

**VEHICLE LICENCE CONDITIONS**

**The following conditions shall be attached to all vehicles licensed as either a private hire vehicle or a hackney carriage vehicle.**

1. This Licence is granted to the Proprietor in respect to their application for a private hire or hackney carriage licence for the vehicle identified in that application and provided that the vehicle met and shall continue meet the vehicle standards and specifications set out in Appendix C of the Council Policy.
2. All details recorded on this licence and those provided to the Council at the time of application for the licence must remain accurate and up to date at all times and in the event of any change, or loss or damage, to this licence the Proprietor must notify the Council immediately and pay the administrative cost demanded by the Council for a replacement licence to be issued.
3. The Vehicle shall not be used at anytime when it does not comply with the requirements of Annex C of the Council's Policy, the details recorded on the face of this licence or these licence conditions unless otherwise approved by an authorised officer of the Council.
4. The Proprietor must notify the Council within 7 days of any change to the Proprietors name and address.
5. This licence cannot be transferred by the Proprietor to any other person without the approval of the Council.
6. The Proprietor must notify the Council no later than 14 days after any transfer in the Proprietors interest or ownership.
7. Notwithstanding the above, if at any time the Proprietor allows the Vehicle to be under the control of another person, whether that is due to the ownership of the vehicle being transferred or otherwise, the Proprietor shall notify the Council immediately if the vehicle is likely to be used, or capable of being used as a licensed vehicle or will reasonably appear to the public as a licensed vehicle.
8. The Proprietor must notify the Council in writing no later than 14 days of any criminal cautions or convictions (including any motoring offences and fixed penalties), Court Orders injunctions, community protection notices, County Court Judgments, High Court Judgements and Fixed Penalty Notices imposed upon him or her, (or in the case of a company or partnership, on any of the directors or partners).
9. The Proprietor must notify the council within 48 hours of any arrest, charge, grant of bail (conditional or unconditional), caution or conviction, relating to any sexual offence or offence involving violence or dishonesty.
10. The Proprietor shall not permit the Vehicle to be licensed by any authority other than Hertsmere Borough Council as a private hire or hackney carriage vehicle.
11. The Proprietor shall ensure that the Vehicle does not carry more than the maximum number of passengers specified by the licence and as indicated on its plate.
12. The Proprietor of the vehicle shall supply to the operator and/or driver of the vehicle, such details and information as they may require such as insurance and MOT / Pass Test Certificate as may be reasonably required by the operator or driver.

13. The Proprietor shall not permit the Vehicle to be used at any time by a driver, nor despatched by an operator at any time when the Proprietor knows, or should know, that the Vehicle is not in compliance with any statutory provision or licence condition.
14. If at any time the Proprietor of the Vehicle does not intend to use the Vehicle for the purpose for which it is licensed for a period of 28 days or more, the Proprietor shall notify the Council and shall, if requested, return the licence plates.

### **Display of Plates**

15. The Proprietor must ensure that the Plate provided to them by the Council that identifies the Vehicle as licensed vehicle shall be affixed externally to the rear of the Vehicle, on or adjacent to the rear bumper, or in such other position as may be approved or directed by the Council, so as to be distinctly visible and readable by the public.
16. The Proprietor shall not cause or permit the Vehicle to be used without the plate affixed to it in the manner outlined above or at any time when the plate is in such condition that any figure or identifying feature is illegible.
17. The proprietor shall ensure that the interior licence provided to them by the Council is displayed inside the vehicle in such a position so as to be visible at all times to persons conveyed in the vehicle and/or in such manner as may be directed by the Council.

### **Insurance**

18. The Proprietor shall ensure that at all times the vehicle, its driver and any passengers conveyed are covered by a policy of insurance which satisfies the requirements of Part VII of the Road Traffic Act 1988 for hire and reward and where the vehicle is a:
  - a. Private hire vehicle, it is covered for the activity of private hire only
  - b. Hackney carriage it is covered for the purpose of public hire.
19. The Proprietor must produce the certificate of insurance within 72 hours of any request by an officer of the Council or Police officer and within 72 hours of any change to the insurance policy applicable to the Vehicle.
20. The Proprietor shall not cancel, nor cause or permit the cancellation of, the Vehicles insurance policy unless ensuring that the vehicle is not used for licensed purposes.
21. Where the Proprietor chooses to pay for a policy of insurance by instalments under an arrangement with an insurance company or broker, the Proprietor remains responsible for ensuring that the policy of insurance continues to have effect at all times in line with any agreement made unless the Vehicle ceases to be used as a licensed vehicle.
22. Where the Proprietor is aware, or should reasonably be aware, that the insurance certificate held has been cancelled or has expired, or is due to be cancelled or expire, the Proprietor shall ensure that the vehicle is not used for licensed purposes until a new insurance certificate has been obtained and been provided to the Council.

### **Vehicle Maintenance, Condition and Damage**

23. The Proprietor of the Vehicle shall ensure that at all times the Vehicle is in compliance with all relevant statutory requirements applicable to the class of vehicle to which it belongs, including, but without prejudice to the Motor Vehicle (Construction and Use) Regulations and the relevant vehicle specifications set out in Appendix C of the Councils Policy and shall not use the Vehicle at any time when the Vehicle would not pass an MOT and/or the Council's Statement of Compliance.

24. No material alteration or change in the specification, design, condition, or appearance of the vehicle may be made to the vehicle once licensed without the approval of the Council.
25. The Proprietor must inform the Council as soon as reasonably practicable and, in any case within 72 hours, of any damage to the vehicle affecting the safety, performance or appearance of the vehicle.
26. The exterior of the vehicle shall be maintained in a clean and safe condition at all times and shall:
  - i. be free of dents;
  - ii. be free of visible rust;
  - iii. be free of unrepaired accident damage;
  - iv. have uniform paintwork equivalent to that applied by the manufacturer;
  - v. be maintained in an acceptable state of cleanliness,
27. The interior of all licensed vehicles shall be maintained in a clean and safe condition at all times. In particular, the interior of the vehicle shall:
  - vi. be free of all stains to the upholstery,
  - vii. be free of all splits and tears to the upholstery,
  - viii. be maintained in an acceptable state of cleanliness, and
  - ix. provide seats functioning in accordance with the Original Manufacturers' Specification.
28. All lights, doors, door locks, seat belts, boot / tail gate and locks, bonnet, hinges and catches, windows, sunroofs and hoods should be operating correctly.
29. The vehicle shall at all times safely carry in a reasonably accessible manner the following items, which must be maintained in a useable condition and within any expiry or recommended date:
  - a. A minimum 1kg dry powder Fire Extinguisher meeting British Standard EN3
  - b. A first aid kit meeting the requirements of BS 8599-2 (Medium Motorist First Aid Kit)
  - c. A warning triangle compliant with the Highway code.
30. Any radio equipment, taxi meter, PDA, Sat Nav or similar device shall not be kept in the vehicle in such manner to obscure, impair or distract the driver and must be secured in such manner to prevent it becoming loose whilst driving.
31. Citizen Band (CB) transmitter/receiver or similar radio scanning devices are not permitted.

### **Safe storage of luggage**

32. The boot of the vehicle shall be kept reasonably clear and suitable to carry a reasonable amount of luggage and shall contain no unnecessary items other than essential tools and / or spare parts for the reasonable maintenance and repair of the vehicle such as the storage of a spare wheel.
33. All luggage stored within the vehicle shall be done so safely and risk assessed to prevent any danger or injury to passengers. Where the driver of the vehicle is not the proprietor the proprietor is responsible for ensuring that the driver complies with this condition.
34. Luggage in the boot must not be stacked higher than the height of the rear passenger seats unless the vehicle is designed, or fitted with suitable luggage restraints or covers to prevent luggage from entering the passenger compartment.

35. Luggage must not be stored in such way as to prevent the driver from operating vehicle safely and in compliance with the relevant national legislation.

**Signs Notices adverts etc,**

36. The Proprietor shall not permit to be displayed on, in, or from the licensed vehicle any signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices except for any notice or sign that:
- a. Is required by any statutory provision
  - b. Is required by these licence conditions
  - c. Indicates membership of a motoring organisation, or;
  - d. Is an approved door sign in line with the condition below.
37. A private hire vehicle may display a door sign stating the name and/or logo of the private hire operator through which the vehicle can be booked, the means to book the vehicle and that the vehicle must be booked in advance.
38. No signage is permitted on a private hire vehicle that shall indicate that it is available for immediate hire.

Additional Conditions applicable to a Hackney Carriage

The Proprietor and Driver of a Hackney Carriage shall comply with the Council's adopted Byelaws in full. These byelaws should be read and understood by both the Proprietor and Driver.

Additional Conditions applicable to a plate exempt vehicle

The conditions set out in Appendix E of the Council Policy shall apply.

**"The Proprietor"** shall mean the person named on the face of the licence who has been granted this licence further to their application. Where there is more than one Proprietor named on the licence the term shall mean both equally and severally.

**"The Vehicle"** means the vehicle named on the face of the licence as identified in the application made by the Proprietor.

**"The Driver"** shall mean any person who the Proprietor has allowed to drive the vehicle.

**"Licence"** means this licence issued to the Proprietor under section 47 or 48 of the Local Government (Miscellaneous Provisions) Act 1976.

**"Council"** means Hertsmere Borough Council.

**"Plate"** means the plate issued with the licence by the Council pursuant to Section 48(5) of the Local Government (Miscellaneous Provisions) Act 1976 or Section 51 of the Town Police Clauses Act 1847.

**"Policy"** means the Council's adopted private hire and hackney carriage vehicle licensing Policy.