

## Private Hire Vehicle

### Licence Conditions

Revised March 2023

Private Hire Vehicle Licences are issued subject to the following conditions. You are advised to study these carefully, as you are warned that for non-compliance with any one condition, the licence may be suspended or revoked.

<b>1</b>	<b>Definitions</b>	
	<b>'The Council'</b>	Means <b>Derby City Council</b> .
	<b>'The District'</b>	Means the area of the Council.
	<b>'Private Hire Vehicle'</b>	Has the same meaning as in the Local Government (Miscellaneous Provisions) Act 1976.
	<b>'Vehicle'</b>	Means the Private Hire vehicle in respect of which the licence is issued.
	<b>'Authorised Officer'</b>	Means any officer of the Council authorised in writing by the Council for the purpose of regulating Private Hire vehicles.
	<b>'Proprietor'</b>	Means the person or persons or body named in the licence as the proprietor of the vehicle.
	<b>'Taximeter'</b>	Means any device for calculating the fare to be charged in respect of any journey in a vehicle by reference to the distance travelled or time elapsed since the start of the journey or a combination of both.
	<b>'Plate'</b>	Means the plate issued by the Council for the purpose of identifying the vehicle as a Private Hire vehicle.
	<b>'Licence Card'</b>	Means any licence disc or card issued by the Council for the purpose of identifying and licensing the vehicle as a Private Hire vehicle.



<b>2</b>	<b>Maintenance of Vehicle</b>	
	The proprietor shall ensure:	
	a	that the vehicle is maintained in a sound, mechanical and structural condition at all times within the Council's test specifications for Private Hire vehicles
	b	that the body-work of the vehicle is in good condition and the paintwork is clean and well maintained
	c	that the roof covering is watertight
	d	that the condition, fixing and routing or positioning of electric cables, wire looms and fittings are such that there is no risk of electrical fire or other accident
	e	that at least two doors are provided for the use of passengers other than the driver's door
	f	that door hinges, locks and hand rails and any grab handles fitted in the vehicle are secure and sound and not liable to injure any passengers or damage or soil their clothing
	g	that a spare wheel is provided readily available for use, together with the tools and equipment required to carry out a wheel replacement
	h	that the fittings and furniture of the vehicle are kept clean and well maintained in every way fit and safe for public use
	i	that the internal linings of the vehicle are sound, clean and not liable to damage or soil passengers' clothing and the floor is provided with a proper carpet, mat, or other suitable floor covering which is sound and clean
	j	that the seats are properly cushioned and the covers are in a sound and clean condition
	k	that the vehicle is provided with sufficient means by which any person in the vehicle can communicate with the driver
	l	that proper and efficient internal lighting is fixed to the vehicle and it is functioning properly.



<b>3</b>	<b>Alteration of Vehicle</b>	
	No alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the written approval of the Council.	
<b>4</b>	<b>Damage to Vehicle</b>	
	a	Any damage to a vehicle materially affecting the safety, appearance or performance of the vehicle or the comfort or convenience of passengers shall be reported to the Council as soon as reasonably practical and, in any event, within 72 hours of the occurrence of the damage.
	b	Immediately upon sustaining any damage which materially affects the safety or performance of the vehicle or comfort or convenience of passengers the vehicle must be withdrawn from service until an authorised officer has inspected the damage.
<b>5</b>	<b>Inspection and Testing</b>	
	The proprietor shall:	
	a	upon request from the Council, present the vehicle and any taxi-meter affixed to it for inspection and testing on behalf of the Council at one of the Council's approved vehicle testing stations or by an authorised officer at any other specified place
	b	if the vehicle is booked to attend an approved Council testing station, take all reasonable steps to ensure that the vehicle is presented for testing on the date and time requested by the Council. Should it fail to be so presented a charge may be levied against the proprietor by the testing station unless 24 hours clear notice of cancellation has been received by that testing station from the proprietor.
		1 May 2019
		1 May 2019
<b>6</b>	<b>Inspection by Authorised Officer</b>	
	a	The proprietor of the vehicle shall, at all reasonable times, permit an authorised officer or police constable in uniform to inspect the vehicle or any taximeter fitted to it for the purposes of ascertaining its fitness.



	b	Should the authorised officer or police constable not be satisfied as to the fitness of the vehicle or its meter, the proprietor shall make the vehicle available for further inspection and testing at such reasonable time and place as is specified by notice in writing given by the authorised officer or police constable.	
	c	The proprietor shall comply with any notice given by an authorised officer or police constable suspending the vehicle licence until such time as he/she is satisfied as to its fitness or the fitness of any meter affixed to it.	

<b>7</b>	<b>Safety Equipment</b>		
	There shall be provided and maintained in the vehicle at all times when it is in use or available for hire:		
	a	an efficient AFFF foam fire extinguisher with a nominal capacity of no less than one litre minimum, which complies with the British Standards Institution BS EN3 specification for portable fire extinguishers	
	b	a small work place first aid kit that complies with BS 8599-1:2011.	
	Such equipment to be carried in such a position in the vehicle as to be readily visible and available for immediate use in an emergency, provided that if the design of the vehicle is such that a first aid kit cannot be carried in a position where it is easily visible a sign shall be displayed on the vehicle dashboard indicating the position of the kit.		

<b>8</b>	<b>Interior Markings</b>		
	There shall be clearly marked and maintained inside the vehicle in such a position as to be visible at all times to passengers in the vehicle, a notice issued by the Council indicating:		
	a	the number of the licence	
	b	the number of passengers which the vehicle is licensed to carry.	

<b>9</b>	<b>Fare Table</b>		
	The vehicle proprietor shall ensure that a notice displaying the table of fares shall be available at all times.		



<b>10</b>	<b>Plate and Licence Card</b>	
	a	The plate shall be securely affixed to the exterior rear side of the vehicle immediately on or above the bumper, in such a position that the particulars are clearly visible.
	b	The plate shall be securely affixed to the exterior rear side of the vehicle above, below, or to the side of the number plate on a Council approved bracket.
	c	No vehicle shall display a licence plate other than one issued to it by the Council.
	d	The plate shall be kept in such a condition that the information carried on it is clearly visible to public view at all times when the vehicle is being used as a Private Hire vehicle.
	e	The plate shall remain the property of the Council at all times and shall be returned to the Council on the sale of the vehicle or in the event of surrender, suspension or revocation of the licence.
	f	The licence card shall be securely affixed to the near side upper interior of the front windscreen so that the particulars are clearly visible to public view of persons outside the vehicle.
	g	The licence card shall remain the property of the Council at all times and shall be returned to the Council on the side of the vehicle or in the event of surrender, suspension or revocation of the licence.
	h	The proprietor shall report to the Police and to the Council the loss or damage to the plate or licence card as soon as the loss or damage becomes known.

<b>11</b>	<b>Signs/Notices/Advertisements</b>	
	<b>Standard Conditions</b>	
	a	The Operator's company signs shall be displayed at all times when a vehicle is undertaking licensed Private Hire work.
	b	The Operator's company signs displayed on the vehicle shall indicate the Operator's company name for which the licensed Private Hire work is being undertaken.



c	Operator's company signs shall be displayed on both sides of the vehicle on either the front or rear doors and must be a minimum size of at least 40cm in width and 20cm in height.	20 September 2018
d	The words ' <b>Advanced Bookings Only</b> ' in capital letters and a minimum size of 2cm in height shall be present centrally along the top edge of each door sign.	
e	The Operator's company name shall be in capital letters and a minimum size of 4cm in height and located centrally directly under the words ' <b>Advanced Bookings Only</b> '.	
f	Any typeface used on operator's company signs shall be clear and legible. No italicised letters or numbers will be permitted.	
g	The combination of typeface colour and background colours used on the Operator's company signs shall be in contrast to each other – for example, dark letters on a light background. Reflective backgrounds will be acceptable.	
h	Each Operator's company signs shall be of one design with the exception of any approved advertisement:	
	<ul style="list-style-type: none"> <li>No Operator's company sign shall include the words 'taxis' or 'cabs' or the words 'for hire' or any other words of similar meaning or appearance likely to cause a person to believe the vehicle is a Hackney Carriage or is presently available for hire.</li> </ul>	
	<ul style="list-style-type: none"> <li>No other externally visible sign, notice, advertisement, plate, mark, number, letter, figure, symbol or emblem shall be displayed on, in or from the vehicle except as may be required by any statutory provision, or as may be required or permitted by these conditions, or as may be otherwise approved from time to time by the Council in writing.</li> </ul>	
	<b>Additional Conditions for Door Signs with an Approved Advertisement</b>	<b>Date Implemented</b>
i	The Operator's company signs that include an approved advertisement shall be displayed on both sides of the vehicle on either the front or rear doors and must be a minimum size of at least 50cm in width and 30cm in height.	20 September 2018



	j	The Operator's company signs may display an approved advertisement that measures 50cm in width and 6cm in height along the bottom edge of the sign.	1 October 2013
	k	Every advertisement must comply with the 'Licensed Vehicle Advertising Policy' and must be approved in writing by the relevant Service Director before being displayed.	1 October 2013
<b>Licensed Vehicle Advertising Policy</b>			
	l	Any licensed vehicle advertisements must:	
		<ul style="list-style-type: none"> <li>be designed to be affixed only to those parts of the vehicle permitted by the relevant licence conditions/specifications for the time-being in force</li> </ul>	
		<ul style="list-style-type: none"> <li>advertise a product, place, service or event</li> </ul>	

		<ul style="list-style-type: none"> <li>not promote alcoholic drinks, smoking or tobacco products, or gambling</li> </ul>	
		<ul style="list-style-type: none"> <li>not contain material that may be considered offensive as determined by the relevant Service Director</li> </ul>	
		<ul style="list-style-type: none"> <li>not make disparaging or critical comments or statements about any individual, group, company or organisation</li> </ul>	
		<ul style="list-style-type: none"> <li>not promote or support discrimination against any individual or group</li> </ul>	
		<ul style="list-style-type: none"> <li>conform with the requirements of the Advertising Standards Agency, as applicable.</li> </ul>	
		To obtain written approval, advertisements should be sent to: <a href="mailto:www.taxi.licensing@derby.gov.uk">www.taxi.licensing@derby.gov.uk</a>	

<b>12</b>	<b>Radio</b>		
	Any radio equipment fitted to the vehicle shall:		
	a	be kept in safe condition and proper working order	
	b	comply with the requirements issued by Ofcom or any other Government Department	
	c	not interfere with any radio, television or telecommunication equipment.	



<b>13</b>	<b>Passengers</b>	
	a	No greater number of passengers than that specified in the licence shall be carried in the vehicle.
	b	Allow any child under the age of 12 <b>or</b> under the height of 135cms (4 feet 5 inches) to be conveyed in the front of the vehicle. For the avoidance of doubt, a child under the age of 12 who has attained the height of 135ms may be conveyed in the front of the vehicle.
	c	One passenger shall be conveyed in each front passenger seat of the vehicle unless this licence specifically states otherwise.

<b>14</b>	<b>Animals</b>	
	a	No animal belonging to the proprietor or driver of the vehicle shall be conveyed in the vehicle.
	b	The driver may carry any animal belonging to a passenger at their own discretion anywhere in the vehicle and they shall ensure, where necessary, that such animals are suitably restrained/contained so as not to present a nuisance or hazard to the occupants of the vehicle.
	c	Notwithstanding anything in b, a partially sighted or otherwise disabled passenger shall be entitled, as of right, to be accompanied by an assistance dog in the vehicle.

<b>15</b>	<b>Carrying Luggage</b>	
	There shall be a proper means of carrying and securing of passengers' luggage, together with adequate protection for such luggage from inclement weather if the vehicle is so adapted as to carry luggage externally.	

<b>16</b>	<b>Documents</b>	
	The proprietor of the vehicle shall at the request of an authorised officer, produce for their inspection:	
	a	the current registration document
	b	the current vehicle insurance certificate



	c	the current vehicle Ministry of Transport (MOT) Certificate (if applicable)	
	d	their driving licence if applicable.	

<b>17</b>	<b>Change of Address</b>		
	The proprietor shall:		
	a	notify the Council in writing of any change of their address within seven days of such change	
	b	notify the Council in writing of any change of the address from which they carry on the business in connection with the vehicle, if different from their home address:	

		<ul style="list-style-type: none"> <li>within seven days of a change of either of the addresses referred to in a</li> </ul>	
		<ul style="list-style-type: none"> <li>return the vehicle licence to the Council for endorsement.</li> </ul>	

<b>18</b>	<b>Criminality Checks</b>		
	(a)	On application for a new vehicle Licence or renewal of an existing licence, the proprietor (the company or directors of the company or if a partnership, on any of the partners) will submit a Basic Disclosure Certificate issued by the Disclosure & Barring Service. Where the proprietor is a licensed driver with the Council, having already submitted and Enhanced DBS and undergoing 6 monthly checks, will not be required to submit a Basic Disclosure.	30 March 2023
	(b)	<p>The proprietor shall, within 14 days of the date of receiving or having imposed on them any Criminal convictions, cautions, reprimands, warnings, fixed penalty notices, or if they have been made subject to a restorative justice disposal, disclose to the council in writing, details of the Criminal convictions, cautions, reprimands, warnings, fixed penalty notices, and/or restorative justice disposal during the period of the licence.</p> <p>The proprietor shall, within 14 days of the date of being arrested, charged or summonsed for any alleged criminal offence disclose to the council in writing, particulars of each alleged offence and which court the proceedings are pending</p>	



<b>19</b>	<b>Loss of Licence</b>	
	The proprietor shall report the loss of the vehicle licence to the Council in writing and the Police as soon as the loss becomes known. A crime reference number should be obtained from the Police. A replacement licence may then be issued upon payment of a fee.	

<b>20</b>	<b>Return of Licence</b>	
	The proprietor shall immediately return the licence to the Council in the event of the surrender, suspension or revocation of the licence.	

<b>21</b>	<b>Licence Renewal</b>	
	The proprietor of the vehicle may apply to the Council in writing with the specified renewal form and associated documentation up to three months before the expiry date of the current licence if they require the licence to be renewed for a further period. A licence cannot be renewed after it has expired. A new application will be required in this instance.	

<b>22</b>	<b>Payment by Credit/Debit Card</b>	
	A licence, in respect of which the fee has been paid either in part or in full by credit/debit card, shall be of no effect in the event of that payment being subsequently dishonoured.	

<b>23</b>	<b>Licence</b>	
	The licence shall remain the property of the Council.	
	The licence shall be renewed annually.	

<b>24</b>	<b>Transfer of Licence</b>	
	The proprietor shall, in the event that they transfer their interest in the Private Hire vehicle:	
	a	notify the Council in writing within 14 days of the name and address of the person to whom the interest has been transferred and



	b	complete the vehicle transfer application form required by the Council within 14 days of the date of the interest being transferred.	6 June 2019
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<b>25</b>	<b>Vehicle Modification</b>		
	If the vehicle has being modified since leaving the manufacturer, a 'normal' level Voluntary Individual Vehicle Assessment must be carried out before presenting the vehicle at one of the Council approved testing stations		19 January 2017

