

Public Document Pack

Date of meeting Monday, 20th October, 2014
Time 7.00 pm
Venue Civic Offices, Merrial Street, Newcastle Under Lyme, Staffordshire ST5 2AG
Contact Geoff Durham

Public Protection Committee

AGENDA

PART 1 – OPEN AGENDA

1 Apologies

2 DECLARATIONS OF INTEREST

To receive declarations of interest from Members on items included in this agenda.

3 AGE LIMIT FOR PRIVATE HIRE AND HACKNEY CARRIAGE VEHICLES

Report will be sent to follow.

4 Draft Taxi Licensing Policy for Consultation

(Pages 3 - 66)

5 URGENT BUSINESS

To consider any business which is urgent within the meaning of Section 100(B)4 of the Local Government Act.

Members: Councillors Bailey, Mrs Braithwaite, Eastwood, Hailstones, Mrs Hailstones, Matthews, Naylor, Miss Olszewski, Proctor (Vice-Chair), Robinson (Chair), Miss Walklate, Williams and Mrs Williams

PLEASE NOTE: The Council Chamber and Committee Room 1 are fitted with a loop system. In addition, there is a volume button on the base of the microphones. A portable loop system is available for all other rooms. Should you require this service, please contact Member Services during the afternoon prior to the meeting.

Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

Meeting Quorums :- 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

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- REPORT TITLE** Draft Taxi Licensing Policy for Newcastle under Lyme
- Submitted by:** Head of Business Improvements, Central Services and Partnerships
- Portfolio:** Safer Communities
- Ward(s) affected:** All

Purpose

To request that the Committee consider whether to include an “exceptional conditions” age policy for Hackney Carriage and Private Hire Vehicles in the Council’s draft Taxi Policy Document prior to it being sent out for full consultation.

That the Committee considers the amended draft Taxi Licensing Policy and agree that it be sent out for consultation from 1st November 2014 for 3 months.

Recommendation

That the Committee

- a) **Include the recommended ‘exceptional conditions’ procedure in the draft Taxi Licensing Policy.**
- b) **That the Draft Taxi Licensing Policy be agreed by the Committee for consultation.**
- c) **That the Draft Taxi Licensing Policy be sent out for consultation on 1st November 2014 for 3 months.**
- d) **That the results of the consultation be brought back to this Committee for consideration in February 2015.**
- e) **That the Taxi Licensing Policy agreed by this Committee be presented to the meeting of Full Council on 15th March 2015 for final agreement and implementation.**

1. **Background**

1.1 Members will recall at their previous meeting on the 22nd September 2014, considering 3 options which would affect the Council’s age policy for Hackney Carriage and Private Hire vehicles.

Having considered the options the Committee requested that officers investigate the practicalities of how option B could be implemented while continuing to maintain the highest standards for licensed vehicle s and the efficient running of the Licensing function.

The wording of option B was:-

to introduce a system whereby that a pre-test by an independent practitioner would need to be passed prior to an operator presenting a vehicle that is over eight years old for testing at the depot. An independent contractor could be another garage or an organisation such as the AA or RAC. The cost of the process would have to be met by the vehicle owner.

Officers have investigated this option and concluded that the following procedure would enable the Council to satisfy itself that a vehicle was in “exceptional condition” and therefore suitable for licensing over the age of 8 years.

1. The applicant would, 30 days prior to expiry of their licence, inform the Council of their intention to apply for their vehicles “exceptional condition” status. This application would be accompanied by a Motor Vehicle inspection report from either the AA (comprehensive check) or RAC (essentials plus check) this check would give an indication whether or not the vehicle could be deemed to be in “exceptional condition” (i.e. no failures or advisory notices). These checks and the elements required can be seen at Appendix A
2. On receipt of this notification check, a Council inspection would be allocated (subject to existing requirements such as providing relevant documentation and fee).
3. Subject to passing the Council’s inspection at its first time, a licence would be granted for that vehicle for a period of six months after which a VOSA MOT no older than one month should be submitted to enable the licence to be extended to its full 12 month period.

In this matter officers take the view that if a vehicle is to be considered as in “exceptional condition” it should pass the Council’s inspection at its first attempt. Not to pass would indicate the vehicle is not in “exceptional condition”.

There may be other influencing factors that may assist the Council in its decision making and which could also be added to the draft Policy:

- a) The vehicle will have Uniform paintwork that is lustrous and scratch free.
- b) Be free of visible rust.
- c) Have an interior that is clean and upholstery which is supportive and free of stains and free of splits and wear and tear.
- d) Be free of any unrepaired damage.
- e) Repairs that have been made will have been carried out by qualified persons and will be to the highest standard.
- f) Be free of any major mechanical faults or defects.
- g) Will have a record of being serviced at regular intervals either by a main agent or other reputable garage. Ideally this servicing will be recorded in the vehicles original service booklet.

Current Age Limit Relating to Hackney Carriage Vehicles (suspended pending implementation of the new Taxi Licensing Policy)

Purpose built Hackney Carriages and those vehicles which have been converted to incorporate the standards laid down by the Public Carriage Office will continue to be relicensed despite their age subject to passing an annual test and the licences running concurrently.

The Council will use the date of the first registration shown on the vehicle's log book to determine the age of that vehicle.

Vehicles that are not purpose-built - that is saloon vehicles, estate vehicles and hatchback vehicles - will continue to be re-licensed up to eight years of age subject to passing an annual test and the licences running concurrently.

Current Age Limit Relating to Private Hire Vehicles

When a vehicle has been licensed as a Private Hire Vehicle it is capable of being re-licensed annually until the vehicle is eight years old, providing that the licences run concurrently.

The Council will use the date of first registration shown on the vehicle's log book to determine the age of the vehicle. Where a licence is issued and the expiry date is after the eight year rule the licence will remain in place until its expiry.

In respect of mini buses, these vehicles should be less than five years of age when first tested and can continue to be licensed for as long as the vehicle continues to pass the Council's annual test, provided that the applications to renew the licence run concurrently to the expiring licence.

Alternative Recommendation submitted by the Hackney Carriage Association

Attached at **Appendix B** is an alternative recommendation relating to the testing of vehicles over 8 years of age for consideration by the Committee.

2. Issues

2.1 The Council have a duty to protect the public and to ensure that before granting a licence for a Hackney Carriage or Private Hire Vehicle that it is "safe and fit for purpose".

2.2 While there is no legal definition in this respect for "fit for purpose" it could be rightly asked that would those people responsible for granting the licence be happy for their family to be carried in that vehicle.

It is important and relevant to note that the AA will only provide a BASIC CHECK for vehicles up to 8 years of age any vehicles older than 8 years would only be given what is termed a COMPREHENSIVE INSPECTION, and that the RAC provide an ESSENTIALS check for vehicles that are up to 10 years of age and have done less than 120,000 miles, if

the vehicle is older or has done more miles it would need the ESSENTIALS PLUS check. Both organisations have a sliding scale of charges, these charges are highlighted on Appendix A.

3. **Options**

The Committee can:-

- 1) Adopt the method proposed by your officers to establish “exceptional condition”:
- 2) Accept the proposals put forward by the Hackney Carriage Association
- 3) Amend the proposed method
- 4) Decline the request to have the “exceptional condition” and maintain the current policy on age.

4. **Recommendations**

As listed above

5. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

5.1 In formulating and proposing this Policy to Members, officers have adopted as their overriding concern the safety of the public.

- In terms of the Borough Council’s corporate priorities, the draft Policy relates to the following:
 - Creating a clean, safe and sustainable Borough
 - Creating a Borough of opportunity
 - Creating a healthy and active community
 - Becoming a co-operative council which delivers high quality, community-driven services.

6. **Legal and Statutory Implications**

6.1 When considering any application for a Private Hire Vehicle Licence, the Borough Council, in accordance with Section 48 (1) (a) (i) (iii) (iv) and (v) of the Local Government (Miscellaneous Provisions) Act 1976, shall not grant such a licence unless they are satisfied that the vehicle in question is suitable in type, size and design for use as a private hire vehicle; is in a suitable mechanical condition; and is safe and comfortable.

6.2 As per Section 47 of the above Act, the Borough Council may attach to the grant of a Hackney Carriage licence such conditions as it may consider reasonably necessary. The range of conditions is wide and can therefore encompass safety, comfort and design.

6.3 The Borough Council may adopt a policy but should be clear that this is a policy which should be flexible in terms of its implementation and, therefore, should be applied to each case on its own merits.

7. **Equality Impact Assessment**

7.1 The purpose of age limits, as applied to Hackney Carriages, is to try and ensure that the licensed vehicles are safe, reliable and comfortable.

7.2 Any vehicle age policy, therefore, as applied in this area of Council business, is not arbitrary, but is a policy and it is for the Borough Council to consider any application which falls outside its own vehicle age policy on its own merits.

8. **Financial and Resource Implications**

8.1 An unreasonable decision may lead to awards of costs in the magistrates' court and therefore use the limited resources available to the Borough Council. A clear and reasonable policy assists in delivering efficiency.

9. **Major Risks**

9.1. Public safety should not be compromised under any circumstances, and a robust Licensing Policy assists in securing public safety.

9.2 If public safety is compromised, then there is a risk of reputational and financial damage to the Borough Council as well as possible harm to the public.

9.3 In addition, any unreasonable refusals for the grant of a licence may also lead to reputational and financial risks to the Borough Council.

10. **List of Appendices**

- Appendix A – AA and RAC Check Lists
- Appendix B - Alternative Recommendation from the Hackney Carriage Association
- Appendix C – Draft Taxi Licensing Policy
- Appendix D - Private Hire Vehicle Conditions
- Appendix E - Hackney Carriage Vehicle Conditions
- Appendix F - Check List for the Council's Vehicle Test – Car
- Appendix G - Check List for the Council's Vehicle Test – Mini Bus

11. **Background Papers**

Reforming the Law of Taxi and Private Hire Services – A Consultation Paper No. 203
Taxi and Private Hire Services – The Law Commission Paper No 347

12. **Management Sign-Off**

Each of the designated boxes need to be signed off and dated before going to Executive Director/Corporate Service Manager for sign off.

	Signed	Dated
Financial Implications		

Discussed and Agreed Lead Officer – Dave Roberts		
Legal Implications Discussed and Agreed Lead Officer – Mark Bailey		
Report Agreed by: Executive Director/ Head of Service		



Vehicle inspection prices

AA members save 10%

The cost of an inspection

These cost from as little as £128 for AA Members (£142 for non-members). But the cost of an inspection depends on the engine size and the type of inspection.

Basic inspections

Available for vehicles up to 8 years old, this inspection covers mechanical and vehicle operations, and also checks for body damage. See what we check.

Engine size	AA Member	Non-member
Up to 1800cc	£128	£142
Over 1801cc	£146	£162

Comprehensive Inspection

This inspection is available for vehicles up to 15 years old, and covers the bodywork, paintwork, interior, visible mechanical and electrical components and equipment. It includes an up to 10-mile road test, multi-page written report and a verbal report. See what we check.

Engine size	AA Member	Non-member
Up to 1400cc	£172	£191
1401 to 2000cc	£182	£202
2001 to 2500cc	£229	£254
Over 2501cc	£275	£305

Four-wheel drive inspection

This Comprehensive Inspection also covers the 4WD operation of the vehicle. See what we check.

Engine size	AA Member	Non-member
Up to 1400cc	£172	£191
1401 to 2000cc	£182	£202
2001 to 2500cc	£263	£294
Over 2501cc	£309	£345

Vans and motorhomes up to 3,500kg

See what we check.

Engine size	AA Member	Non-member
Van	£174	£193
Motorhome	£214	£238

For enquiries
please call

0800 056 8040

Lines are open
Mon-Sun 8am-8pm



Vehicle inspections

AA members save 10%



Why buy AA Vehicle Inspections

Get a vehicle safety check and road test before you buy

- up to **206 checks** per car
- **same-day** feedback, written report within one day
- fixed rated, no hidden costs
- impartial advice to help you negotiate a price
- available for **cars, vans and motorhomes**

From as little as £128 for AA Members (£142 for non-members), the cost of an inspection depends on the engine size and the type of inspection.

Just call **0800 056 8040**.

Why check a car before you buy

An AA customer recently saved himself £17,500. He got the AA to check a used car before he bought and found out it had been stolen.

Comprehensive inspection

206 safety checks, includes all basic inspection checks plus additional checks on:

- roadworthiness
- mechanical and main electrical functions
- previous body repairs
- 10-mile road test

Basic inspection

Over 154 safety checks completed for vehicles up to 8 years old, including

- mechanical and vehicle operations
- previous accident damage

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The provision of AA Vehicle Inspections is subject to availability. The service may not be available in certain locations and for all vehicles. Horseboxes, hybrid / dual-fuel vehicles, kit cars, limousines or American imports are excluded. This will be confirmed when you request a quote. Comprehensive Inspections available for vehicle up to 15 years old, basic inspections available for vehicles up to 8 years old.

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Frequently asked questions

All you need to know about Vehicle Inspections

- [Types of vehicle inspected](#)
- [Booking an inspection](#)
- [The vehicle inspection](#)
- [After the inspection](#)

Types of vehicle inspected

What vehicles do you inspect?

We can inspect the majority of cars, light vans and motorhomes up to 15 years old, either before purchase or after purchase. Vehicle age is determined by the year of manufacture and may differ from the year of registration.

What vehicles do you not inspect?

- any vehicle over 15 years old
- refrigerated units and bodywork, body tipping gear, tail lifts
- any vehicle over 3,500kg
- horse boxes
- American imports
- kit cars
- limousines
- hybrid/dual-fuel vehicles
- motorcycles
- London taxis (black cabs)
- specific high performance vehicles

Can you inspect disability cars?

Yes, as long as they don't have disability controls.

Do you inspect Imports?

Yes, if the import is registered in the UK and is recognised in the UK, with the exception of American imports.

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Booking an inspection

In which geographical areas do you carry out inspections?

Inspections are only available on the mainland of Great Britain.

Vehicle inspections are not available on any of the Islands or in Northern Ireland, and some areas of Scotland and Wales.

Do you inspect within congestion charging zones?

The engineers can enter a charging zone, but the payment for any congestion charges due for the vehicle being inspected and the engineer's vehicle is your responsibility and will be charged appropriately.

Do engineers work out of hours?

No. They work Monday to Friday 8:30am to 5pm.

Why do I need the vehicle registration number?

The registration number enables us to identify the vehicle, and to allocate the price and type of inspection.

Can the vehicle be inspected without a current MOT Certificate?

If the vehicle does not have a current MOT certificate, or in the opinion of the inspecting engineer the vehicle is unroadworthy, the road test will not be carried out. There is no refund due if this part of the inspection cannot be carried out.

Do I have to do anything else before the inspection?

- Tell the owner that you are arranging an inspection
- Obtain the owner's permission to road test the vehicle
- Check that the vehicle will be available to allow the inspection and road test to take place
- Check that the vehicle has a current MOT certificate (if applicable) and has sufficient fuel for the road test
- The vehicle must be located on a hard, level surface off the public highway
- The vehicle should be reasonably clean



Can I contact the engineer?

Yes. You will be emailed his contact details with confirmation of the inspection being assigned to him.

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The vehicle inspection

How soon is the inspection after booking?

The owner/vendor is contacted as soon as possible to arrange a time that is mutually convenient. Most inspections are carried out within three working days, but this cannot be guaranteed.

Can I book a specific appointment time for the engineer?

No. Most inspections are carried out within three working days, but this is dependant on the owner/vendor, who will be contacted to arrange the appointment.

Do I have to be present at the inspection?

No. We will arrange the inspection with the owner/vendor (or the garage).

What does a Basic Inspection cover?

- available on cars up to 8 years old
- mechanical function
- short road test â€" length subject to traffic and road conditions
- detailed written report

What extras are there in the Comprehensive Inspection?

- available on vehicles up to 15 years old
- body exterior â€" panel condition and alignment, paintwork, trim, bumpers, soft-top operation and condition
- electrical checks â€" mirrors, heater/fan controls, air-conditioning operation, and an opinion is given regarding the condition and operation of the radio/cassette/CD/aerial, if fitted
- interior â€" steering wheel, seat upholstery, carpets, luggage/door trim panels, door fittings/operation, door seals/hinges, interior seals, visors, sun roof, dash panel condition, cigarette lighter, illumination lights
- corrosion protection
- 4WD operation
- full road test

What is not included in the inspections?

- dismantling the vehicle or any of its components
- any indication as to the accuracy of the mileage reading â€" we recommend an AA Car Data Check
- oil and fuel consumption
- source of oil leaks
- TV/DVD/satellite navigation systems
- cylinder compression
- air-conditioning function and efficiency by the use of specific diagnostic equipment
- vehicle electrics and electronics by the use of specific diagnostic equipment

- exhaust emissions and/or catalytic converters using gas analysing equipment
- habitation area of motorhomes: electrical systems and appliances, water fittings and appliances, gas fittings and appliances, body/caravan area for water ingress or dampness



How long does the inspection take?

It will take from one to two and a half hours, depending on the inspection type, location, the vehicle concerned and its condition.

How long is the road test?

A Comprehensive Inspection is usually 10 miles, and 5 miles for a Basic Inspection. However, the distance is dependant on location, traffic levels, fuel level and the engineer's judgment.

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After the inspection

How soon do I get a verbal report?

This will be late in the day or early evening after the engineer has completed his daily inspection workload and written the report.

How will the inspection report be sent to me?

You will receive an email that contains a link to the report, which can then be downloaded from the website.

Will you do a discount on re-inspections to see if the owner has made the changes as a result of an initial inspection?

Yes. A re-inspection is available at a reduced price. Please call 0800 056 8040, Monday to Sunday 8am to 8pm, to speak to an advisor.


Are there any guarantees?

The report is based on the opinions and expertise of the engineer following a visual assessment as to the condition of the vehicle at the time of the inspection.

What if I have a complaint?

Please call 0800 056 8040, Monday to Sunday 8am to 8pm, and an advisor will help you in accordance with our complaints procedures.

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 [Vehicle Inspection terms and conditions \(PDF\)](#)

Vehicle inspection checklist

Please note that some checks may not be applicable to the vehicle you are buying.

	Body Exterior	Comprehensive	Basic	Van	Motorhome
Panel condition/alignment		yes	no	no	yes
Paintwork		yes	no	no	yes
Exterior trim		yes	no	no	yes
Glass		yes	yes	yes	yes

Body Exterior	Comprehensive	Basic	Van	Motorhome
Bumpers and number plates	yes	no	no	yes
Door locks	yes	yes	yes	yes
Fuel Filler cover/cap	yes	yes	yes	yes
Soft top operation	yes	no	no	no
Body damage	yes	yes	yes	yes
Corrosion	yes	yes	yes	yes
Corrosion Protection	yes	no	no	yes
Mud Flaps	yes	yes	yes	yes
Bonnet catch	yes	yes	yes	yes
Bonnet Hinges	yes	yes	yes	yes
Body load space condition	no	no	yes	no

Engine Compartment	Comprehensive	Basic	Van	Motorhome
Coolant level/Condition	yes	yes	yes	yes
Coolant Leaks	yes	yes	yes	yes
Anti Freeze	yes	yes	yes	yes
Radiator/Cap	yes	yes	yes	yes
Hoses/Pipes	yes	yes	yes	yes
Drive Belts	yes	yes	yes	yes
Water Pump	yes	yes	yes	yes
Power Steering (oil level)	yes	yes	yes	yes
Clutch Fluid	yes	yes	yes	yes
Brake Fluid	yes	yes	yes	yes
Engine Oil level	yes	yes	yes	yes
External Leaks (Upper engine)	yes	yes	yes	yes
Engine Mountings	yes	yes	yes	yes
Carburettor/Fuel Injection	yes	yes	yes	yes
Turbo/Supercharger	yes	yes	yes	yes
Fuel Pump/Pipes	yes	yes	yes	yes
Accelerator Links	yes	yes	yes	yes
Cold starting	yes	yes	yes	yes
Fast Idle (cold)	yes	yes	yes	yes
Noise Level (cold)	yes	yes	yes	yes
Excess Fumes/Smoke	yes	yes	yes	yes

Electrical Controls	Comprehensive	Basic	Van	Motorhome
Starting Systems/Ignition lock	yes	yes	yes	yes
Battery Condition	yes	yes	yes	yes

Electrical Controls	Comprehensive	Basic	Van	Motorhome
Battery Voltages	yes	yes	yes	yes
Headlights	yes	yes	yes	yes
Sidelights	yes	yes	yes	yes
Rear lights	yes	yes	yes	yes
Stop Lights	yes	yes	yes	yes
Indicators/Hazard lights	yes	yes	yes	yes
Reverse/Fog lights	yes	yes	yes	yes
Auxiliary Lights	yes	yes	yes	yes
Interior/Panel lights	yes	yes	yes	yes
Mirrors (electric)	yes	yes	yes	yes
Controls/switches	yes	yes	yes	yes
Instruments	yes	yes	yes	yes
Horn	yes	yes	yes	yes
Radio Aerial	yes	no	no	yes
Heater/Fan controls	yes	no	no	yes
Air Con operation	yes	no	no	yes
Windows/sun roof	yes	yes	yes	yes
Wipers/washers	yes	yes	yes	yes
Headlamp wash/wipe	yes	yes	yes	yes
Interior/Luggage Compartment	Comprehensive	Basic	Van	Motorhome
Steering wheel alignment/Adjustment	yes	no	no	yes
Seat Upholstery	yes	no	no	yes
Seat adjustment	yes	yes	yes	yes
Seat belts	yes	yes	yes	yes
Carpets	yes	no	no	yes
Door trims panels	yes	no	no	yes
Door fittings/Operations	yes	no	no	yes
Door Seals/Hinges	yes	no	no	yes
Interior sills	yes	no	no	yes
Headlining/Visors	yes	no	no	yes
Sun Roof	yes	no	no	yes
Dash panel (condition)	yes	no	no	yes
Cigarette Lighter	yes	no	no	yes
Mirrors (Internal)	yes	yes	yes	no
Rear Parcel shelf	yes	yes	yes	no
Boot/Tailgate lock	yes	yes	yes	no

Interior/Luggage Compartment	Comprehensive	Basic	Van	Motorhome
Luggage area trim condition	yes	no	no	no
Illumination light	yes	no	no	yes
Tool kit	yes	no	no	yes
Soft top (condition)	yes	no	no	no
Tonneau cover	yes	no	no	no
Front Suspension/Steering/Under frame	Comprehensive	Basic	Van	Motorhome
Engine underside leakage	yes	yes	yes	yes
Steering joints/ball joints	yes	yes	yes	yes
Steering box/rack	yes	yes	yes	yes
Chassis members	yes	yes	yes	yes
Power Steering (operation)	yes	yes	yes	yes
Wheel hubs/bearings	yes	yes	yes	yes
Springs/suspension units	yes	yes	yes	yes
Pipes/hoses	yes	yes	yes	yes
Dampers (condition/leaks)	yes	yes	yes	yes
Gaiters	yes	yes	yes	yes
Sub frames mountings	yes	yes	yes	yes
Suspension arms/mounts	yes	yes	yes	yes
Tie bars/anti roll bars	yes	yes	yes	yes
Corrosion Protection	yes	no	no	yes
Corrosion-floor/chassis	yes	yes	yes	yes
Rear suspension/Under Frame	Comprehensive	Basic	Van	Motorhome
Springs/suspension bars	yes	yes	yes	yes
Anti roll bar	yes	yes	yes	yes
Dampers/bushes	yes	yes	yes	yes
Suspension arms/fixings	yes	yes	yes	yes
Location rods/fixings	yes	yes	yes	yes
Bump stops/gaiters	yes	yes	yes	yes
Wheel hubs/bearings	yes	yes	yes	yes
Pipes/hoses	yes	yes	yes	yes
Sub frames/mountings	yes	yes	yes	yes
Chassis members	yes	yes	yes	yes
Corrosion Protection	yes	no	no	yes
Corrosion-floor/chassis	yes	yes	yes	yes
Clutch/Transmission	Comprehensive	Basic	Van	Motorhome

Clutch/Transmission	Comprehensive	Basic	Van	Motorhome
Clutch/Transmission	Comprehensive	Basic	Van	Motorhome
Fluid/oil leaks	yes	yes	yes	yes
Cables/Adjustments	yes	yes	yes	yes
Hydraulic system	yes	yes	yes	yes
Linkage (wear)	yes	yes	yes	yes
Casings	yes	yes	yes	yes
Mountings	yes	yes	yes	yes
Drive shaft assembly	yes	yes	yes	yes
Universal/sliding Joints	yes	yes	yes	yes
Backlash	yes	yes	yes	yes
Gaiters	yes	yes	yes	yes
Prop shaft(s)	yes	yes	yes	yes
Bearings/supports	yes	yes	yes	yes
Exhaust System	Comprehensive	Basic	Van	Motorhome
Manifold	yes	yes	yes	yes
Pipes	yes	yes	yes	yes
Silencer(s) Catalyst	yes	yes	yes	yes
Heat shields/Mountings	yes	yes	yes	yes
Joints/couplings	yes	yes	yes	yes
System condition	yes	yes	yes	yes
Fuel System	Comprehensive	Basic	Van	Motorhome
Tank	yes	yes	yes	yes
Tank Fixings	yes	yes	yes	yes
Fuel lines	yes	yes	yes	yes
Breather pipes	yes	yes	yes	yes
Evidence of leaks	yes	yes	yes	yes
Brakes	Comprehensive	Basic	Van	Motorhome
Master cylinder security	yes	yes	yes	yes
Fluid Leaks	yes	yes	yes	yes
Servo/power system	yes	yes	yes	yes
Flexible hoses	yes	yes	yes	yes
Pipes/connections	yes	yes	yes	yes
Discs/pads (if visible)	yes	yes	yes	yes
H/Brake/operation adjustment	yes	yes	yes	yes
H/Brake linkage	yes	yes	yes	yes

Brakes	Comprehensive	Basic	Van	Motorhome
Pedal/linkage	yes	yes	yes	yes
Wheels and Tyres	Comprehensive	Basic	Van	Motorhome
Wheel Rims	yes	yes	yes	yes
Wheel Trims	yes	yes	yes	yes
Right front tyre	yes	yes	yes	yes
Left front tyre	yes	yes	yes	yes
Right rear tyre	yes	yes	yes	yes
Left rear tyre	yes	yes	yes	yes
Spare tyre	yes	yes	yes	yes
Road Test	Comprehensive	Basic	Van	Motorhome
Distance covered where possible	10 miles	5 miles	5 miles	10 miles
Final drive operation/noise	yes	yes	yes	yes
Gearbox operation/noise	yes	yes	yes	yes
Engine performance	yes	yes	yes	yes
Engine noise	yes	yes	yes	yes
Excess smoke	yes	yes	yes	yes
Overheating evidence	yes	yes	yes	yes
Auto changes/kick down	yes	yes	yes	yes
Instruments/controls operation	yes	yes	yes	yes
Steering wheel alignment	yes	yes	yes	yes
Clutch operation	yes	yes	yes	yes
4WD operation	yes	no	yes	yes
Cooling fan operation	yes	yes	yes	yes
Steering effort	yes	yes	yes	yes
Hot restart	yes	yes	yes	yes
Road holding/stability	yes	yes	yes	yes
General steering/handling	yes	yes	yes	yes
Foot brake operation	yes	yes	yes	yes
H/Brake operation	yes	yes	yes	yes
Suspension noise	yes	yes	yes	yes
Warning Lights	yes	yes	yes	yes
Final Check	Comprehensive	Basic	Van	Motorhome
Uneven tyre wear	yes	yes	yes	yes
Oil leaks	yes	yes	yes	yes
Coolant leaks	yes	yes	yes	yes



10% AA member discount

If you hold another AA product such as breakdown cover or insurance, you'll have been issued with an AA card, which gives you 10% off your inspection today.

Have your AA card to hand when you book your inspection online or over the phone.

You just have to give us the 16-digit number when asked to claim your 10% discount. ([Terms and conditions apply.](#))

Just call **0800 056 8040**.

For enquiries
please call

0800 056 8040

Lines are open
Mon-Sun 8am-8pm

RAC Homepage

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Vehicle Inspections for Private Buyers

Are you confident you're buying a car that's roadworthy and safe to drive?

So before you close a deal on a car, get peace of mind with an RAC Vehicle Inspection:

- Visual inspection and road test by an experienced RAC engineer.
- Full [RAC Car Data Check](#) to ensure the car isn't stolen or a write-off.
- Discuss the findings with the engineer on the same day as the inspection
- Get a written report posted (first class) or emailed to you the next working day.

Book a Vehicle Inspection

You can also get a quote and arrange a vehicle inspection by calling **0800 085 2529**, or if you have any questions/queries email us at visales@rac.co.uk.

Essentials

The crucial checks to make before buying a car - a mechanical and structural inspection, underbody check and road test to **make sure the car is safe, sound and roadworthy.**

Engine size	RAC Members	Non-members
Up to 1800cc	£135.00	£149.00
Over 1800cc	£148.00	£163.00

The following vehicles are exempt from this product: imports, 4x4s, convertibles, write-offs, vehicles over 10 years old, vehicles with more than 5 seats, prestige vehicles and vehicles that have completed more than 120,000 miles.

Essentials Plus

Our fully comprehensive inspection can reassure you that your car is in excellent working order, with up to **65 extra checks**.

Engine size	RAC Members	Non-members
Up to 1400cc	£179.00	£194.00
1401cc to 2000cc	£183.00	£203.00
2001cc to 2500cc	£234.00	£254.00
Over 2501cc	From £234.00	From £254.00

4x4 Vehicle inspections

Engine size	RAC Members	Non-members
Up to 1400cc	£179.00	£194.00
1401cc to 2000cc	£183.00	£203.00
2001cc to 2500cc	£265.00	£295.00
Over 2501cc	£305.00	£346.00

Vehicle inspections of vans, motorhomes and minibuses

Vehicle type	RAC Members	Non-members
Van	£179.00	£194.00
Motorhome	£213.00	£244.00
Minibus with 9 or more seats	£234.00	£254.00

Car Insurance

Cover for less than **£143*** (that's what 10% of our customers paid)



[Get a quote](#)

Looking to buy or sell a car?

RAC Car Reviews give you an independent perspective on new and used cars and vans from over 50 manufacturers.



[Find out more](#)

True stories

Read some real case studies about some of the issues car-buyers face when buying a used car.



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If your vehicle is 20 years or older please call for a Quote.

There are also other [checks and inspections](#) we provide after purchase, or after an accident.

To arrange a vehicle inspection please call **0800 085 2529**.

Opening hours:

Monday/Tuesday - 08:00 to 20:00
 Wednesday to Friday - 08:00 to 18:00
 Saturday - 09:00 to 17:00
 Sunday and Bank Holidays - Closed

[Frequently asked questions](#) about RAC Vehicle Inspections.

¹ 10% of all customers buying car insurance with us from 1st January 2014 to 30th June 2014 paid less than £143. Based on comprehensive car insurance, excluding any additional products and upgrades, with payment on an annual basis. Your premium will depend on your circumstances and the level of cover you choose.

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Body exterior

	Essentials	Essentials Plus
1 Panel condition/alignment		✓
2 Paintwork		✓
3 Exterior trim		✓
4 Glass	✓	✓
5 Bumpers/number plates		✓
6 Door locks/operation	✓	✓
7 Fuel filler cover/petrol cap	✓	✓
8 Soft top (operation/condition)		✓
9 Body damage	✓	✓
10 Past repair evident *	✓	✓
11 Corrosion	✓	✓
12 Mud flaps		✓

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Engine compartment

	Essentials	Essentials Plus
--	------------	-----------------

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Electrical/controls

	Essentials	Essentials Plus
37 Starting system/ignition lock	✓	✓
38 Battery charging system	✓	✓
39 Headlights	✓	✓
40 Side light/running lights	✓	✓

Car Insurance

Cover for less than £143¹ (that's what 10% of our customers paid)



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Read some real case studies about some of the issues car-buyers face when buying a used car.



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	Essentials	Essentials Plus
41 Rear lights/number plate lights	✓	✓
42 Stop lights	✓	✓
43 Indicators/hazard lights	✓	✓
44 Reverse/fog lights	✓	✓
45 Auxiliary lights	✓	✓
46 Panel lights	✓	✓
47 Mirrors (electric)		✓
48 Switches/controls	✓	✓
49 Instrument/controls function	✓	✓
50 Horn	✓	✓
51 Radio/cassette/CD/aerial		✓
52 Heater fan/controls		✓
53 Air con. operation		✓
54 Door locking	✓	✓
55 Window/sunroof operation	✓	✓
56 Wipers/washers	✓	✓
57 Headlamp washer/headlamp wiper		✓

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Interior luggage compartment

	Essentials	Essentials Plus
58 Steering wheel/adjustment		✓
59 Seat upholstery		✓
60 Seat mechanism	✓	✓
61 Seat belts	✓	✓
62 Carpets		✓
63 Door trim panels		✓
64 Door fittings/operation		✓
65 Door seals/hinges		✓
66 Interior sills		✓
67 Headlining/visors		✓
68 Sunroof		✓
69 Dash panel (condition)		✓
70 Cigarette lighter		✓
71 Mirrors - Internal	✓	✓
72 Rear parcel shelf		✓
73 Boot/tailgate lock	✓	✓
74 Luggage area trim/condition		✓
75 Illumination lights		✓
76 Tool kit etc.		✓
77 Soft top material		✓
78 Tonneau cover		✓

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Front suspension and steering

	Essentials	Essentials Plus
79 Engine underside leakage	✓	✓

	Essentials	Essentials Plus
80 Steering joints/ball joints	✓	✓
81 Steering rack	✓	✓
82 Chassis members	✓	✓
83 Power steering	✓	✓
84 Wheels hubs/bearings	✓	✓
85 Springs/suspension unit	✓	✓
86 Pipes/hoses	✓	✓
87 Dampers (conditions/leaks)	✓	✓
88 Gaiters	✓	✓
89 Sub frames/mountings	✓	✓
90 Suspension arms/mountings	✓	✓
91 Tie bars/anti roll bars	✓	✓
92 Corrosion protection		✓
93 Corrosion - floor/chassis	✓	✓

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Clutch/transmission - manual

	Essentials	Essentials Plus
94 Fluid/oil leaks	✓	✓
95 Cables/adjustment	✓	✓
96 Hydraulic system	✓	✓
97 Linkage (wear)	✓	✓
98 Casings	✓	✓
99 Mountings	✓	✓
100 Drive shaft assemblies	✓	✓
101 Universal/sliding joints	✓	✓
102 Backlash	✓	✓
103 Gaiters	✓	✓
104 Propshaft(s)	✓	✓
105 Bearings/supports	✓	✓

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Rear suspension and underframe

	Essentials	Essentials Plus
106 Springs/suspension unit	✓	✓
107 Anti-roll bar	✓	✓
108 Dampers/bushes	✓	✓
109 Suspension arms/fixings	✓	✓
110 Location rod/fixings	✓	✓
111 Bumpers stops/gaiters	✓	✓
112 Wheel hubs/bearings	✓	✓
113 Pipes/hoses	✓	✓
114 Sub frames/mountings	✓	✓
115 Chassis members	✓	✓
116 Corrosion protection		✓
117 Corrosion - floor/chassis	✓	✓

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Wheels and tyres

	Essentials	Essentials Plus
118 Wheel rims		✓
119 Wheel trims		✓
120 Front right tyre	✓	✓
121 Front left tyre	✓	✓
122 Rear right tyre	✓	✓
123 Rear left tyre	✓	✓
124 Spare	✓	✓

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Exhaust system

	Essentials	Essentials Plus
125 Manifold	✓	✓
126 Pipes	✓	✓
127 Silencer(s)/catalyst	✓	✓
128 Heat shields/mountings	✓	✓
129 Joints/couplings	✓	✓
130 System condition	✓	✓

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Fuel system

	Essentials	Essentials Plus
131 Tank	✓	✓
132 Tank fixings	✓	✓
133 Fuel lines	✓	✓
134 Breather pipes	✓	✓
135 Evidence of leaks	✓	✓

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Brakes

	Essentials	Essentials Plus
136 Master cylinder security	✓	✓
137 Fluid leaks	✓	✓
138 Servo/power system	✓	✓
139 Flexible hoses	✓	✓
140 Pipes/connections	✓	✓
141 Discs/pads (if visible)	✓	✓
142 Hand/parking brake operation/adjustments	✓	✓
143 Hand/parking brake linkage	✓	✓
144 Pedal/linkage	✓	✓

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Road test

Essentials Essentials Plus

	Essentials	Essentials Plus
145 Engine - performance	✓	✓
146 Engine - noise	✓	✓
147 Excess smoke	✓	✓
148 Overheating evidence	✓	✓
149 Gearbox operation/noise level	✓	✓
150 Auto changes/kickdown		✓
151 Final drive operation/noise level	✓	✓
152 Clutch operation	✓	✓
153 4wd operation		✓
154 Cooling fan operation **	✓	✓
155 Instrument/controls function	✓	✓
156 Steering wheel alignment		✓
157 Steering effort		✓
158 General steering/handling	✓	✓
159 Footbrake operation	✓	✓
160 Hand/parking brake operation	✓	✓
161 Suspension noise	✓	✓
162 Road holding/stability	✓	✓
163 Hot restarting		✓
164 Warning lights	✓	✓
165 Cruise control		✓

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Final check

	Essentials	Essentials Plus
166 Leaks - fluid	✓	✓

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General notes & exclusions

* Repairs and replacement panels will only be reported if work has not been carried out to a professional standard

** Providing engine reaches operating temperature on road test

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Newcastle under Lyme and Kidsgrove Hackney Carriage Taxi Association

Trades proposal for over 8 year old vehicles Testing and Safety

The Newcastle and kidsgrove Taxi Association considers this proposal to be simple, efficient and fit for purpose for over 8 year Vehicles to satisfy the additional Public Safety requirements.

An 8 year old vehicle would be subject to 3 tests over the 12 month period. I.e., A VOSA Test up to 4 weeks prior to the set Council Test date (pass document presented to Council). This could from the outset ensure the vehicle would go forward to meet the criteria of the Council Test in a fit and proper condition. Furthermore another VOSA MOT Test to be conducted 6 months after the Council Yard Test (pass document presented to Council).

The VOSA Test could be carried out at any bonafide garage as standard, but if the Council required a specific independent garage participation, then the Taxi Association have Nominated two local VOSA MOT garages, which are prepared to join.

This burden of an extra and a significant cost of additional tests will be met by the Vehicle Proprietors at unfortunately difficult financial times.

The Taxi Association considers Public Safety as paramount and the proposed scheme, subject to Councils approval, will ensure exceptionally higher standard of a Safe Vehicle for the traveling public.

For and on behalf of Newcastle Under Lyme & Kidsgrove Taxi Association



Dated 9th October 2014

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DRAFT

Taxi Licensing Policy

2014—2019

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Appendix 2 - Guidelines for the relevance of convictions
Appendix 3 - Conditions of fitness regulations (Hackney Carriages)
Appendix 4 - Hackney Carriage licence conditions
Appendix 5 - Hackney Carriage Tariff sheet (sample)
Appendix 6 - Private Hire vehicle licence conditions
Appendix 7 - Private Hire Operator conditions
Appendix 8 - The Councils Enforcement protocol

Aims of the Policy

This policy has been developed to provide guidance and information to ensure that both the taxi trade and the public in the Borough of Newcastle under Lyme have a single document that fully explains Newcastle-under-Lyme Borough Council's licensing procedures.

The principle and overriding aim of licensing the Hackney Carriage and Private Hire trade is to protect the public. A related aim is to also regulate the trade to ensure that in offering their services, the trade are doing it in a way where the public have access to local transport which is safe, comfortable, and meets all the requirements not only of the legislation which is specific to Hackney Carriage and Private Hire but also of all other statutory and regulatory bodies concerned with motorised transport.

In addition, the Policy attempts to encompass the Council's key corporate priorities of creating a safer, greener, and sustainable Borough, and creating a Borough of opportunity.

The Policy seeks to ensure that transport for those with a disability will be provided.

Where the Council determines that specific conditions and requirements not specified in the relevant Acts of Parliament; accounted for in the Department for Transport Guidance or any other best practice guidance; are not unreasonable; and are deemed necessary to address local best practice then these will be implemented following a resolution from the Borough Council's Public Protection Committee.

The Public Protection Committee will make no decision which could adversely affect the livelihood of anyone with any licence without first having undergone a period of consultation.

Background

Hackney Carriage and Private Hire vehicles have an important role to play in any integrated public transport system. They are able to provide services in situations where other forms of public transport are either restricted, not available, or outside normal hours of operation, and assist those with mobility problems.

Policy Summary

This Policy contains information about legal requirements; government guidance; existing Borough Council policies, procedures and standards relevant to Hackney Carriage and Private Hire licensing; and should be considered to be a 'living' document (i.e. capable of change to reflect other wider environmental, social, legislative or political developments). When there are changes to guidance, legislation, or best practice then the Council will automatically review the Policy to reflect those changes. This Policy is not

exhaustive and the Council maintains the right to refuse to grant a licence if it deems it necessary to do so for reasons of public safety and public interest.

Definitions

The following terms are used throughout this document.

- 'The Council' or 'the Authority' refers to Newcastle under Lyme Borough Council, except where stated otherwise
- 'Vehicle' or 'Licensed Vehicle' refers to both a Hackney Carriage and Private Hire vehicle.
- 'Saloon type cars' refers to any vehicle not purpose built as a taxi and therefore includes hatchback and estate cars
- 'Hackney Carriage' refers to a vehicle licensed under the Town Police Clauses Act 1847 to for hire in the area covered by the Council
- 'Private Hire Vehicle' refers to a vehicle licensed under the Local Government (Miscellaneous Provisions) Act 1976 ("the Act") to carry passengers for hire or reward by prior booking
- 'Private Hire Operator' refers to a person who holds an operator's licence under the Act and makes provision for the acceptance of private hire bookings for themselves or to pass to others to undertake
- 'The DfT' refers to the Department for Transport including previous names under which that department has been known
- 'The DfT guidance' refers to the Department for Transport – Hackney Carriage and Private Hire Vehicle Licensing Best Practice Guidance (published in March 2010)
- 'The Committee' refers to the Public Protection Committee of the Council
- The word 'taxi' has no meaning in law and can be used generically to describe both Hackney Carriages and Private Hire vehicles
- 'The OfT' refers to the Office of Fair Trading
- 'The DPA' refers to the Data Protection Act 1998
- DBS refers to the Disclosure and Barring Service
- 'The Guidelines' refer to the Council's guidelines for the relevance of convictions when considering the grant or renewal of a licence

The following Acts of Parliament form the basis of this Policy.

- The Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976

Policies and Practices

The Council's licensing of taxis, drivers and operators takes account of the requirements, powers, duties, and responsibilities contained within the relevant Acts and the DfT Guidance.

Data Protection

The Data Protection Act 1998 ("DPA") covers the collection, storage, processing and distribution of personal data. It also gives certain rights to individuals about whom information is recorded.

The Council aims to fulfil its obligation under the Act to the fullest extent by only processing personal data for the purposes of legitimate interests pursued by the Council or legal requirements imposed on the Council.

The DPA obliges local authorities to comply with eight data protection principles. The principles state that personal data shall be:

- Obtained only for specified and lawful purposes;
- Adequate, relevant and not excessive in relation to the purpose(s) for which it is being processed;
- Accurate and, where necessary, up to date;
- Processed fairly and lawfully;
- Processed in accordance with the rights of the data subjects
- Kept secure
- Kept only as long as necessary
- Transferred to countries outside the European Economic Area only if those countries have an adequate level of protection for the rights of data subjects

Further information about the DPA can be obtained at the Information Commissioner's website (www.ico.gov.uk). Enquiries regarding the Council's use of personal data should be addressed to the Council's Data Protection Officer.

Public Register

The Council will hold and maintain a register for all the licences which it issues. The information held on the register will be restricted to the name of the licence holder; a unique licence number; the date of commencement; and the date of the expiry of the licence.

The register will be available for inspection by prior arrangement with the Council's Licensing team.

Applications for Grant/Renewal--Private Hire/Hackney Carriage drivers

It is the responsibility of the Council to protect the public and to ensure that before anyone is granted a licence the Council needs to be satisfied that he/she is a "fit and proper" person to hold such a licence.

There is no agreed definition for "fit and proper" - in the absence of such a definition, the Council will use the widely accepted interpretation of:

"Would those responsible for granting a licence be happy for their mother, daughter or any lone or vulnerable person to travel unaccompanied with the applicant?."

Process and Requirements for an Initial Application

Before granting a licence the Council requires that:

- a) The applicant is over 21 years of age
- b) The applicant produces a valid full UK driving licence (or the European equivalent) that reveals no relevant convictions and the applicant must have held a full licence for more than one year
- c) The applicant produces a medical report undertaken by their own GP which has regard for the DVLA Medical Standards of Fitness to drive Level II and shows that the applicant meets the required medical standard
- d) The applicant provides a recent enhanced disclosure from the DBS that is less than one month old
- e) The applicant has completed the necessary application forms and provides two recent colour passport sized photographs
- f) The applicant has paid the appropriate fee
- g) The applicant provides two references which indicate their suitability
- h) The applicant holds either a BTEC Level 2 certificate in the 'Introduction to the Role of the Professional Taxi and Private Hire Driver' qualification, or, where that is not locally available, to have taken and passed the Driving Standards Agency (DSA) taxi test which incorporates the wheelchair manoeuvring element. These are minimum requirements. Higher levels of qualifications such as a National Vocational Qualification (NVQ) for licensed drivers will also be accepted
- i) The applicant has passed the Council's geographical test for Private Hire and Hackney Carriage drivers. The test is currently provided locally at Burslem College.

Where an applicant meets all the above criteria the licence will automatically be granted and issued.

The licence will be valid for a period of three years.

Renewal Applications

The application process for the renewal of a licence requires the same elements as the initial application with the following exceptions:

- a) There will be no requirement to undertake a local knowledge test
- b) Where the previous application was accompanied by a medical certificate no such certificate will be necessary. The Council's policy is, where applications are continuous, a medical certificate will only be required at every other application
- c) For drivers who have reached 65 years of age a medical certificate will be required for every application
- d) There will be no requirement to provide references
- e) Where an application is submitted after a licence has expired, that application will be treated as a new application and not a renewal
- f) Where an application for renewal is made by anyone who does not hold a BTEC qualification or the DSA taxi test the licence will only be valid until 1st October 2015. Those licences restricted to 1st October 2015 will be extended to the full term of three years on production of a relevant qualification.

The successful applicant for the grant or the renewal of a licence will be issued with a driver's badge which will have a unique number; a photograph of the applicant; and the applicant's name. The paper counterpart of the licence will have the same information. The licence will be valid for 3 years. The counterpart of the licence will include a set of the Council's conditions (Appendix 1)

It is the responsibility of the applicant to acquaint him/herself fully with the conditions attached to the licence and of the offences that can be committed while holding a licence and acting as a Private Hire or Hackney Carriage driver.

Where an application is received and the driving licence and/or the DBS disclosure reveal convictions that fall within the Council's guidelines for the relevance of convictions (Appendix 2) the application will be referred, in the first instance, to the Head of Business Improvement, Central Services and Partnerships who will consider the matter, and, when necessary, will forward the matter to the Council's Committee.

The Committee will consider such applications and has the discretion to:

- a) Grant a licence for a specified period of time
- b) Grant a licence for the full term of three years
- c) Refuse the application

Any applicant who is refused a licence by the Committee will be notified in writing of that decision and the reasons behind the refusal. If the applicant is aggrieved by the decision he/she has the right of appeal in the Magistrates' Court.

Medical Standards

In circumstances when a licence has been granted and the Council subsequently has doubts regarding the medical fitness of the licence holder the Council will require confirmation from a recognised occupational health practitioner that the licence holder continues to meet the recommended standard.

Vehicle Standards

No vehicle - Hackney Carriage or Private Hire - will be considered for its initial licence unless it has been seen by and/or approved by the Council's Licensing Service. Vehicles must not be altered from the manufacturer's standard.

Accidents

The proprietor shall report to the Council's Licensing Section as soon as reasonably practicable, and in any case within 72 hours, of the occurrence of any accident involving the vehicle which causes damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons carried therein.

When making any decision on the suitability of a vehicle, the following will be taken into account: The vehicle will:

- a) Have uniform paintwork
- b) Be free of visible rust
- c) Have an interior that is clean and upholstery which is free of stains and free of splits and tears
- d) Be free of any unrepaired damage
- e) Where repairs have been necessary these will have been completed by qualified technicians and will have been carried out to the highest standard
- f) Have, in the case of estate cars, a method of securing luggage in order to safeguard passengers
- g) Have a steering wheel that is on the offside of the vehicle
- h) Be fitted with tyres that are the designated size, speed and weight rating for that make and model of vehicle as prescribed by the vehicle manufacturer.
- i) The vehicle will also be provided with either:-
 - A spare tyre that is the correct size, speed, and weight rating, is inflated, and has the legally required depth of tread, and equipment to enable the changing of a wheel;
 - The manufacturer's approved space saver spare wheel, and equipment to enable the changing of that wheel;
 - Alternatively, to carry a puncture repair kit that includes a method of inflating the tyres and free of any major mechanical faults or defects
- j) Be fitted with an anti-lock braking system

- k) Have an adequate system for heating and ventilation for the comfort of the passenger and at the discretion of the passenger
- l) Have fitted rear passenger windows that are not heavily tinted or blacked out and will allow a minimum of 35% transmission of light

Hackney Carriage Vehicle Licences

What is a Hackney Carriage Vehicle?

A Hackney Carriage is a vehicle licensed under the Town Police Clauses Act 1847 and the Act part II to ply for hire throughout the district controlled by any relevant local authority.

At present, the Council has no limit on the number of Hackney Carriage vehicle licences it can approve, although the Council's policy for any additional Hackney Carriage licences is that they will only be granted to vehicles which are wheelchair accessible.

Those operators who have Hackney Carriage vehicles which are 'saloon type cars' can replace that vehicle with another saloon type either on renewal or prior to renewal of licences. In circumstances where an operator allows a licence attached to a saloon type to expire then that licence no longer exists.

Vehicle Suitability

The Council presently grants initial applications to those vehicles that are either purpose-built 'London-type cabs' or those vehicles that have been specifically converted to Hackney Carriages (typically known as an M1 conversion). These converted vehicles should meet a European-wide type approval and should conform to the Conditions of Fitness Regulations laid down by Transport for London (formerly the Public Carriage Office). These regulations have been amended to be relevant for the Council. The amended version can be seen at Appendix 3.

The Council's policy does not permit Hackney Carriages that are wheelchair accessible to be replaced by any other type of vehicle, although replacing a saloon/estate or hatchback for a wheelchair accessible vehicle is permitted once the change has been made.

Where a licence is granted it will normally be valid for a period of one year.

Licence Renewal

Licence renewals shall be annual and shall run concurrently with the expiring licence.

Vehicle Requirements

For a vehicle to meet the Council's criteria for a Hackney Carriage licence it must:

- 1) Meet the requirements outlined in the Vehicle Standards section of this Policy
- 2) Be less than five years of age when first tested
- 3) Be black with a four inch white stripe which runs the length of both sides of the vehicle
- 4) Be fitted with a taximeter, calibrated to the Borough Council's approved tariff
- 5) Be fitted with an illuminated roof sign
- 6) Shall not be a convertible or coupe (but a sun roof may be fitted)
- 7) Shall not be modified from the original manufacturer's specification
- 8) Shall have a minimum passenger seating capacity of four (this can increase to a maximum of eight passenger seats)
- 9) Shall not be fitted with rear passenger windows that do not allow a 35% transmission of light
- 10) Shall have sufficient boot space to accommodate a reasonable amount of passenger luggage

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 Motor Vehicles (Construction and Use) Regulations) shall be fully complied with.

Age of Vehicles

- 1) Purpose built Hackney Carriages and those vehicles which have been converted to incorporate the standards laid down by the Public Carriage Office will continue to be relicensed despite their age subject to passing an annual test and the licences running concurrently
- 2) The Council will use the date of the first registration shown on the vehicle's log book to determine the age of that vehicle.
- 3) Vehicles that are not purpose-built - that is saloon vehicles, estate vehicles and hatchback vehicles - will continue to be re-licensed up to eight years of age subject to passing an annual test and the licences running concurrently.

Applications

All applications, whether for a grant of a licence or a renewal of a licence, should be accompanied by the following:

- The appropriate fee with a completed application form
- A current VOSA MOT certificate where the vehicle is over three years of age
- A certificate of insurance that provides for the insured to use the vehicle for public hire.

Vehicle Testing

Before a licence is issued, the vehicle will be examined and tested at the Council's Operational Services department. The cost of this initial test is

contained in the application fee. Where a vehicle fails the initial test a fee will be payable before any retest is undertaken. Information on fees is contained under the Licence Fees section of this Policy. In most circumstances where an advisory item has been identified on a VOSA MOT certificate, this will constitute a failure at the Council test.

Licence Plates - Conditions

On successful completion of the application, the applicant will be issued with two Hackney Carriage plates which will be fitted to the exterior of the vehicle (one at the front and one at the rear).

The position the plates are affixed will be on or close to the height of the bumper of the vehicle and will be attached using fixings that allow the plates to be removed by the Council's Enforcement Officers.

In addition, a copy of the licence details will be issued, and these will be sited inside the vehicle in such a position that it can be seen by passengers.

The applicant will be issued with a licence which will be valid for one year. A set of conditions will be attached to the licence and it is the responsibility of the applicant to familiarise him/herself with these conditions. The conditions can be seen at Appendix 4.

Expiry of licence

In circumstances where a proprietor allows the Hackney Carriage licence attached to a saloon-type vehicle to expire and has made no attempt to renew that licence then any new application shall be in accordance with the Council's policy that says "all new applications for Hackney Carriage licences shall only be approved for those vehicles that are purpose-built or have been converted in accordance with taxi regulations and are wheelchair accessible".

Where extreme mitigating circumstances exist in connection with the expiry of a licence and this can be proven then consideration of these extreme circumstances will be given by those people who have delegated powers in the Council's Scheme of Delegation.

Hackney Carriage Tariffs

Tariffs for Hackney Carriages are approved and set by the Council's Committee. When a request for any increase of the tariff is received and is approved by the Committee, the proposed revised tariff will be published in the local newspaper for 14 days after which, should there be no objections, the revised tariff will be applied.

Taximeters and Tariffs

The proprietor of a Hackney Carriage shall ensure that the vehicle is fitted with a taximeter. This meter shall be maintained and in working condition at all times.

The taximeter shall be calibrated to reflect the tariff approved by the Council, and should be positioned where it can easily be seen and read by the hirer and shall be capable of being suitably illuminated during any period of hiring.

The taximeter should be of a design that allows a method of sealing, following calibration, in order to prevent alteration or tampering.

The meter will be fitted where it can be clearly visible to the hirer.

The positioning of the meter will not interfere with the vision of the driver.

Operation of the meter will only commence when the hirer is seated in the vehicle and before the journey commences.

At the termination of a hiring the driver shall ensure that the hirer sees the meter reading before any payment is made.

Operation of the Taximeter

Prior to any hiring the meter must be zeroed and show no reading. On acceptance of a fare, the driver will select the appropriate tariff:

Tariff 1

During daytime hours Tariff 1 will be selected.

Tariff 2

After midnight and at weekends Tariff 2 may be selected. This is at a rate 50% more than Tariff 1.

Tariff 3

During Bank Holidays Tariff 3 may be selected. This is at a rate of 100% more than Tariff 1.

There may also be a separate tariff for those Hackney Carriages licensed to carry five or more passengers when five or more passengers hire the vehicle

A Hackney Carriage driver may demand less than the fare shown on the face of the taximeter but may never demand more than the fare shown on the taximeter.

The taximeter must remain on at all times when working within the Borough of Newcastle under Lyme and may only be turned off when working outside the Borough.

A sample tariff sheet can be seen at Appendix 5.

Hackney Carriage Signage

The Council's policy on signage allows all-over advertising only on those vehicles that are wheelchair accessible provided that national advertising

standards are met. No advertisements that promote alcohol, tobacco, or contains any element of a sexual nature, nudity or semi nudity, nor if any advertising contains political, ethnic, religious, sectarian, sexual or controversial text, likely to offend public taste, or that depicts or advocates violence, or advertising any racist or sectarian group or organisation which promotes or advocates violence.

Approval for any all-over advertising will be required from the Council's Licensing team.

Signs incorporating the name and telephone number of the proprietor of the vehicle are permitted for those Hackney Carriages that are saloon-type vehicles. These signs shall be composed of either black and white lettering of not more than two inches in height, with appropriate spacing and may be displayed on the two front doors of the vehicle only.

Hackney Carriage Ranks

The provision and siting of Hackney Carriage ranks within the Borough of Newcastle under Lyme is done in partnership with the Council and Staffordshire County Highways Department. The Council will always attempt to ensure that there are adequate Hackney Carriage rank spaces to properly serve the needs of the travelling public.

Private Hire Vehicle Licences

What is a Private Hire Vehicle?

The term 'Private Hire Vehicle' refers to a vehicle licensed under the Act to carry passengers for hire or reward by prior booking.

Unlike Hackney Carriages there is no mechanism for limiting the numbers of Private Hire Vehicles

Accidents

The proprietor shall report to the Council's Licensing Section as soon as reasonably practicable, and in any case within 72 hours, of the occurrence of any accident involving the vehicle which causes damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons carried therein.

Vehicle Requirements

For a vehicle to meet the Council's criteria for a Private Hire Vehicle licence it must:

- 1) Meet the requirements in the Vehicle Standards section of this Policy
- 2) Be less than five years of age when tested
- 3) Be any colour other than black
- 4) Have at least four doors (excluding a tailgate)

- 5) Not be of such design and appearance as to lead any person to believe that the vehicle is a Hackney Carriage
- 6) Not be a convertible or coupe (but a sunroof may be fitted)
- 7) Not be modified from the original manufacturer's specification
- 8) Not be fitted with rear passenger windows that do not allow a 35% transmission of light
- 9) Have sufficient boot space to accommodate a reasonable amount of passengers luggage
- 10) Have a minimum passenger seating capacity of four. This can increase to a maximum of eight passenger seats. These can include those vehicles that are mini buses or MPVs.

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 Motor Vehicles (Construction and Use) Regulations) shall be fully complied with.

Applications

All applications, whether for a grant of a licence or a renewal of a licence, will be accompanied by the following:

- The appropriate fee with a completed application form
- A current VOSA MOT certificate
- A certificate of insurance that provides for the insured to use the vehicle for hire or reward under Private Hire booking

Vehicle Testing

Before a licence is issued, the vehicle will be examined and tested at the Council's Operational Services department. The cost of this initial test is contained in the application fee. Where a vehicle fails the initial test a fee will be payable before any retest is undertaken. Information on fees is contained under the Licence Fees section of this Policy. In most circumstances where an advisory item has been identified on a VOSA MOT certificate, this will constitute a failure at the Council test.

Licence Plates, Licence and attached Conditions

On successful completion of the application and testing of the vehicle, the applicant will be issued with two Private Hire Vehicle Licence plates. These will be required to be fitted to the exterior of the vehicle - one at the front and one at the rear. The position at which they are affixed will be on, or close to, the height of the bumper of the vehicle and will be attached using the fixings provided.

In addition, the applicant will be issued with adhesive signs which read "Private Hire Pre Booked Journeys Only". These will be affixed to the front doors of the vehicle.

The applicant will be issued with a licence which will be valid for one year. The licence will include a set of conditions. It is the responsibility of the applicant to familiarise him/herself with those conditions. These conditions can be seen at Appendix 6.

Signage

Advertising is not permitted on Private Hire Vehicles.

Age of Vehicles

When a vehicle has been licensed as a Private Hire Vehicle it is capable of being re-licensed annually until the vehicle is eight years old, providing that the licences run concurrently.

The Council will use the date of first registration shown on the vehicle's log book to determine the age of the vehicle. Where a licence is issued and the expiry date is after the eight year rule the licence will remain in place until its expiry.

In respect of mini buses, these vehicles should be less than five years of age when first tested and can continue to be licensed for as long as the vehicle continues to pass the Council's annual test, provided that the applications to renew the licence run concurrently to the expiring licence.

Taximeters in Private Hire Vehicles

Unlike Hackney Carriages, Private Hire Vehicles are not required to have taximeters fitted, although, where a proprietor feels that it would be advantageous to fit a taximeter, the following will apply:

- 1) The meter will be fitted where it can be clearly visible to the hirer
- 2) The positioning of the meter will not interfere with the vision of the driver
- 3) Following calibration to the operator's tariff, the taximeter will be sealed in such a manner that it cannot be tampered with or altered
- 4) Operation of the meter will only commence when the hirer is seated in the vehicle and before the journey commences
- 5) At the termination of a hiring the driver shall ensure that the hirer sees the meter reading before any payment is made
- 6) The meter shall be capable of being suitably illuminated during any period of hiring

Hackney Carriage and Private Hire Vehicles Annual Testing

After a vehicle has had its initial licence it will be eligible for re-licensing, providing that it falls within the Council's age policy and continues to meet the necessary standards.

The re-licensing will be carried out annually, following submission of an application form accompanied with the necessary documents including payment and satisfactory inspection by the Council's Transport Manager.

In circumstances where a vehicle fails the annual test, a list of defects will be issued and a period of 28 days will be given to address those defects before re-presenting the vehicle for retesting.

There will be circumstances when a vehicle fails a test and to retest it would only require a cursory inspection, in these cases a fee will not be required.

When a vehicle fails a test and a retest would require more than a cursory inspection a fee will be payable

Failure of Test and Expiry of Licence

The engineer inspecting a vehicle for its annual inspection will determine whether:

- a) The vehicle passes the inspection - a licence will issued which runs concurrently from the previous licence
- b) The vehicle fails the inspection and requires re inspecting, but the reason for failure is not sufficient to prevent the vehicle from carrying passengers while remedial repairs have been undertaken. This can continue until the licence expires
- c) The vehicle fails the annual inspection and the reasons for the failure require that a notice is issued stating that the vehicle should not carry passengers until repairs have been made and the vehicle satisfactorily passes a re inspection

When a vehicle fails an annual inspection and the licence expires before repairs have been inspected, the vehicle has no licence. When the vehicle has been repaired and presented within the 28 day period allowed and passes a re-inspection, a licence will be issued that runs concurrently from the previous licence.

In circumstances where the proprietor of a Private Hire Vehicle allows the licence to expire and has made no attempt to renew and the vehicle falls outside the Council's age policy for Private Hire Vehicles then that vehicle will not be considered for a licence except under extreme mitigating circumstances which can be proven to the satisfaction of the Council. The consideration of these extreme circumstances will be given by those people who have delegated powers in the Council's Scheme of Delegation.

Private Hire Operators

A Private Hire Operator's Licence is required to enable a person to accept or invite bookings for Private Hire Vehicles.

Before such a licence can be issued the Council must be satisfied that the applicant is a fit and proper person.

Application

The applicant requirements are:

- 1) To provide a disclosure from the DBS (applications received from individuals that hold a current Private Hire or Hackney Carriage drivers licence may already be considered a fit and proper person and may forego this requirement)
- 2) To complete an application form
- 3) To pay the appropriate fee

Where applications are approved, a Private Hire Operator's Licence will be issued, and a set of conditions will be attached to the licence. It is the responsibility of the applicant to familiarise him/herself with those conditions. These conditions can be seen at Appendix 7.

Licences will be issued for three years (unless a lesser period has been specified by the Committee)

Operators Licences outside the Borough Boundary

Section 57 (2) (b)(ii) of the Act part 2 allows local authorities to issue Private Hire Operators Licences to applicants who intend to carry on their business outside the boundary of the relevant local authority.

The Council, in recognising that this section of the Act, have resolved that no licence will be granted to an applicant who intends to carry out his/her business at an address or addresses which are more than one mile outside the Borough boundary.

The Role of the Public Protection Committee

The Committee consists of elected members of the Council who will consider all matters concerning Private Hire and Hackney Carriages that cannot normally be dealt with by the Council's officers.

This will include, but is not restricted, to:

- a) Applications for Private Hire and Hackney Carriage drivers' licences where the applicant has convictions that fall within the Council's Guidelines, or where the applicant has convictions that fall outside those guidelines but the nature and number of offences give rise to concern
- b) Considering the breach of any condition on a licence
- c) Considering convictions imposed on drivers while they hold a licence.
- d) Considering requests from the Private Hire and/or the Hackney Carriage trade
- e) Considering the instigation of any prosecution
- f) To consider any licensing matter that may arise that is not covered by the Policy or any existing conditions

It is Council policy that no elected member can vote at any committee unless they have received training particular to that committee on which they serve.

When coming to any decision the Committee will always give reasons for that decision and will endeavour to act reasonably and in accordance with the Human Rights Act 1998.

Anyone who is aggrieved by a decision of the Committee has the right of appeal to the Magistrates' Court

Enforcement

It is the responsibility of the Council to ensure that taxi drivers and operators are licensed in accordance with the relevant laws governing Hackney Carriage and Private Hire Vehicles and that the conditions attached to the licences are adhered to.

The Council has a Corporate Enforcement Strategy which guides and informs the Council's approach to any enforcement issues. This document can be found at Appendix 8.

Offences

Offences relating to Hackney Carriages and Private Hire Vehicles are derived from the following sources:

Town Police Clauses Act 1847 (Hackney Carriages only)

- Section 40 Giving false information on a Hackney Carriage licence application
- Section 44 Failure to notify change of address of a Hackney Carriage licence
- Section 45 Plying for hire without a Hackney Carriage licence
- Section 47 Driving a Hackney Carriage without a Hackney Carriage driver's licence
- Section 47 Lending or parting with a Hackney Carriage driver's licence
- Section 47 Proprietor employing an unlicensed Hackney Carriage driver
- Section 48 Failure of a proprietor to hold a Hackney Carriage driver's licence
- Section 48 Failure of a proprietor to produce a Hackney Carriage driver's licence
- Section 52 Failure to display a Hackney Carriage plate
- Section 53 Failure to take a fare without a reasonable excuse
- Section 54 Charging more than the agreed fare
- Section 55 Obtaining more than the legal fare (including failure to refund)
- Section 56 Travelling less than the lawful distance for an agreed fare
- Section 57 Failure to wait after a deposit has been paid
- Section 58 Charging more than the legal fare
- Section 59 Carrying persons other than the hirer without the hirer's consent
- Section 60 Driving a Hackney Carriage without the proprietor's consent

- Section 60 Allowing a person to drive a Hackney Carriage without the proprietor's consent
- Section 62 Driver leaving a Hackney Carriage unattended
- Section 64 Hackney Carriage driver obstructing other Hackney Carriages

Local Government (Miscellaneous Provisions) Act 1976

- Section 46 Using an unlicensed Private Hire Vehicle
- Section 46 Driving a Private Hire Vehicle without a Private Hire driver's licence
- Section 46 Proprietor of a Private Hire Vehicle using an unlicensed driver
- Section 46 Operating a Private Hire Vehicle without a Private Hire operator's licence
- Section 46 Operating a vehicle as a Private Hire Vehicle when the vehicle is not licensed as a Private Hire Vehicle
- Section 46 Operating a Private Hire Vehicle when the driver is not licensed as a Private Hire driver
- Section 48 Failure to display a Private Hire Vehicle plate
- Section 49 Failure to notify the transfer of a vehicle
- Section 50 Failure to present a Hackney Carriage or Private Hire Vehicle for inspection upon request
- Section 50 Failure to inform the Borough Council where a Hackney Carriage or Private Hire Vehicle is stored, if requested
- Section 50 Failure to report an accident to the Council within 72 hours
- Section 50 Failure to produce the vehicle licence and insurance upon request
- Section 53 Failure to produce a driver's licence upon request
- Section 54 Failure to wear a private hire driver's badge
- Section 56 Failure of a Private Hire operator to keep proper records of all bookings, or failure to produce them on request of an authorised officer of the Borough Council or a Police Officer
- Section 56 Failure of a Private Hire operator to keep records of all Private Hire vehicles, or failure to produce them on request of an authorised officer of the Borough Council or a Police Officer
- Section 56 Failure of a Private Hire operator to produce his licence on request
- Section 57 Making a false statement or withholding information to obtain a Hackney Carriage or Private Hire driver's licence
- Section 58 Failure to return a plate after notice has been given following expiry, revocation, or suspension of a Hackney Carriage or Private Hire Vehicle Licence
- Section 61 Failure to surrender a driver's licence after suspension, revocation, or refusal to renew
- Section 64 Permitting any vehicle other than a Hackney Carriage to wait on a Hackney Carriage rank
- Section 66 Charging more than the meter fare for a journey outside the Borough without prior agreement
- Section 67 Charging more than the meter fare when the Hackney Carriage is used as a Private Hire Vehicle.
- Section 69 Unnecessarily prolonging a journey
- Section 71 Interfering with a taximeter with intent to mislead

- Section 73 Obstruction of an authorised officer of the Borough Council or a Police Officer
- Section 73 Failure to comply with a requirement an authorised Borough Council Officer or Police Officer
- Section 73 Failure to give information or assistance to an authorised Borough Council Officer or Police Officer

Disability Discrimination Act 1995

- Section 37 Refusal to carry a guide, hearing, or other assistance dog in a Hackney Carriage without a valid certificate of exemption
- Section 37 Charging an additional cost for the carrying of an assistance dog in a Hackney Carriage
- Section 37 Refusal to carry a guide, hearing, or other assistance dog in a Private Hire Vehicle without a valid certificate of exemption
- Section 37 Charging an additional cost for the carrying of an assistance dog in a Private Hire Vehicle

Delegated Powers

The Council’s Committee is responsible for the management of the Hackney Carriage and Private Hire licensing regime in the Borough.

In addition, the Council’s Chief Executive and the Head of Business Improvement, Central Services and Partnerships, both have delegated powers which are set out in the Council’s Standing Orders.

When matters concerning public safety arise a decision concerning the immediate suspension or revocation of licences can be made by those officers prior to consideration of the matters by the Committee.

Licence Fees

The policy does not include fees as these are subject to the Council’s annual budget review process. Current fees can be obtained from the Licensing team or via the Council’s website.

When setting the fees for Hackney Carriage and Private Hire licences the Council will endeavour to ensure that the costs of the service including the cost of issue and administration will, so far as is possible, be on a cost recovery basis.

Where a licence is issued and a duplicate or copy is required the Council will apply an administrative charge. This charge will reflect the cost to the Council.

Stretch Limousines and Novelty Vehicles

At present the Council do not licence these types of vehicles but it accepts that there should be some form of licensing regulation that encompasses these vehicles and their drivers and is committed to formulate a policy for such vehicles when there exists definitive guidance and best practice.

Partnerships

The Council recognises that partnership working with other regulatory and statutory bodies will benefit the effective running of the taxi licensing regime. Conversely, a properly administered taxi regime will be beneficial to its partners and to the public. To this end, the Council's Licensing team is continuing to develop its effective links with Staffordshire Police, the Border and Immigration Service, benefit fraud investigators, HMRC, VOSA, other departments within the Council such as Revenues and Benefits, and the Council's neighbouring authorities.

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BOROUGH OF NEWCASTLE-UNDER-LYME

**STANDARD CONDITIONS ATTACHED TO A PRIVATE
HIRE VEHICLE LICENCE**

**LOCAL GOVERNMENT (MISCELLANEOUS
PROVISIONS) ACT, 1976**

LICENCE COMMENCES: «uupdate2»

LICENCE EXPIRES: «uupdate3»

LICENSEE: «appname»

1. MAINTENANCE OF VEHICLE

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 Motor Vehicles (Construction and Use) Regulations) shall be fully complied with.

2. ALTERATION OF VEHICLE

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

3. IDENTIFICATION PLATE

(1) The plate identifying the vehicle as a private hire vehicle and bearing the number corresponding with the number of the licence issued under Section 48 of the Local Government (Miscellaneous Provisions) Act, 1976 authorising the vehicle to be used as a private hire vehicle within the district shall be fixed and displayed outside and on the rear of the vehicle either immediately above or below the bumper in such a position as not to obscure the vehicle's registration mark, with the particulars thereon facing outwards and in such manner and place that the plate is clearly visible by daylight from the road at the rear of the vehicle and is easily removable by an authorised officer of the Council or a Police Constable.

(2) The licence plate shall remain the property of the Council. If the proprietor transfers his interest in the vehicle to a person other than the proprietor whose name is specified in the licence or if the proprietor ceases to hold the licence he shall within seven days of the transfer, or of ceasing to hold the licence return the plate to the Council at its

principal office. This is in addition to such requirement being exercised by the Council if the licence should be revoked or suspended.

4. INTERIOR MARKINGS

The proprietor shall cause to be clearly displayed and maintained inside the vehicle in such a position as to be visible at all times to persons conveyed therein the number of this licence and the number of passengers prescribed in this licence.

5. SAFETY EQUIPMENT

There shall be provided and maintained in the vehicle by the proprietor at all times when the vehicle is in use or available for hire a fire extinguisher of a make and type approved by the Council such fire extinguisher to be maintained in good working order at all times, and also a first aid kit containing such first aid dressings and appliances as are specified by the Council such equipment to be carried in such a position in the vehicle as to be readily visible and available for immediate use.

6. SIGNS, NOTICES ETC.

- (a) There shall be attached to the vehicle adhesive signs provided by the Council with the words Private Hire – Pre Booked Journeys Only.
- (b) There may be displayed on the vehicle, at the option of the proprietor, the proprietors name or trade name and business telephone number and if so again on the two front doors.

The lettering for such signs should not exceed 2" high with appropriate spacing, the style and colour of such lettering to be first approved by the Council's Licensing Department.

- (c) Subject to the provision of (a) and (b) above and to the requirement to display the identification plate referred to in condition 3 thereof, there shall not be displayed on, or from the vehicle, any signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever.

7. CHANGE OF ADDRESS

The proprietor, or if there is more than one, each of them, shall disclose to the Council in writing any change of his or their address during the period of the licence within seven days of such change taking place; if the proprietor is a limited company its address for the purposes of this condition shall be that of its registered office and if different also that of its principal place of business.

8. CONVICTIONS

The proprietor shall within seven days disclose to the Council in writing details of any conviction imposed on him (or, if the proprietor is a company or partnership, on any of the directors, secretary or partners) during the period of the licence.

9. DEPOSIT OF DRIVERS' LICENCES

If the proprietor permits or employs any other person to drive the vehicle as a private hire vehicle, he shall before that person commences to drive the vehicle cause the driver to deliver to him his private hire driver's licence for retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his.

NOTE:-

It is an offence for a person to employ a person to drive a private hire vehicle unless the driver holds a current private hire drivers licence and for a person to drive a private hire vehicle unless he holds a private hire drivers licence.

10. RECEIPTS

If requested by a hirer, the proprietor shall issue to the hirer a receipt in respect of the fare charged for the hiring.

11. INSURANCE

Before the vehicle is used as a private hire vehicle such insurances or securities as are required under Part VI of the Road Traffic Act, 1988 shall be obtained in respect of the vehicle and, the proprietor of the vehicle shall at all times during the currency of the licence keep in force, in relation to the user of the vehicle, such insurances or securities and the certificate in respect of the policy of insurance or security shall be produced to the Council's Licensing Section for inspection when requested by him.

12. ACCIDENTS

The proprietor shall report to the Council's Licensing Section as soon as reasonably practicable, and in any case within 72 hours, of the occurrence of any accident involving the vehicle which causes damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons carried therein.

13. TRANSFER OF OWNERSHIP

If the proprietor of a private hire vehicle, in respect of which a vehicle licence has been granted by the Council, transfers his interest, in that private hire vehicle to a person other than the proprietor whose name is specified in the licence he shall within seven days after such transfer give notice in writing thereof to the Licensing Department of the Borough Council specifying the name and address of the person to whom the Private Hire Vehicle has been transferred, together with the appropriate fee.

14. VEHICLE INSPECTION

On receipt of a notice by the Licensing Department of the Council, a proprietor shall present the Private Hire vehicle for inspection and testing on behalf of the Council within such period and at such place within the area of the Council as is specified in the said notice provided that a proprietor shall not be required to present the same private hire vehicle for inspection and testing on more than three separate occasions during any one period of 12 months.

15. LOCATION OF VEHICLE

The proprietor of a private hire vehicle shall, within such period as the Council may by notice from the Licensing Section reasonably require, state, in writing, the address of every place where such vehicle is kept when not in use and shall, if the Council so require, afford to them such facilities as may be reasonably necessary to enable them to cause such vehicle to be inspected and tested there.

16. CONVEYANCE OF PERSONS

The proprietor of a private hire vehicle shall not cause or suffer or permit to be conveyed in the vehicle a greater number of persons exclusive of the driver than the number of persons specified in the licence provided.

17. REAR SEAT BELTS

All vehicles licensed as a private hire vehicle, with the exception of any statutory exemptions, shall have rear seat belts fitted. Under the Road Traffic Act, 1988, any child under the age of 14 years in the rear of such a vehicle must wear a seat belt and it is an offence under the Act for a person without reasonable excuse to drive the vehicle on a road unless the child is wearing a seat belt in conformity with the regulations.

18. The Council may vary all or any of the conditions herein contained at any time.

BOROUGH OF NEWCASTLE-UNDER-LYME

STANDARD CONDITIONS ATTACHED TO A HACKNEY CARRIAGE VEHICLE LICENCE

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT, 1976, TOWN POLICE CLAUSES ACT 1847

LICENCE COMMENCES: «uupdate2»

LICENCE EXPIRES: «uupdate3»

LICENSEE: «appname»

1. All vehicles licensed as Hackney Carriage shall be painted black with addition of a **4" horizontal white strip running the length of the vehicle on each side.**
2. 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 on Motor Vehicles (Construction and Use) Regulations, shall be fully complied with.
3. All Hackney Carriages shall be fitted with an illuminated roof sign bearing the single word "Taxi" in black letters on a white background and bear no other distinguishing marks whatsoever except for; the licence number displayed on the inside of the vehicle; the licence plate attached to the outside of the vehicle and, at the discretion of the proprietor, signs incorporating the name and telephone number of the proprietor or firms composed of white lettering of not more than two inches in height with appropriate spacing, which may be displayed on the two front doors of the vehicle only.
4. Advertising. The advertising of local business shall be permitted. Such advertisements shall only be on the rear doors and windows of Hackney Carriage Vehicles and shall be of a size not exceeding 20" x 30" and shall be white with block letters. Coloured lettering may be permitted but only of the name of the business. All advertisements are subject to prior approval by the Democratic Services Manager.
5. The number of the licence shall be legibly displayed on the inside of the vehicle in such a manner and in such place that the particulars thereof are clearly visible to any passenger being carried in the vehicle.

6. The licence plate shall be fixed and displayed outside at the rear front of the vehicle either immediately above or below the bumper but so that the vehicle registration number is not obscured and so that the particulars thereon are clearly visible by daylight from the road at the rear of the vehicle.
7. The licence plate shall remain the property of the Council and shall be returned to the Council;
 - a. Within 14 days of the date of transfer of the licensed vehicle; and
 - b. Within 7 days after the service of an appropriate notice by the Democratic Services Manager in the event of the Hackney Carriage Licence ceasing to be in force in respect of the vehicle on the licence being suspended.
8. The owner of a Hackney Carriage shall report to the Council's Licensing Section as soon as reasonably practicable, and in any case within 72 hours of the occurrence of any accident to such Hackney Carriage causing damage affecting the safety, performance or appearance of the Hackney Carriage or the comfort or convenience of persons carried therein.
9. Before the vehicle is used as a Hackney Carriage such insurances or securities as are required under Part VI of the Road Traffic Act, 1988 shall be obtained in respect of the vehicle and the owner of the vehicle shall at all times during the currency of the licence keep in force in relation to the user of the vehicle such insurances or securities and the certificate in respect of the policy of insurance or security shall be produced to the Council's Secretary for inspection when requested by him.
10. A Hackney Carriage shall not be used in the Borough of Newcastle-under-Lyme under a Contract or purported Contract for private hire except at a rate of fares or charges not greater than those prescribed in accordance with the provisions of Part 2 of the Local Government (Miscellaneous Provisions) Act 1976 if any or otherwise prescribed in accordance with bye-laws made for that purpose under the Town Police Clauses Act 1847 and when the Hackney Carriage is so used for the fare or charge shall be calculated from the point in the Borough of Newcastle-under-Lyme at which the hirer commences his journey.
11. If the owner of a Hackney Carriage vehicle licence granted by the Borough Council transfers his interest in that Hackney Carriage to a person other than the owner whose name is specified in the licence, he shall within 14 days after that transfer give notice in writing to the Democratic Services Manager of the Council specifying the name and address of the person to whom the Hackney Carriage has been transferred.

12. The owner shall permit an authorised Officer of the Council or a Police Officer to inspect and test a vehicle or any taximeter affixed to such vehicle at all reasonable times. If the Borough Council is not satisfied as to the fitness of the Hackney Carriage or as to the accuracy of the taximeter he shall give notice in writing to the owner to make the Hackney Carriage or taximeter available for further inspection and testing at such reasonable times and place as specified in the notice. If further inspection and testing is required the Hackney Carriage Vehicle licence may be suspended until such time as the Officer is satisfied with the vehicle or with the accuracy of the taximeter. Provided that if the Officer is not so satisfied within a period of 2 months the said licence shall be revoked. The licence plate shall on suspension of the licence be handed forthwith to the Officer but will be returned upon reinstatement of the licence.
13. Without prejudice to the aforementioned provisions the owner of a Hackney Carriage on receipt of a notice in writing from the Democratic Services Manager of the Council shall present the Hackney Carriage for inspection and testing by or on behalf of the Council within such period and at such place within the area of the Council as is specified in the said notice provided that a owner shall not be required to present the same Hackney Carriage for inspection and testing on more than three separate occasions during any one period of 12 months.
14. The owner of a Hackney Carriage shall on receipt of a notice from the Council's Democratic Services Manager provide in writing the address of every place where the vehicle is kept when not in use, and if required by the Council, shall make the vehicle to be inspected and tested at those addresses.
15. Upon request, the owner or driver of a Hackney Carriage shall, upon request by a hirer, issue a receipt in respect of fares charged, and a notice informing hirers of this facility shall be displayed in the interior of the Hackney Carriage in such position and manner that shall be clearly legible to persons being conveyed.
16. The owner of a Hackney Carriage shall not cause or suffer or permit to be conveyed in the vehicle a greater number of persons exclusive of the driver than the number of persons specified in the licence provided.
17. The owner of a Hackney Carriage shall cause provide certain the vehicle a fire extinguisher of type approved by the manufacturers and British Standards Institute as suitable for use in motor vehicles, such fire extinguisher to be fixed in or about the vehicle in such manner and in such a position as to be readily available for use the fire extinguisher to be maintained in good and efficient working order at all times. In addition a first-aid kit containing such first-aid dressings and appliances as are specified by the Council and such equipment to be carried in such a position in the vehicle as to be readily visible and available for immediate use.

18. The owner of a Hackney Carriage shall cause the current “table of fares” fixed by the Council to be exhibited inside the Hackney Carriage by clearly distinguishable letters and figures in such position that it can be conveniently seen by persons being conveyed in the Hackney Carriage.
19. The owner shall produce this licence upon request to any Officer authorised in that behalf by the Democratic Services Manager of the Council or any Police Constable for inspection.
20. If the owner permits or employs any other person to drive the vehicle as a hackney carriage he shall before that person commences to drive the vehicle cause the driver to deliver to him his hackney carriage drivers’ licence for retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his.

NOTE:

It is an offence for a person to drive a hackney carriage whether or not it is plying for hire unless the driver has been granted a hackney carriage drivers licence.

21. The owner of a hackney carriage shall use his/her best endeavours to secure that the vehicle shall only be used as a hackney carriage to stand and ply for hire within the district and for no other purpose.
22. All vehicles licensed as a hackney carriage, with the exception of any statutory exemptions, shall have rear seat belts fitted. Under the Road Traffic Act 1988, any child under the age of 14 years in the rear of such a vehicle must wear a seat belt and it is an offence under the Act for a person without reasonable excuse to drive the vehicle on a road unless the child is wearing a seat belt in conformity with the regulations.
23. The Borough Council may at any time vary, add to, or delete any of the conditions attached to a Hackney Carriage Licence.

**NEWCASTLE – UNDER – LYME BOROUGH COUNCIL
OPERATIONAL SERVICES TRANSPORT WORKSHOP**

RECEIPT NO: _____ HACKNEY CARRIAGE / PRIVATE HIRE _____

DEPARTMENT OR OWNER	REG NO	DATE
MAKE & MODEL	YEAR	CHASSIS NO
RECORDED MILEAGE	ENGINE CAPACITY	SEATING CAPACITY

	PASS	FAIL	REMARKS
<u>LIGHTING EQUIPMENT</u>			
1. Oblige. Front Lamp			
2. Oblige. Rear Lamp			
3. Oblige. Head Lamps			
4. Headlamp Aim & adjustment			
5. Stop Lamps			
6. Rear Reflectors			
7. Direction Indicators			
8. Speedometer operation			
9. Hazard waning device			
<u>STEERING & SUSPENTION</u>			
10. Steering Controls			
11. Steering Mechanism			
12. Power Steering			
13. Stub Axle Assemblies			
14. Wheel Bearings			
15. Suspension			
16. Shock Absorbers			
<u>BRAKING SYSTEM</u>			
17. Service Brake Condition			
18. Parking Brake Condition			
19. Service Brake Efficiency			
20. Parking Brake Efficiency			
21. ABS system			
22. CRS system			
<u>TYRES & WHEELS</u>			
23. Tyre Type			
24. Tyre Condition			
25. Road Wheels & Spare			
<u>SEAT BELTS</u>			
26. Security of Belts			
27. Condition of Belts			
28. Operation of Belts			

GENERAL ITEMS	PASS	FAIL	REMARKS
29. Transmission / Universal Joints			
30. Engine / oil leaks / mounts			
31. Exhaust System			
32. Effectiveness of Silencer			
33. Dynamo / Alternator			
34. Battery			
35. Security of wiring & equipment			
36. Starter			
37. Windscreen Side & Rear Glass			
38. Windscreen Wipers (& rear if fitted)			
39. Windscreen Washers (& rear if fitted)			
40. Driver's view of road			
41. Mirrors (incl. rear view)			
42. Horn			
43. Bonnet Release			
44. Driving Controls			
45. Door Locks, Catches & Hinges			
46 Fuel Tank & System			
47. VIN or chassis number			
48. Condition of Vehicle Structure & Bodywork			
49. Registration plate			
50. Signage (doors)			
51. Advertising (approved)			
52. Licence plate and holder			
53. Taxi Meter (if applicable)			
54. Fire Extinguisher			
55. Luggage Carrier			
56. Seating & Upholstery			
57. First Aid Box			
58. Child Safety Locks			
59. Smoke Emission			
60. Wheelchair facility			
61. Authorised illuminated sign (if applicable)			
62. Security of auxiliary equipment			

Pass / Fail: _____

Signed: _____
Mechanic

Printed: _____

Date: _____

**NEWCASTLE – UNDER – LYME BOROUGH COUNCIL
OPERATIONAL SERVICES TRANSPORT WORKSHOP**

RECEIPT NO: _____ HACKNEY CARRIAGE / PRIVATE HIRE _____

DEPARTMENT OR OWNER	REG NO	DATE
MAKE & MODEL	YEAR	CHASSIS NO
RECORDED MILEAGE	ENGINE CAPACITY	SEATING CAPACITY

	PASS	FAIL	REMARKS
<u>LIGHTING EQUIPMENT</u>			
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4. Headlamp Aim & adjustment			
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10. Steering Controls			
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GENERAL ITEMS	PASS	FAIL	REMARKS
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55. Luggage Carrier			
56. Seating & Upholstery			
57. First Aid Box			
58. Child Safety Locks			
59. Smoke Emission			
60. Wheelchair facility			
61. Authorised illuminated sign (if applicable)			
62. Security of auxiliary equipment			
PLUS FOR MINI BUS TYPE OF VEHICLE			
63. Doors & Emergency Exits Condition & Presence of Descriptive Markings			
64. Passenger Steps Condition of & the Presence of illumination of steps			
65. Condition of Exterior/Access Door/flap			
66. Condition of Interior Platforms, Steps, Gangways, Floor Coverings & Handrails			

Pass / Fail: _____

Date: _____

Signed: _____
Mechanic

Printed: _____