

HACKNEY CARRIAGE VEHICLE LICENSING AND TESTING

Standard conditions applicable to Hackney Carriage Vehicle licences.

Hackney Carriage Vehicles (Proprietors) are licensed under Section 37 of the Town Police Clauses Act 1847.

Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 allows a Local Authority to impose conditions that it 'considers reasonably necessary' in respect of Hackney Carriage Vehicles.

Harlow Council shall only licence London style Hackney carriages which meet the London Public Carriage Office specification.

- 1. Use of Vehicle:** A Hackney Carriage Vehicle once licensed is always a Hackney Carriage Vehicle and as such may only be driven by a Hackney Carriage Driver who holds a licence under Section 46 of the Town Police Clauses Act 1847 and Section 53 of the Local Government (Miscellaneous Provisions) Act 1976 except where the vehicle or driver is being tested in accordance with the provisions specified in Schedule 7 of the Transport Act 1985.
- 2. Persons permitted to drive a licensed vehicle.** A Hackney Carriage licensed by Harlow Council may only be driven by a person licensed by Harlow Council to drive a Hackney Carriage except where the vehicle or driver is being tested in accordance with the provisions specified in Schedule 7 of the Transport Act 1985.
- 3. Additional Conditions.** Where necessary, the Environment and Licensing Manager shall apply specific conditions to the grant or renewal of the vehicle licence
- 4. Inspection of the Vehicle** All MOT and Compliance tests shall be carried out by the Council's nominated garage. The Council shall not license a Hackney Carriage unless the vehicle has successfully passed an MOT and Compliance test.
- 5. Inspection intervals.** Licensed vehicles shall be presented for MOT annually and immediately prior to first being licensed. Thereafter, a licensed vehicle shall be presented for Compliance testing at the following intervals;
Immediately prior to the issue of first licence (on the date of the MOT)
Annually for vehicles up to 6 years of age at first registration,
Twice a year for vehicles older than 6 years of age
At the request of the Council for enforcement purposes.
Proprietors shall be required to book their MOT and Compliance tests with the nominated garage at the specified intervals.

- 6. Insurance Write offs.** No vehicle which has been written off as a Category C insurance loss shall be licensed as a Hackney Carriage Vehicle.
- 7. Trailers.** Prior to being used for the first time a trailer shall be inspected by the Council's nominated garage. Trailers used by Hackney Carriage vehicles will be subject to testing at the same time as the vehicle.
- 8. Plates and Badges.** The Hackney Carriage plate shall be permanently fixed to the outside rear of the vehicle and shall be displayed at all times. The vehicle badge shall be displayed on the partition window where it may clearly be seen by passengers..
- 9. Fitness of the Vehicle.** The vehicle shall be maintained in a clean, comfortable, presentable and roadworthy condition at all times..
- 10. Signs and advertising.** Signs on vehicles shall be clear, not misleading and must not be offensive. Signs must not impede the safe operation of the vehicle.
- 11. Accidents Causing Damage to the Vehicle.** The proprietor of a hackney carriage vehicle licensed by Harlow Council shall report to the council as soon as reasonably practicable, and in any case within seventy-two hours of the occurrence of, any accident to such hackney carriage vehicle whether or not it causing damage materially affecting the safety, performance or appearance of the hackney carriage vehicle or the comfort or convenience of persons carried therein.
- 12. Insurance.** A valid insurance policy in respect of the vehicle covering the carriage of passengers for hire and reward shall be in force throughout the period of the licence.
- 13. Plying for Hire/Hackney Carriage Ranks.** Hackney carriage vehicles may ply for hire on an approved Hackney Carriage rank and may be hailed while travelling along any public highway within the District of Harlow. A Hackney Carriage vehicle may be dispatched to undertake a pre booked journey.
- 14. Hackney Carriage Meters.** Hackney carriages shall be fitted with a meter compliant with The Measuring Instruments (Taximeters) Regulations 2006 and shall be periodically tested and sealed by the Council or by persons working on behalf of the Council.
- 15. Alteration of the 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 the licence is in force.
- 16. Wheelchair Accessibility.** All Hackney Carriage Vehicles shall be 'reference wheelchair' accessible and be fitted with access ramps and fastening equipment. Hackney carriage vehicles are required to carry wheelchair passengers unless the driver has a medical exemption certificate issued by

the Council on medical advice. (A reference wheelchair is one which conforms with The Public Service Vehicles Accessibility Regulations 2000).

17. Vehicle Emissions. . All vehicles licensed for the first time on a newly issued plate shall be minimum Euro 6 compliant (There shall be no requirement for proprietors to purchase a new vehicle when making an application for a new plate for the first time). Vehicles (or replacement vehicles using the same plate) continuously licensed on 11th July 2017 which are not certified by the manufacturer (or by conversion) as minimum Euro 4 compliant shall not be relicensed after 1st January 2021.

18. Compliance and MOT Standards. The licensed vehicle shall meet the minimum standards set out in the MOT and in the Compliance standards below. A licensed vehicle which fails the MOT **standard** shall not be used as a Hackney Carriage and the proprietor shall as soon as practicable inform the Council's licensing team of any such failure. A licensed vehicle shall not be used as a hackney carriage where it fails a compliance test other than at the discretion of the Environment and Licensing Manager. Any such failure shall as soon as practicable be notified to the Licensing Team. The Licensed Vehicle shall meet the following standards when tested annually and at 6 month intervals with the exception of vehicle emission testing which shall be carried out annually. The vehicle shall meet the MOT standard when undergoing a compliance test.

19. Card Payment Machines. Ensure the vehicle is equipped with a Harlow Council approved card payment terminal which can accept payment by credit/debit card from 6 April 2021. Ensure the device is connected, maintained and working at all times to ensure customers are able to pay by card. The Harlow Council approved card payment machines are specified in the following link;

<https://www.harlow.gov.uk/business/licensing/taxi-and-private-hire-licences/hackney-carriage-vehicle-licence>

A method of issuing a receipt to the customer must be available at all times. Receipts for card payment transactions can be in an email, text, printed, hand written or other acceptable format agreed with the Licensing Team. The receipt must include date of booking (and date of issue if different), description of pick up and destination, vehicle registration, vehicle licence number, drivers licence number and the amount (£).

The vehicle must be fitted with the Harlow Council approved and supplied card payment stickers in both rear passenger windows and inside the passenger compartment. The positioning of the three stickers is specified in the following link;

<https://www.harlow.gov.uk/business/licensing/taxi-and-private-hire-licences/hackney-carriage-vehicle-licence>

COMPLIANCE TEST REQUIREMENTS - HACKNEY CARRIAGE

Fire Extinguisher. A fire extinguisher manufactured to BSEN 3 1996 shall be readily available and fixed with a bracket in the car or boot

Passenger door warning system. The drivers' control panel warning lights and passenger doors safety locking system must be fully operational. All doors shall lock when the foot brake is applied or the speed is in excess of 5 mph.

Luggage space. The front luggage space shall be reasonably empty, clean and be available for use.

Taxi sign. A "Taxi" sign shall be clearly visible both by day and night when the cab is available for hire. The sign shall be operational.

Bonnet operation. The bonnet shall open and close properly and be fitted with a working safety catch.

Tyre type. Tyres must comply with the requirements of C & U regulations and be marked 'Taxi'. Re-tread tyres must comply with the British Standards Institution requirement BS.AU144E as amended.

Under chassis cleanliness. The vehicle shall be submitted for inspection in a clean condition to enable the vehicle inspector to carry out a full and proper inspection and examine all necessary components

Floor coverings. Floor coverings in the passenger compartment shall be non-slip and capable of being easily cleaned. The floor covering shall be complete and free from cuts, tears, or serious staining.

Seats. All seats, including the driver's seat shall be free from stains, cuts, tears and cigarette burns, except those of a very minor nature. Any repairs shall be carried out in a professional and neat manner.

General interior condition. All interior trim, including headlining, door panels and speakers shall be clean, complete, properly fitted and free from serious cuts, tears or major soiling. Door handles and window winders shall be secure and operational. All fittings shall be secured in a manner that prevents sharp edges or other hazards protruding into the passenger carrying area.

Rust The vehicle shall be free from significant areas of visible rusting. Although minor blemishes will not normally constitute a failure, the following general criteria shall be followed. Any vehicle with three or more visible rust patches larger than 5sq cms each shall be failed. The vehicle examiner shall be allowed reasonable discretion when assessing rust.

Dents Any vehicle with minor dents on three or more panels where such dents detract from the appearance of the vehicle shall be failed. The vehicle examiner shall be allowed reasonable discretion when assessing dents.

Scratches: Any vehicle with unrepaired scratches down to bare metal on three or more panels of 50mm in length or where the cumulative appearance of scratches detracts from the appearance of the vehicle shall be failed. The vehicle examiner shall be allowed reasonable discretion when assessing vehicle condition.

Paintwork: Vehicles with panels painted in non-matching colours or in primer shall be failed.

ACCIDENT DAMAGE Vehicles with significant unrepaired body damage shall be failed.

Trailers. Trailers shall,

1. Be maintained in roadworthy condition
2. Be fitted with an appropriate towing attachment between vehicle and trailer
3. Be fitted with lights in accordance with The Road Vehicles Lighting Regulations 1989
4. Tyres shall have adequate tread.
5. Brakes (where fitted) shall be in operational.
6. Display a number plate of the towing vehicle.

Access Equipment and fittings for passengers with disabilities: Access ramps and hoists shall be properly installed and maintained in working order. Wheelchair clamps and harnesses shall be correctly fitted, be available for use and, maintained in good working order. Fittings and fitments shall be capable of being used by persons using a wheelchair.

Tinted windows. All rear nearside, offside, tailgate and boot windows fitted to Licensed Vehicles shall have a minimum 70% light transmittance. (This value is the same legal minimum value for front nearside and offside windows.)

13 July 2017 Version 5 Adopted by Full Council.
16 July 2020 Adopted by Full Council: Condition 19 Card Payment
Machines. Version 6 Print date 06/04/2021.