licence vehicles for Private Hire operation. Novelty vehicles must have a valid category of Single Vehicle Approval certificate ( SVA) or an acceptable equivalent which must be produced to the Licensing Authority.

**Manufacturer's Approval**

Novelty vehicles that have been converted from a standard production model must have original documentation to confirm that the conversion was approved by the original manufacturer and that the conversion was undertaken by a converter / modifier under an approved scheme.

**Imported Vehicles**

Documentary evidence must be produced to prove that any imported Novelty vehicle has been legally imported into the UK and that the lights and indicators etc. have been modified to UK Specification.

**Age Limits**

Any Novelty vehicle that has been stretched / significantly modified or is a vehicle of unique / low volume manufacture will not be licensed or remain licensed beyond 10 years of age from original manufacturer unless the applicant is able to provide a recent report from a qualified independent testing organisation recognised and approved by the Licensing Authority, that has conducted intrusive tests on all aspects of the vehicles construction and structural integrity. Such tests to include tests on the seating and any seat belt arrangement confirming that they conform to the latest requirements and best practices. The report should also confirm that all aspects of the vehicle are suitable for hire and reward purposes. The report must make a recommendation for a time scale for when a further inspection and report would be required.

**Additional Documents / Testing**

Novelty vehicle proprietors may be required to supply additional documentation as required by the Council's Principal Licensing Officer, or for any vehicle to undergo any reasonable additional tests. Any additional costs involved will be the responsibility of the applicant

**Left-hand Drive**

Left-hand drive vehicles, converted or modified will be considered for Private Hire vehicle licensing unless the Authority is advised not to by a recognised organisation responsible for vehicle or public safety.

**Vehicle Signage**

The signage on Novelty vehicles must adhere to the current Private Hire signage and marking conditions and Private Hire Exempt vehicle Conditions where applicable. No other signs, notices or any other markings will be displayed on or in the vehicle without the written permission of the Authority.

**Seating Configuration**

Novelty vehicles with sideways facing seating will be considered for private hire vehicle licensing unless the Authority is advised not to by a recognised organisation responsible for the safety of the vehicle. The Novelty vehicle seating capacity must be reduced where necessary to a maximum of 8 passengers. Any attendants or drivers assistants will be counted as passengers. The total number of people allowed in a novelty vehicle at any time including the driver is 9.

**Decommissioned Military or Emergency Response Vehicles**

Decommissioned Military or Emergency response vehicles must have all official marking or blue lights removed. Any colour scheme must be of a contrast to the original colour scheme and to that of any previous or current military or emergency response vehicles.

**Tinted Glass**

The windscreen, driver's cockpit and front side windows to be of clear glass and the rear view windows of any vehicle shall not have been tinted / treated so that less than 75% of light is transmitted through them.

**Tyres**

Novelty vehicles must be fitted with tyres that meet both the size and weight specification for the vehicle, as well as allowing for the additional weight of up to 8 passengers (900kg)

**Alcohol and Young Persons**

Where the majority of the passengers are under the age of 18 years with no direct parental supervision no alcohol at all is permitted to be in the vehicle.

**Drinking Utensils**

If the Novelty vehicle operator provides or allows any drinking utensils to be carried or used in the vehicle they must be made of plastic or shatter proof glass.

**Seat Belts**

Seatbelts must be fitted to all forward and rear facing seats and must be worn at all times by passengers whilst the vehicle is in motion. There is no legal requirement for seatbelts on sideways facing seats.



## **AUTO RICKSHAWS (TUK TUK)**

### **Age Limit**

Vehicles presented for licensing shall be less than 2 years of age.

### **Kerb Vehicle Weight**

The kerb weight shall not exceed 350kg

### **Length and Width Restrictions**

The vehicle shall be no more than 1450mm wide and 2750mm long.

### **Construction**

The vehicle shall have a chassis which is semi-monocoque. The vehicle shall be constructed with rear doors no higher than 550mm with restricted access to the offside. The vehicle must have adequate door and roof covers to give weather protection. The distance from the rear to the back seat should be no less than 360mm.

### **Seating Capacity**

The maximum seating capacity - 3 passengers

### **Engine Capacity**

The engine capacity shall be less than 250cc.

### **Manufacturer's Designed Maximum Speed**

The Manufacturer's designed maximum speed shall not exceed 40 mph.

### **Passenger Access**

Passenger access shall be from the nearside of the vehicle only.

### **Step Height**

The step height for embarking and disembarking of passengers shall be no more than 370mm

### **Seat Belts**

The outside two rear seats must have lap and diagonal seat belts. The centre seat must have a lap belt. The driver's seat must have a retractable seat belt. All fitted to UK / EU standard.

### **Rear Foot well**

A 12 volt low level light shall be illuminated at night in the rear foot well of the vehicle.

### **Rubber Matting**

Non slip rubber matting shall be fitted in the front and rear foot wells.