

Hackney Carriage and Private Hire Licence Conditions
Public Safety and Protection Committee 15.08.17
Effective 01.09.17



Hackney carriage and private hire licence conditions

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Introduction

The following conditions are those which the Council will generally attach to the licence of the relevant type issued pursuant to the provisions of the Relevant Legislation.

Any departure from these conditions which may be agreed in an individual case will be specified in writing at the time of issue or renewal of the Licence. The council reserves the right to impose additional conditions where appropriate in a particular case. Any additional condition applying will be specified in writing at the time of issue of the licence.

Licence holders should therefore scrutinise the documentation issued on grant or subsequent renewal to ensure they are aware of their obligations under the licence and to obtain any necessary clarification in advance of undertaking any activity which depends upon the licence.

These conditions are in addition to and do not override the provisions of the legislation governing private hire and Hackney carriage vehicle and driver licensing. Licensees should therefore familiarise themselves with the requirements of the legislation governing such vehicles. Licensees should also be aware of the need to comply at all times with the relevant road traffic legislation applicable to the licensed vehicle.

IMPORTANT NOTE

Applicants and licensees should scrutinise the conditions applying to the particular licence(s) they hold or are applying for. Applicants should also be aware of the law which governs and the general licence conditions which attach to other activities within their field of operation. For example, individuals who hold a Private Hire Drivers Licence should be aware of the law and rules which relate to private hire vehicles and operators as well as that relating to hackney carriages and in particular the criminal offence relating to plying for hire, which is often referred to as 'flying'.

The appendices contained in this package are important documents which are intended to have legal force. As such, they are, of necessity, fairly technical, although the Council has tried as far as possible to set down the conditions in a style which can be understood by licensees. From time to time, where it is considered it will aid their understanding, some guidance notes have been included. All guidance notes (such as those contained here) are printed in italics. Guidance notes DO NOT form part of the conditions and nor should they be relied upon as being an interpretation of the law or of the conditions. They are simply included in a spirit of helpfulness. Licensing officers will generally assist where they can but they are not authorised to provide formal advice. Any Licensee who is unsure of the effect of the law or the conditions upon their licensed activity is strongly advised to obtain independent advice from a solicitor or other advisor of their choice.

Reading the conditions

*Throughout the conditions there are phrases which are used on a number of occasions. If the full meaning of each phrase were spelt out on every occasion then the document would be cumbersome and difficult to follow. For that reason many key phrases have been defined. The definitions section sets out all of the phrases which have been defined. Wherever a phrase which has been defined is included in the document it has been written in bold type. Therefore whenever you see a phrase or word which is in bold type, you should cross reference with the definitions section of the document in order to see its full meaning. For example, where the phrase **The Council** appears in bold type, if you refer to the conditions section you will find that The Council means 'the*

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City Council of Bristol'. From time to time, extracts from or summaries of relevant Council policies are included in the guidance. Where this appears, it will be contained within quotation marks and will appear in bold to help you to refer to it. It is not possible to include all relevant Council policy within this document and of course from time to time the policy may be added to or amended so you should not rely upon this guidance as being definitive or up to date. Information about relevant Council policy can be obtained from the Licensing team and much of it can be viewed via the Council's intranet site which can be accessed through the internet and from council libraries and other council venues.

**Definitions governing all general conditions contained in the
appendices to this document**

In all conditions contained in this document the words and phrases set out in the first column below shall, unless the context requires otherwise have the meaning set out in the second column:

“The Council” means the City Council of Bristol.

“The 1976 Act” means the Local Government (Miscellaneous Provisions) Act 1976

“The 1847 Act” means the Town Police Clauses Act 1847

“Private Hire Vehicle Licence” means a **Licence** issued in pursuant to s.48(1) of **The 1976 Act**

“Private Hire Operators Licence” means a **Licence** issued in pursuant to s.55 of **The 1976 Act**

“Private Hire Drivers Licence” means a **Licence** issued pursuant to s.51 of **The 1976 Act**

“Hackney Carriage Drivers Licence” means a **Licence** issued pursuant to, among other things, **The 1976 Act**

“Hackney Carriage Vehicle Licence” means a **Licence** issued pursuant to, among other things, s. 37 of **the 1847 Act**

“Licence” means, unless the context requires otherwise, the Licence which is governed by the conditions set out in the appendix in which it appears. (For the avoidance of doubt, without prejudice to the generality of the forgoing, in Appendix A **Licence** means a **Private Hire Vehicle Licence**; in Appendix B **Licence** means a **Private Hire Operators Licence** and in Appendix C **Licence** means a **Private Hire Drivers Licence**)

“The Licensee” means the person named as such in **The Licence**

“The Licensed Vehicle” means a vehicle specified in **The Licence**

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“Vehicle” means, unless the context otherwise requires, any vehicle owned, controlled or driven by **the Licensee** in the course of employment, trade or business relating to the **Licence**

“Passenger” means any person hiring the Vehicle and where the context permits includes any person entitled to be conveyed in the vehicle pursuant to the hire of it

“The Relevant Legislation” means any legislation governing the issue and conduct of the Licence and in particular means **The 1976 Act** and/or **The 1847 Act**

“Authorised Officer” means any person authorised in writing by the Council for the purposes of **the Relevant Legislation**.

“Licence Plates” means the plates issued by the Council for the purposes of identifying the vehicle as a Hackney Carriage or Private Hire Vehicle licensed with this Council.

“The Relevant Date” means, in respect of an application for a **Private Hire or Hackney Carriage Vehicle Licence**, the date of first registration as a new vehicle in the United Kingdom or, in respect of a vehicle imported other than as new into the United Kingdom, means three years from the date of manufacture

“The Licensee” means the person named as such in the Licence

“The Vehicle” means the Private Hire or Hackney carriage Vehicle specified in the Licence

“The Licensed Driver” means a person licensed by the Council to drive vehicles of the particular type for the purpose of hire or reward

The terms **“Operator”, }**

“controlled district”, }

“driver’s badge”, } Each shall have the

“the district”, }

“Hackney carriage”, }

“hackney carriage byelaws”, }

“operate”, }

“Operators Licence”, }

meaning that is

contained in the

Relevant Legislation

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“private hire vehicle”
} “proprietor”, }

“Vehicle Specification” shall mean the minimum standards laid down from time to time by **The Council** in respect of **Vehicles** licensed for a particular activity

“safety/cosmetic test” shall be the test carried out to the standard as specified by **The Council**

Appendix A – Standard Conditions governing Private Hire Vehicle Licences

1. The definitions and common conditions contained in the definitions section pages 5 to 7 of this document including this appendix are incorporated into these conditions.
2. Insofar as is necessary to give effect to these conditions, the **Vehicle Specification** are incorporated into the conditions.
3. **The Licensee** shall not be less than 18¹ years of age.
4. The **Licensed Vehicle** is licensed on condition that it accords with the **Vehicle Specification**.
5. **Licensed Vehicles** shall be inspected (for both MOT and **safety /cosmetic testing** as specified by **the Council**) at least once a year at a place specified by **the Council**. Where more than eight years has elapsed from the **Relevant Date** such inspection shall occur every twice yearly.²
6. **The Licensee** shall ensure that the **Licensed Vehicle** is not used for the conveyance of more Passengers than the number specified in **The Licence**.
7. **The Licensee** shall ensure that at all times during the currency of **the Licence**
 - 7.1. there is in force in relation to the user of the vehicle as a Private Hire Vehicle a policy of insurance complying with the requirements of part VI of the Road Traffic Act 1972 and shall produce for inspection the original certificate of such insurance immediately upon the request of an **Authorised Officer** or Police Constable. *(Please note that the condition requires production of the original certificate. Photocopies or faxed copies are not acceptable.)*

¹ 29 July 2008 revision due to employment equality regulations

² 21.02.06 Licensing committee approved revised Inspection Guide

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- 7.1.1. there is displayed on the **Licensed Vehicle** a current excise licence as required by law;
- 7.1.2. there is in force where required by law a current MOT certificate in respect of the **Licensed Vehicle** and shall ensure that the original such certificate is produced immediately upon the request of an **Authorised Officer** or Police Constable; *(Please note that the condition requires production of the original certificate. Photocopies or faxed copies are not acceptable.)*
- 7.2. the **Licence Plates** are firmly affixed to the exterior of the **Licensed Vehicle** (positioned to its front offside and rear offside) and kept clean and in such condition as to be easily legible and the **interior plate** is maintained in a position so as to enable passengers to readily view the plate number written thereon;
- 7.3. The **Licensee** shall cause to be displayed any customer information notices as may be specified by the Council from time to time and such notices shall be sited in a position so as to enable them to be readily viewed by passengers;
- 7.4. **The Licensed Vehicle** neither displays nor carries any roof signs or additional fittings or articles for the roof other than an aerial or displays any other markings or signage without the written consent of **The Council**;
- 7.5. except with the prior written consent of **The Council**, **The Licensed Vehicle** shall not be used for the purposes of advertising. If written consent is sought by **The Licensee** the form and content of the proposed advertisement must be provided with any request;
- Where written consent is given by **The Council**, advertising will generally be permitted only on the rear passenger doors in the case of vehicles licensed to carry less than five passengers or on the rear facing doors in the case of vehicles licensed to carry five or more passengers;
- 7.6. If a **taximeter** is fitted to the vehicle then:

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- 7.6.1. only the tariff(s) notified to **The Council** is displayed so as to be visible to **passengers** at all times and shall be in a format approved by **The Council**;
- 7.6.2. a copy of the tariff(s) is provided to **The Council**;
- 7.6.3. the **taximeter** is fixed in such a position within the vehicle that the display is visible to passengers;
- 7.6.4. the **taximeter** is sealed with a manufacturers or Council approved seal;
- 7.6.5. The **taximeter** is calibrated by persons approved to do so by **The Council** and a certificate shall be produced to **The Council** as to that calibration;
- 7.7. Any radio transceiving equipment except cellular telephones, fitted to or being used within **The Licensed Vehicle** shall be type approved mobile radio equipment as licensed by the Radio Communications Agency under the Wireless Telegraphy Act 1949.
- 7.8. Radio scanners are neither installed nor used within **The Licensed Vehicle**.
- 7.9. No video recording system is used within **The Licensed Vehicle** unless the Council's written permission is first obtained and where such permission is granted then;
 - 7.9.1. No audio recording must take place and
 - 7.9.2. A sign must be affixed within **The Licensed Vehicle** so as to be readily visible to **Passengers** informing them that video recording is or may be taking place.
- 7.10. The licensed vehicle shall:
 - 7.10.1. be kept in good and clean condition both on the interior and exterior;
 - 7.10.2. have seats that are properly cushioned and without any tears or holes in the coverings;
 - 7.10.3. have sufficient space for luggage;

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- 7.10.4. have in proper working order an interior light for the use of passengers;
 - 7.10.5. at all times comply with any legislation applying to it and in particular shall comply with the requirements of the **Relevant Legislation** and the Road Traffic Acts and Construction and Use Regulations in respect of tyres, lights, reflectors, windscreen wipers / washers, exhaust systems, brakes and seat belts;
 - 7.10.6. have a spare wheel and tyre which should be maintained in such a condition as to render it suitable for lawful use on a road and have the tools for the changing of such a spare wheel and tyre;
 - 7.10.7. carry and maintain in good condition, a fire extinguisher that accords with that specified in the current **Vehicle Specification** issued by **The Council** from time to time, such extinguisher to be kept in a readily accessible position to facilitate its use by the driver if required.
8. **Licence Plates** remain the property of **The Council** and **The Licensee** shall return the **Licence Plates** to **The Council** within seven days of the revocation, suspension or expiry of **The Licence**.
 9. Employment
 - 9.1. On or before the grant of a licence (and prior to receipt of **Licence Plates**) the **Licensee** shall state the **Operator(s)** with whom he/she will work (where work includes that work arising from the relationship of employer/employee and/or from any other arrangement under which **The Licensee** secures work or obtains or is entitled to receive any income in consequence of any bookings made through the **Operator** or his operating business) and will produce written confirmation from the Operator(s) as to that fact;
 - 9.2. **The Licensee** shall report any change in the details provided pursuant to condition 9.1 above by notifying **The Council** by close of business on the next working day

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following any change and shall forthwith take all steps necessary to comply with the requirements of condition 9.1 relating to written confirmation;

9.3. **The Licensee** shall ensure that **The Licence** or a certified copy of it is provided forthwith to any **Operator** required to be notified to **The Council** pursuant to the provisions of condition 9.1 and 9.2 and **The Licensee** shall not retrieve any document so provided whilst any arrangements to work with that Operator remains current.

10. **The Licensed Vehicle** shall be made available for inspection by an **Authorised Officer** or Constable at any reasonable time and further shall if required by written notification from any **Authorised Officer** or Constable be presented for inspection at such time or place within the **Controlled District** as has been specified in the written notification.

If on inspection of the vehicle the Authorised Officer is not satisfied with its condition, the proprietor or driver shall upon request of the Authorised Officer cause the plates to be removed from the vehicle and handed to the Authorised Officer.

Change of circumstances

11. **The Licensee** shall ensure that **The Council** is notified in writing by close of business on the following working day of the happening of any of the following events:
- 11.1. **The Licensee** receiving a simple or conditional caution or being convicted of any criminal offence;
 - 11.2. **The Licensee** being bound over by any court;
 - 11.3. The licensee being arrested or interviewed in connection with investigations into allegations of offences of the following type;
 - 11.3.1. any offence involving an allegation of dishonesty, indecency or violence;
 - 11.3.2. any offence involving an allegation of a failure to comply with the **Relevant Legislation**;

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- 11.3.3. any offence arising out of the use or keeping of any motor vehicle;
- 11.3.4. any offence which on conviction can result in a term of imprisonment.

- 11.4. any material change in the circumstances of **The Licensee** where a material change is one that would require **The Licensee** to provide different information on application to **The Council** than has been provided in connection with the most recent application for a **Private Hire Vehicle Licence** made by **The Licensee**, including, by way of example, a change of address, change of name, change of employer or business, and diagnosis of a medical condition;

- 11.5. any accident to the **Licensed Vehicle** resulting in damage

- 11.6. any alteration to the vehicle (including mechanical or bodywork alterations). For the avoidance of doubt, unless it is with the prior written consent of **The Council**, no alteration may be made to the vehicle which would result in a contravention of any of the conditions attaching to **The Licence**. Where alterations are made then the Council shall be entitled to require the vehicle to undergo a further inspection.

- 11.7. the sale or acquisition of a **Licensed Vehicle**.

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Appendix B - Conditions governing Private Hire Operators

1. The definitions and common conditions contained at General conditions section pages 5 to 7 including this appendix are incorporated into these conditions.
2. Insofar as is necessary to give effect to these conditions, the **Vehicle Specification** shall be incorporated into these conditions.
3. **The Licensee** shall be not less than 18³ years of age.
4. **The Licensee** shall provide and keep a register of bookings in such form as shall agreed by **The Council**, which register shall be retained for a period of not less than twelve months from the date of last entry and in which register shall be entered, contemporaneously and in writing before commencement of each journey the following particulars-
 - 4.1. the time of hire;
 - 4.2. name of **Passenger**;
 - 4.3. pick up point;
 - 4.4. destination;
 - 4.5. licence number of vehicle and
 - 4.6. name of driver to whom work is allocated.

It is important that Licensees note the need to record bookings contemporaneously in the register. The practice of copying up at a later stage from dockets or some other ad hoc system is contravention of this conditions. Such a contravention renders the condition of little or no effect in terms of issues of great importance to the Council such as enforcement and protection of the public – and indeed the protection of drivers from whom, for example, evidence of a proper booking can be imperative in answering an allegation of plying for hire. Contravention therefore renders the Licensee liable to enforcement action, which in appropriate circumstances could result in the suspension or revocation of the Licence.

The form of register usually agreed will either be in the form of a bound book or where satisfactory arrangements are made for inspection, etc. may take the form of a computerized booking

³ 29 July 2008 amendment due to employment equality regulations

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system. In the latter case it will generally be expected that the recorded are capable of being readily printed and produced on demand to an authorized officer or constable and of course the records will need to be properly backed up so as to ensure compliance with the provision of governing retention. This guidance note also applies to other registers required to be kept in accordance with the conditions governing this Licence.

5. The **Licensee** shall provide and keep a register of **Vehicles** in the form of a bound book which register shall be retained for a period of not less than twelve months from the date of last entry and in which register shall be entered, in writing the following particulars of each **Vehicle** under his control –
 - 5.1. make;
 - 5.2. registration number;
 - 5.3. **Licence** number;
 - 5.4. **Proprietor**;
 - 5.5. date control commenced and
 - 5.6. date upon which control ceased.

6. The **Licensee** shall provide and keep a register of Private Hire Drivers in the form of a bound book, which register shall be retained for a period of not less than twelve months from the date of last entry and in which register shall be entered in writing the following particulars of each driver working for the **Licensee** –
 - 6.1. name;
 - 6.2. badge number;
 - 6.3. date driver commenced working for the **Licensee**;
 - 6.4. date driver ceased working for the **Licensee**

7. The **Licensee** shall retain, until at least the date referred to in condition 5.6 above, the **Vehicle Licence** or a certified copy of it in respect of every **Vehicle** that is required to be recorded in accordance with condition 5 above and shall immediately produce the same when required by an **Authorised Officer** or Constable.

8. The **Licensee** shall retain, until at least the date referred to in condition 6.4 above, the **Private Hire Drivers Licence** (and/or the **Hackney Carriage Drivers Licence** where applicable) or a certified copy of it in respect of every driver whose details are required to be recorded in accordance with condition 5 above and

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shall immediately produce the same when required by an **Authorised Officer** or Constable. Within seven days of the date whereby the driver ceases to be under the control of the **Licensee**, the **Private Hire Drivers Licence** (and/or the **Hackney Carriage Drivers Licence**) or a certified copy shall be returned to the **Council**.

9. Any register kept by **The Licensee** in accordance with these conditions shall be immediately made available for inspection by any **Authorised Officer** or Constable upon request at any reasonable time (and at all times whilst the **Licensee** is **Operating**) and shall forthwith provide to any such officer or Constable photocopies of any such records and associated documentation as may be required following inspection or, where the Licensee is unable to provide copies s/he shall permit the officer or Constable to remove the register for such period as is reasonable in the circumstances to secure the copying of the required documentation.
10. The **Licensee** shall take all necessary steps to ensure that all vehicles and drivers with whom s/he works as an **Operator** within the **Controlled District** are properly licensed by **The Council** and shall not **Operate** in respect of any vehicle unless satisfied that both driver and vehicle have been and remain so licensed.
11. The **Licensee** shall so far as is reasonably practicable provide a prompt, efficient and reliable service and shall in particular do everything necessary to ensure that **Vehicles** attend punctually at the time and place agreed with the **Passenger**.
12. The **Licensee** shall not **Operate** in respect of any **Vehicle** that s/he knows or ought to know does not accord with the conditions imposed under its vehicle licence and in particular shall not conduct business in respect of a **Vehicle** unless it is fitted with the approved signage.
13. The **Licensee** shall ensure that any premises to which the public have access for booking or waiting is kept clean, has sufficient seating and is adequately heated, ventilated and lit.
14. The possession or use of radio scanner equipment is prohibited in the premises from which the **Licensee** operates.

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15. **The Licensee** shall ensure that **The Council** is notified in writing by close of business on the following working day of the happening of any of the following events:
- 15.1. **The Licensee** receiving a simple or conditional caution or being convicted of any criminal offence;
 - 15.2. **The Licensee** being bound over by any court;
 - 15.3. **The Licensee** being arrested or interviewed in connection with investigations into allegations of offences of the following type-
 - 15.3.1. any offence involving an allegation of dishonesty, indecency or violence;
 - 15.3.2. any offence involving an allegation of a failure to comply with the **Relevant Legislation**;
 - 15.3.3. any offence arising out of the use or keeping of any motor vehicle;
 - 15.3.4. any offence which on conviction may result in a term of imprisonment;
 - 15.4. any material change in the circumstances of **The Licensee** where a material change is one that would require **The Licensee** to provide different information on application to **The Council** than has been provided in connection with the more recent application for an **Operators Licence** made by **The Licensee**, including, by way of example –
 - 15.4.1. any change in the address from which **The Licensee** operates;
 - 15.4.2. any change in the style or title of **The Licensee** or his business or its trading status;
 - 15.4.3. any irregularity that **The Licensee** believes may exist in respect of the licensing of any vehicle or driver in respect of which s/he Operates;
 - 15.5. any circumstances that requires **The Licensee** to make a register entry pursuant to condition 5.6 and/or 6.4 above.

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16. **The Licensee** shall ensure that at the time of passing a booking to a driver the following details are provided –
- 16.1. the name of the **Passenger**;
 - 16.2. the pick-up time and location;
 - 16.3. Any special requirement of the **passenger**;
 - 16.4. Any price agreed for the journey;
 - 16.5. The destination specified by the **Passenger**.

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Appendix C – Conditions governing Private Hire Drivers

1. The definitions and common conditions contained at the general conditions section pages 5 to 7 including this appendix are incorporated into these conditions.
2. Insofar as is necessary to give effect to these conditions, the **Vehicle Specification**, **The Training Policy** and **The Medical Fitness Policy** are incorporated into these conditions.
3. **The Licensee** shall ensure that at all times s/he is clean and respectable in dress and in person.
4. **The Licensee** shall conduct herself/himself in an orderly and proper manner to the general public including towards ever **Passenger** hiring or being conveyed in the **Licensed Vehicle** and shall comply with every reasonable requirement of any such person.
5. The **Licensee** shall when requested by any **Passenger** –
 - 5.1. convey a reasonable amount of luggage;
 - 5.2. afford reasonable assistance in loading and unloading;
 - 5.3. afford reasonable assistance in removing luggage to and / or from the entrance of any building, station or place at which the driver may take up or set down such person;
 - 5.4. take all reasonable steps to ensure the safety of **Passengers** when entering or alighting from the vehicle
6. The **Licensee** shall ensure that no luggage is carried on the roof of the licensed vehicle.
7. The **Licensee** shall, so far as is reasonably practicable, attend to convey the **Passengers** at the appointed time and place
8. The **Licensee** shall not demand from any **Passenger** a fare in excess of that previously agreed between the hirer and the operator, or if the vehicle is fitted with a **taximeter** and there has been no previous agreement as to the fare, the amount shown on the face of the **taximeter**.

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9. The **Licensee** shall proceed to the destination by the most direct route, unless otherwise agreed with or requested by the **Passenger**.
10. The **Licensee** shall on request of the **Passenger** provide to him/her a written receipt for the fare paid. The receipt shall bear the name and address of the **Operator** and/or his/her business.
11. The **Licensee** shall immediately after the termination of a hiring, or as soon as practicable thereafter, carefully inspect the vehicle for any property that may have been left therein.

Property found following such inspection shall forthwith be deposited at any Police Station unless the **Passenger** has made an alternative arrangement with the **Operator**. A receipt should be obtained from the Police and **The Council** should be informed by **The Licensee** of the action taken. (For the avoidance of doubt this condition does not apply to any suspicious package, the existence of which must be immediately notified to the Police).

12. **The Licensee** shall at all times when driving the **Licensed Vehicle**:
 - i) wear in such a position as to be plainly and distinctly visible on the upper torso;
 - ii) and display in the vehicle

the drivers identification Badges provided by **The Council**. **The Licensee** shall not lend the Identification Badges to any other person or otherwise part with possession of them nor shall s/he cause or permit any other person to use them.

13. The Driver's Badges referred to in Condition 13 shall remain the property of the City Council and shall be returned, within three working days, to the Council Licensing Office by **The Licensee** forthwith upon the happening of any of the following events-
 - i. the expiry of **The Licence**;
 - ii. the revocation or the suspension of **The Licence**;
 - iii. **The Licensee** being disqualified from driving.

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14. **The Licensee** shall carry free of any charge guide dogs, hearing dogs or service dogs for the disabled.

(Licensees may be exempted from this condition for medical reasons subject to such agreement being given in writing by the Licensing Office)

15. **The Licensee** shall not park at or within 20 metres of any Hackney Carriage rank. **The Licensee** may stop near a Hackney Carriage rank only for the purpose of setting down a passenger.
16. **The Licensee** shall maintain a book kept for the purpose a contemporaneous record which shall include at least the following information –

- 16.1. date;
- 16.2. name of **Passenger**;
- 16.3. time of pick up;
- 16.4. pick up point;
- 16.5. destination;

The record shall be made as soon as is safe and practicable following receipt of the booking from the **Operator** and in any event prior to any contact with the **Passenger**. If upon arrival at the appointed place the **Passenger** is not present, the entry should be marked 'no show'. Any departure from the information recorded according to 16.3 and/or 16.5 above should also be recorded.

- 16.6. **The Licensee** shall retain the records kept pursuant to condition 16 above for a period of not less than twelve months from the date of the last entry in the book and shall produce the records immediately upon the request of an **Authorised Officer** or a Constable.

17. Following **The Licence** being granted (and prior to any work being undertaken pursuant to it) **The Licensee** shall inform **The Council** of **The Operator** with whom s/he will work and secure written confirmation of that information from **The Operator**. The Council reserves the right to withhold Identification badges until this condition is complied with in full.

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18. **The Licensee** shall ensure that **The Licence** or a certified copy of it is provided to the aforesaid **Operator** for whom they are working, to be retained by the **Operator** throughout the period in which **The Licensee** secures work through that **Operator**.
19. **The Licensee** shall comply with any provision of **The Councils Training Policy** applying to him/her.
20. **The Licensee** must make him/herself aware of Bristol City Council Private Hire Vehicle Licence conditions and ensure that the vehicle s/he is using for hire and reward complies with all the conditions contained therein.
21. **The Licensee** shall ensure that **The Council** is notified in writing by close of business on the following working day of the happening of any of the following events;
 - 21.1. **The Licensee** receiving a simple or conditional caution or being convicted of any criminal offence;
 - 21.2. **The Licensee** being bound over by any court;
 - 21.3. **The Licensee** being arrested or interviewed in connection with investigations into allegations of offences of the following type –
 - 21.3.1. Any offence involving an allegation of dishonesty, indecency or violence;
 - 21.3.2. Any offence involving an allegation of a failure to comply with the **Relevant Legislation**;
 - 21.3.3. Any offence arising out of the use or keeping of any motor vehicle;
 - 21.3.4. Any offence which on conviction may result in a term of imprisonment;
 - 21.4. any material change in the circumstances of **The Licensee** where a material change is one that would require **The Licensee** to provide different information on application to **The Council** than has been provided in connection with the most recent application for a **Private Hire Vehicle Driver's Licence** made by **The Licensee**, including, by way of example, a change of address, change of name, change of employer or business, and diagnosis of a medical condition.
 - 21.5. The imposition of any penalty points upon the DVLA Licence held by **The Licensee**.

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Appendix D – Conditions governing Hackney Carriage Vehicles

1. The definitions and common conditions contained at General conditions section pages 5 to 7 including this appendix are incorporated into these conditions.
2. Insofar as is necessary to give effect to these conditions, the **Vehicle Specification** shall be incorporated into these conditions.
3. **The Licensee** shall be not less than 18⁴ years of age.
4. **The Vehicle** is licensed on condition that it accords with the **Vehicle Specification**.
5. **Licensed Vehicles** shall be inspected (for both MOT and **safety /cosmetic testing**⁵ as specified by **The Council**) at least once a year at a place specified by **The Council**. Where more than eight years has elapsed from the **Relevant Date** such inspection shall occur every six months.
6. The **Licensed Vehicle** shall be made available for inspection by an **Authorised Officer** or Constable at any reasonable time and further shall if required by written notification from any **Authorised Officer** or Constable be presented for inspection at such time or place within the **Controlled District** as has been specified in the written notification.
7. **The Licensee** shall ensure that at all times during the currency of **The Licence** –
 - 7.1.1. there is in force in relation to the user of the vehicle as a Hackney Carriage a policy of insurance complying with the requirements of part VI of the Road Traffic Act 1972 and shall produce for inspection the original certificate of such insurance immediately upon the request of an **Authorised Officer** or Constable. *(Please note that the condition requires production of the original certificate. Photocopies or faxed copies are not acceptable.)*

⁴ 29/7/8 Policy revision implication of employment equality regulations

⁵ 21.02.06 Licensing committee approved revised Inspection Guide

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- 7.1.2. there is displayed on the **Licensed Vehicle** a current excise licence as required by law
- 7.1.3. there is in force where required by law a current MOT certificate in respect of the **Licensed Vehicle** and shall ensure that the original such certificate is produced immediately upon the request of an **Authorised Officer** or Constable (*Please note that the condition requires production of the original certificate. Photocopies or faxed copies are not acceptable.*)
- 7.2. the **Licence Plates** are firmly affixed to the exterior of the **Licensed Vehicle** (positioned to its front offside and rear offside, save where a particular fixing is included in the vehicle design) and kept clean and in such condition as to be easily legible and the **interior plate** is maintained in a position so as to enable passengers to readily view the plate number written thereon. **Plates** must be affixed securely but in such a manner as to facilitate ease of removal by an **Authorised Officer** or Constable;
- 7.3. the **Licensed Vehicle** is not used for the conveyance of more passengers than the number specified in **The Licence**;
- 7.4. **The Licensed Vehicle** displays a sign on its roof bearing the legend 'TAXI' which sign must be visible to the general public from the front of the **Vehicle** and which must be illuminated at all times when the **vehicle** is plying for hire but must not be illuminated at any other time
- 7.5. The following documents shall be affixed within the **Licensed Vehicle** so as to be readily visible to **Passengers-**
- 7.5.1. any customer information notices as may be specified by **The Council** from time to time;
- 7.5.2. the current tariff of fare as set by **The Council**;
- 7.6. the **taximeter** is operated so that –

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- 7.6.1. the tariff is displayed so as to be visible to **Passengers** at all times;
- 7.6.2. it is fixed in such a position within the vehicle that the display is visible to passengers
- 7.6.3. it otherwise accords in all respects with the relevant provisions of the **vehicle specification**;
- 7.6.4. it is used for all journeys which commence and terminate within the **Controlled District**; for those journeys which commence within the controlled district but which terminate outside of it, the **taximeter** must be used except where the level of fare has been agreed with the **Passenger** prior to the commencement of the journey;
- 7.7. any radio transceiving equipment except cellular telephones, fitted to or being used with **The Licensed Vehicle** shall be type approved mobile radio equipment as licensed by the Radio Communications Agency under the Wireless Telegraphy Act 1949;
- 7.8. no video recording system is used within **The Licensed Vehicle** unless the council's written permission is first obtained and where such permission is granted then-
 - 7.8.1. no audio recording must take place and
 - 7.8.2. a sign must be affixed within **The Licensed Vehicle** so as to be readily visible to **Passengers** informing them that video recording is or may be taking place;
- 7.9. radio scanners are neither installed nor used within **The Licensed Vehicle**;
- 7.10. **The Licensed Vehicle** is used only by persons who are properly licensed and insured to use it pursuant to **The Relevant Legislation**.

8. **The Licensed Vehicle** shall:

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- 8.1. be kept in good and clean condition both on the interior and exterior;
 - 8.2. have seats which are properly cushioned and without any tears or holes in the coverings;
 - 8.3. have sufficient space for luggage;
 - 8.4. have in proper working order an interior light for the use of passengers;
 - 8.5. at all times comply with the any legislation applying to it and in particular shall comply with the requirements of the **Relevant Legislation** and the Road Traffic Acts and Construction and Use Regulations in respect of tyres, lights, reflectors, windscreen wipers/washers, exhaust systems, brakes and seat belts;
 - 8.6. have a spare wheel and tyre that should be maintained in such a condition as to render it suitable for lawful use on a road and have tools for the changing of such a spare wheel and tyre;
 - 8.7. carry and maintain in good condition, a fire extinguisher that accords with that specified in the current **vehicle specification** such extinguisher to be kept in a readily accessible position to facilitate its use if required;
 - 8.8. carry and maintain in good condition securing straps, ramps and steps and any other relevant equipment complying with current British Standards to enable a person in a wheelchair to gain entry to and egress from the vehicle and to be properly secured when traveling. (wheelchair accessible vehicles only).
9. **Licence plates** remain the property of the Council and **The Licensee** shall return the **Licence Plates** to **the Council** within seven days of the revocation suspension or expiry of **The Licence**.
10. **Taximeters**

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All vehicles shall be fitted with a taximeter as approved by the Council.

- a. The meter shall at all times be in such a position within the vehicle so as to be fully visible by any passenger within the vehicle.
- b. Every meter shall be capable of displaying the current tariff and any extras incurred within the current Council tariff of fares.
- c. Only meters approved and calibrated in accordance with Council procedure shall be used.
- d. All meters must be calibrated with the current Council tariff of fares, or be changed to the current tariff within 14 days of any change within the Council tariffs.
- e. All meters must be sealed with a manufacturer's seal or seal approved by the Council and seals must be in good condition and intact at all times.
- f. Meters must only be calibrated and sealed by persons authorised to do so by **The Council**. **The Licensee** shall obtain from the authorised person a meter certificate which must be produced to **The Council** when requested.
- g. All meters fitted to new vehicles shall be of BSI standard and approved by the Public Carriage Office according to their current list at that time.
- h. All vehicles shall be fitted with BSI standard meters and approved by the Public Carriage Office according to their list at the time by (date to be fixed).
- i. The power source for the roof sign light shall be provided by the meter so that when the meter is engaged the roof sign will not be illuminated.

For the avoidance of doubt the fitting of an isolating switch to allow the meter to be turned off without the roof sign being illuminated will be permitted.

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11. Changes of circumstances

The Licensee shall ensure that **the Council** is notified in writing by close of business on the following working day of the happening of any of the following events

- 11.1. **The Licensee** receiving a simple or conditional caution or being convicted of any criminal offence;
- 11.2. **The Licensee** being bound over by any court;
- 11.3. **The Licensee** being arrested or interviewed in connection with investigations into allegations of offences of the following type-
 - 11.3.1. any offence involving an allegation of dishonesty, indecency or violence;
 - 11.3.2. any offence involving an allegation of a failure to comply with the **Relevant Legislation**;
 - 11.3.3. any offence arising out of the use or keeping of any motor vehicle;
 - 11.3.4. any offence which on conviction can result in a term of imprisonment
- 11.4. any material change in the circumstances of **The Licensee** where a material change is one which would require **The Licensee** to provide different information on application to **The Council** than has been provided in connection with the most recent application for a **Hackney Carriage Licence** made by **The Licensee**, including, by way of example, a change of address, change of name, change of employer or business, or change of style of business;
- 11.5. any accident to the **Licensed Vehicle** resulting in damage;
- 11.6. any alteration to the vehicle (including mechanical or bodywork alterations). For the avoidance of doubt, unless it is with the prior written consent of **the Council**, no alteration may be made to the vehicle which would result in a contravention of any of the conditions attaching to **The**

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Licence. Where alterations are made then **the Council** shall be entitled to require the vehicle to undergo a further inspection;

11.7. The sale or acquisition of any **Licensed Vehicle**.

Condition imposed in respect of certain licensed vehicles that are not coloured Bristol blue (or other approved similar shade) at the date of grant of the licence

In this condition "**Bristol Blue**" means the colour identified by the British Standard code BS 381C (108) (or any European Standard code which may supercede or replace it); and "**Exterior Paintwork**" means those parts of the visible exterior bodywork of the licensed vehicle to which colour was applied by the manufacturer as standard for vehicles of the same year, make and model as the licensed vehicle.

12. The Licensed Vehicle may not be used in standing or plying for hire in any street within the administrative area of the City of Bristol unless its exterior appearance accords with the vehicle specification policy that was effective from 16 August 2017, that is to say that:

Advertising on the exterior of the cab may cover all or part of the complete exterior body shell and the full width and height of the rear window, except for:

- a. the front windscreen, side windows and any other glass areas;
- b. the tyres and/or the rims and bumpers;

Save for any area where advertising is displayed all Exterior bodywork shall be uniformly coloured Bristol Blue.