



St. Helens  
Council

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# **HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS**

**JANUARY 2024**

## HACKNEY CARRIAGE VEHICLE CONDITIONS

As with driver licensing, the objective of vehicle licensing is to protect the public, who trust that the vehicles dispatched are above all else safe. It is important therefore that licensing authorities are assured that those granted a vehicle licence also pose no threat to the public and have no links to serious criminal activity. Although vehicle proprietors may not have direct contact with passengers, they are still entrusted to ensure that the vehicles and drivers used to carry passengers are appropriately licensed and so maintain the safety benefits of the licensing regime. Statutory Standards for Taxi and Private Hire.

### January 2024

In accordance with Sections 47(1) of the Local Government (Miscellaneous Provisions) Act 1976 the Council may attach to the grant of a licence such conditions as they may consider reasonably necessary. Failure to comply with these conditions of your licence may result in the suspension or revocation of your hackney carriage vehicle licence.

If you are aggrieved by any of the requirements contained in these conditions, you have the right of Appeal to the Magistrates Court within 21 days.

### Interpretation

'Council' means St Helens Council Licensing.

'Authorised Officer' means an authorised officer of St Helens Council.

### IMPORTANT

St Helens Council are required to be satisfied that hackney carriage vehicles operating in St Helens are safe to do so. The Council may require you to present your vehicle for inspection or test at any reasonable time during the period which the vehicle is licensed. The proprietor(s) of the vehicle shall at reasonable times permit an Authorised Officer or Police Constable to inspect the vehicle or any taximeter affixed to it for the purpose of ascertaining its fitness and shall comply with any directions given. Should a Hackney carriage vehicle fail to be presented for inspection on request by an Authorised Officer, the vehicle licence may be suspended.

Vehicles must meet the Council's Hackney Carriage Vehicle Licence Criteria

- Vehicles must be fitted with at least four doors and four wheels
- Right Hand drive vehicles only
- Vehicles must have adequate space for luggage.
- Vehicles must be capable of carrying at least four passengers and not more than eight.
- Vehicles must have a partition fitted in between the front and rear seats.
- All hackney carriage vehicles must be public carriage office approved and designed to provide access and secure carriage of wheelchair-using passengers.

Once a vehicle licence has been issued it remains in force at all times until the licence expires or it is surrendered, suspended, or revoked. A licensed vehicle is always a licensed vehicle so even if the vehicle is not working, it is still licensed and all conditions will apply.

Should any of the conditions below not be complied with the hackney carriage vehicle licence may be suspended or revoked and legal action may be taken in accordance with the relevant legislation.

Notwithstanding the conditions below, if there is anything in the construction, form, working or general appearance which in the opinion of the Council, renders a vehicle unfit for use as hackney carriage vehicle, it may be suspended, revoked, or an application to renew a licence may be refused.

Please note where the conditions refer to 'in writing', this includes email. The email address for St Helens Council Licensing Service is [taxilicensing@sthelens.gov.uk](mailto:taxilicensing@sthelens.gov.uk)

If you are aggrieved by any of the requirements contained in the conditions below you have the right of appeal to the Magistrates Court within 21 days of the issue of the licence to which these conditions are attached.

## 1. MATTERS TO BE REPORTED TO THE COUNCIL

### Change of Details

The proprietor(s) of a hackney carriage vehicle must notify the Council in writing of any change of name and/or address within 7 days of such change taking place.

The licence holder must notify the Council in writing of any change of telephone number or email address within 7 days of any such change.

The proprietor(s) of a hackney carriage vehicle must notify the Council of any intention to change the vehicle registration number, prior to any such change taking place. The proprietor(s) shall produce the DVLA number plate authorisation certificate for the new vehicle registration number, an updated copy of the vehicles motor insurance showing the new registration number, a copy of the vehicles logbook (V5C) showing the new registration number (if this has been received), and a copy of the email from the DVLA stating that the new vehicle registration plates can be affixed to the vehicle.

### Other Matters to be Reported

The proprietor(s) must notify the Council in writing if the vehicle is stolen within 24 hours of such event taking place. The proprietor(s) shall provide to the Council any crime reference number provided to them by the Police.

The proprietor(s) must inform the Council of any person who they have authorised to drive the vehicle within 24 hours of such request being made.

## 2. FITNESS OF PROPRIETORS

Only persons deemed by the Council to be a 'fit and proper' person may hold a private hire vehicle proprietors' licence. In order to be deemed 'fit and proper' all applicants for a private hire vehicle proprietors' licence must obtain a standard disclosure from the Disclosure and Barring Service (DBS) and produce it to the Council. The standard disclosure cannot be any older than 1 calendar month.

If an applicant is currently in receipt of a valid Hackney Carriage/ Private Hire Drivers Licence or an additionally conditioned private hire drivers licence then this is not required.

If the applicant is a company or partnership, a standard disclosure from the Disclosure and Barring Service (DBS) must be provided for each director and partner.

A standard disclosure from the Disclosure and Barring Service (DBS) will have to be provided annually by all private hire vehicle proprietors who do not hold a valid Hackney Carriage/ Private Hire Drivers Licence. <https://www.gov.uk/government/organisations/disclosure-and-barring-service>

## 3. ACCIDENTS AND DAMAGE TO THE VEHICLE

In every case where a hackney carriage **sustains damage or is involved in an accident** the details of the vehicle and the damage sustained must be reported by the licence holder to the Council within 72 hours of the damage having been sustained. The licence holder must provide details of the accident and arrange for the vehicle to be inspected as appropriate. The licence holder will provide details of the incident and if deemed necessary the licence holder will complete an accident report.

The accident report shall contain the following information: the date and time of the accident, where the accident occurred, how the accident occurred, the damage the vehicle has sustained, and if there were any passengers in the vehicle at the time of the accident.

In every case where a hackney carriage is involved in a **road traffic collision**, the details must be reported by the licence holder to the Council as soon as it is practicable and in any case no later

than 72 hours after the collision occurring. The licence holder must provide details of the incident and arrange for the vehicle to be inspected as appropriate.

Where damage to the hackney carriage affects the safety, performance or appearance of the vehicle, until such damage is repaired to the satisfaction of the Licensing Authority the vehicle must not be used for hire/reward.

For the avoidance of doubt, slight scratches or stone chips which do not materially affect the use of the vehicle do not need to be reported.

#### **4. CONVICTIONS, CAUTIONS AND MOTORING OFFENCES**

The proprietor(s) of a hackney carriage vehicle must notify the Council within 48 hours details of any investigation into any criminal or motoring offence: These being:

- a. Investigation into any criminal offence
- b. Warnings received – this to include any harassment, anti-social behaviour orders, or community resolution orders.
- c. Cautions received – issued by the police or any other agency
- d. Criminal charges or convictions received
- e. Issue of any fixed penalty notice
- f. Their arrest for any offence (whether or not charged)

#### **5. TRANSFER OF OWNERSHIP OF THE VEHICLE**

If the proprietor(s) of a hackney carriage vehicle wishes to transfer ownership of the vehicle to another person(s), the proprietor(s) must notify the Council of the name and address of the new proprietor(s) within 14 days of the transfer of ownership. The current proprietor(s) and new proprietor(s) must complete a transfer application form and pay the relevant fee and produce current valid insurance, proof of road tax for the vehicle, and the vehicles logbook in the new proprietors name once it has been received from the DVLA.

Note: the logbook showing the new proprietor(s) details must be received prior to the expiry of the vehicle licence in accordance with condition 35.

#### **6. SURRENDER OF LICENCE**

If at any time during the period of the licence the proprietor(s) for any reason, does not wish to retain the hackney carriage licence, or transfer the vehicle licence to another person the proprietor(s) must immediately surrender and return the hackney carriage vehicle licence, window disc and plate to the Council.

#### **7. GENERAL**

##### **Exterior of the vehicle**

Vehicles, including all fittings, lights and other mechanical and electrical components must be maintained in a good working order in accordance with the Council's Vehicle Inspection Policy.

The vehicle must be maintained with the paintwork, bodywork, fittings, locks and latches in good working order.

Paintwork must be maintained to a high standard and the colour of all panels must match.

The vehicle must be maintained in a mechanical and structural condition which is roadworthy and capable of satisfying the Council of an inspection by an authorised officer of the Council at any time during the period of the vehicle licence.

The interior and exterior of the vehicle must be maintained in a clean and safe condition.

There must be no visible leaks of fuel, oil, or other fluids from the vehicle.

The vehicle must not emit excessive smoke from the exhaust.

### **Interior of the vehicle**

Hackney carriage vehicles must be wind and water tight when all doors and windows are closed.

There must only be the number of passenger seats fitted in the vehicle for which the vehicle is licensed.

All fittings and furniture inside the vehicle must be in a clean and well maintained condition.

Seats must be secure and covered with an appropriate material which must be properly upholstered and in good and clean condition, free from rips, tears and holes.

If seat covers are used they must be fitted correctly, in a good clean condition and free from rips, tears and holes.

Seat belts and seatbelt mechanisms must be in good working order and free from frays, cuts and other damage. If a seatbelt sustains any frays, cuts or other damage the seatbelt must be replaced not repaired.

The floor of the vehicle must be covered in an appropriate non-slip material which must be free from rips, tears and holes.

The floor of the vehicle must not impede the movement of wheelchairs.

There must be provision of the safe carrying of luggage.

The outer edge of the floor at each entrance must be fitted with non-slip high visibility treads.

A heating and ventilation system must be maintained and be in working order to allow passengers to travel in comfort.

The driver of the vehicle must ensure that his hackney carriage/private hire driver's badge is displayed in a prominent position so that all details can be read by passengers.

The method of communication between the driver and passenger compartments must be in good working order.

Occasional seats must rise automatically when not in use.

Colour contrasting grab handles must be placed at door entrances to aid passenger access and egress from the vehicle.

Colour contrasting sight patches are required on all passenger seats.

Nothing must be placed in front of or in any windows that would obscure the clear vision of the driver or passengers other than those issued by St Helens Council.

All Hackney Carriage Vehicles must be fitted with a 'perspex partition screen' separating the driver from the customers in the rear of the vehicle.

## **8. VEHICLE LICENCE PLATES**

The rear vehicle plate identifying the vehicle must at all times be securely fixed externally to the rear of the vehicle in a prominent position ensuring that the whole plate is clearly visible. The plate must be fixed using the bracket provided by the Council.

The rear plate may not be displayed in the rear window of the vehicle.

The details contained on the rear vehicle plate must be clearly readable at all times.

The licence disc must be placed in the nearside of the front windscreen but placed so that it does not obscure the driver's vision.

The hackney carriage plate remains the sole property of St Helens Council.

The licence holder must report lost or stolen hackney carriage plates to the Council immediately on discovering the loss or theft. No licensed work must be undertaken in the vehicle until the Council is satisfied that the vehicle is displaying the appropriate plates.

In the event of the vehicles licence expiring, being suspended, or revoked, the rear vehicle plate and window disc must be returned to the Council within 7 days in accordance with Section 58 of the Local Government (Miscellaneous Provisions) Act 1976.

## **9. VEHICLE EXCISE LICENCE**

The Council will suspend the hackney carriage proprietor's licence or refuse to renew the licence if the vehicle does not hold a valid excise licence.

## **10. INSURANCE**

The Proprietor(s) shall maintain a current public hire insurance policy for the vehicle at all times during the currency of the licence and shall immediately return the plates/licence disc/licence to the Council if the policy lapses or is cancelled/withdrawn by the insurance company.

Proof of current insurance must be submitted with each application for a licence.

Proof of change or renewal of the insurance policy during the course of the licence must also be provided to the Council.

Insurance policies must be continuous for the period of the vehicle licence. No gaps in cover are permitted, even if the vehicle is not working.

At any time during the term the vehicle is licensed an authorised officer of the Council may require the proprietor(s) of the vehicle to produce evidence that the appropriate insurance remains in force. A failure by the proprietor(s) to produce the certificate of insurance, within such timescale as may be specified by an authorised officer, is a criminal offence and could also result in the licence being suspended or revoked by the Council.

## **11. INTERIOR LIGHTING**

Interior lighting must be provided for the driver and passengers.

## **12. ADVERTISEMENTS/EMBELLISHMENTS/GRAPHICS/DESIGNS**

### **Commercial Advertising**

The proprietor(s) shall not cause or permit any sign, symbol, graphics, designs or embellishments, notice or advertisement to be displayed in, on or from the vehicle without the prior approval of the Licensing Authority. Where these are displayed without prior approval an Authorised Officer can request they be removed.

Should the proprietor(s) wish to display advertising on the vehicle they must complete an application form, supply a copy of the artwork that is proposed to be displayed on the vehicle and pay the relevant fee.

Commercial advertising shall only be permitted on the side livery of vehicles, that is the front and rear wings and front and rear doors. For the purposes of clarity, no advertising will be permitted in any of the vehicles windows.

All paintwork shall be in a sound condition prior to fitting signs. If it is necessary to respray/paint the vehicle prior to fitting of signs, the proprietor shall ensure that the vehicle colour is maintained in a consistent form.

If advertising on the vehicle is withdrawn, the vehicle must be restored to its original colour.

All advertising will subsequently be checked during the six- or twelve-monthly compliance test examination and during any roadside inspections. If, in the opinion of the vehicle examiners or authorised officers, the advertising has become detached, defaced or in need of repair or is found to be concealing damage to the bodywork then the proprietor will, by the issue of a “vehicle defect notice” be required to carry out necessary remedial works.

Approved advertising on hackney carriage vehicles must be permanently painted or stuck to a continuous flat surface and must be of such a form as not to become easily soiled or detached. Magnetic signs will not be permitted.

Any advertisement/sign/symbol/design/graphic/embellishment promoting alcohol, tobacco, the sex industry, or any matters considered inappropriate or controversial are not permitted.

### **13. DOOR AND VEHICLE SIGNAGE**

Should the proprietor(s) of a hackney carriage vehicle wish to affix signage to their vehicle to advertise their business, then this must be in the form of a magnetic or adhesive door sign and must be affixed on both front doors of the vehicle. The door sign must measure at least 590mm wide by 220mm high and all lettering shall measure not more than 4 inches in height and not less than 2 inches in height. The door sign shall contain the following information:

- a. The name of the business for which work is being undertaken.
- b. The preferred method of contact for the business (if any) for which work is being undertaken. This may include a landline telephone number, mobile number, website address, smartphone/web app name, or similar.

Example

BROWN'S TAXIS  
01744 123456

- c. The Council will have final approval on any vehicle artwork.

No colour is specified but the signs should contrast with the vehicle bodywork colour on which they are displayed. A decision will be taken by the Licensing Manager if the signage does not significantly stand out and you may be asked to replace it.

Business advertising on hackney carriages - in addition to the above proprietor(s) of a hackney carriage vehicle may add further signage to the vehicle showing the business name and preferred method of contact (if any) on the sides and rear of the vehicle in letters not more than 10 inches in height. For the purposes of clarity, no signage will be permitted in any of the vehicles windows. This will require written approval from the Council prior to any signage being added to the vehicle. Where this signage is displayed without prior approval, an Authorised Officer can request it be removed.

### **14. NOTICES**

Any notices that the Licensing Authority may require must be clearly displayed inside the vehicle as directed. This will include no smoking, passenger information/ complaints stickers, and wheelchair stickers.

### **15. EXTERIOR ROOF LIGHT**

An illuminated roof-sign displaying the word ‘TAXI’ must be fitted to the roof of the hackney carriage vehicle in such a position that it is clearly visible from the front of the vehicle by day and night. The roof-sign must be connected to the taxi meter so that when the vehicle is available for hire the sign becomes illuminated and remains not illuminated when the vehicle is hired.

### **16. CLOSED CIRCUIT TELEVISION (CCTV)**

Proprietor(s) interested in installing a CCTV system into their licensed vehicle must first consult the Council to ensure that the CCTV system they are planning to purchase, meets the approved

standard. Proprietors(s) must obtain prior consent from the Council prior to the installation of any CCTV system by submitting an application form.

The conditions relating to the installation, use, and maintenance of a CCTV system are:

- (i) No CCTV system shall be installed in a vehicle unless it has been previously approved by the Council.
- (ii) No CCTV system shall be installed in a vehicle without the prior written consent of the Council.
- (iii) No cameras shall be installed in a vehicle without the prior written consent of the Council as to the number and location of such cameras. The number and location of cameras shall not be varied without the prior written consent of the Council.
- (iv) No cameras shall be installed in a vehicle without the prior written consent of the Council as to the number and location of such cameras. The number and location of cameras shall not be varied without the prior written consent of the Council.
- (v) An advisory notice provided by the Council shall be displayed inside the vehicle on each of the rear passenger windows. The notices shall be positioned in a prominent position where they can be easily read by persons inside and outside of the vehicle. The proprietor(s) shall ensure that the notices are maintained in a clean and legible condition.
- (vi) The proprietor(s) shall ensure that the system is properly and regularly maintained and serviced in accordance with the manufacturer's instructions by a suitably qualified person. Written records of all maintenance and servicing shall be made and retained by the proprietor for a minimum of 12 months. Such written records shall be made available on demand by an authorised officer or Police Officer.
- (vii) Upon request for image retrieval by an authorised officer or Police Officer the proprietor(s) shall ensure that the images are made available to the system administrator and the officer making the request as soon as reasonably practicable, and in any event within 7 days of the request.
- (viii) The proprietor(s) of the vehicle shall take all reasonable steps to ensure that any driver of the vehicle is made aware of every condition in relation to any installed CCTV system and has been given adequate instruction regarding the need for the system to be made available as soon as reasonable practicable and in any event within 7 days of any request for an image retrieval being made by an authorised officer or Police Officer.
- (ix) The proprietor(s) shall ensure that notification is lodged with the Information Commissioner to cover the purposes for which the CCTV system is used.

## **17. CONVEYANCE OF ANIMALS**

A licence holder must not carry in a hackney carriage vehicle any animal which belongs to, or is being looked after by them while it is being used as a hackney carriage vehicle. Animals in the custody of passengers may be carried, at the driver's discretion. Provided they are restrained in a safe manner.

The Proprietor(s) and drivers of the vehicle must ensure that they are aware of their duty under Section 168 of the Equality Act 2010 to convey assistance dogs. These include guide dogs for the blind or partially sighted, hearing dogs for the hard of hearing, and other assistance dogs who assist disabled people with a physical impairment. The driver may only refuse to convey an assistance dog



if they are already the holder of and are displaying an exemption certificate. In the event of this a full explanation must be provided to the customer by the driver.

Any driver with a medical condition, which may be exacerbated by the carriage of dogs, may apply for an exemption. A certificate of medical exemption can be granted when the necessary application for a medical exemption is approved and the required steps are followed, including the production of suitable medical evidence. This information and application forms necessary to apply for such an exemption can be found on the Council's website or by contacting the Council.

## **18. ROOF RACKS, ROOF BOXES AND TRAILERS**

Licensed vehicles are not permitted to use roof racks, roof boxes or trailers whilst being used for public hire or hire and reward purposes.

## **19. WHEELS AND TYRES**

Where a hackney carriage vehicle is supplied with alloy wheels, all four road wheels must be of the same type and pattern.

Where a hackney carriage vehicle is supplied with wheels intended to be fitted with wheel trims, all four road wheels must be fitted with wheel trims of the same pattern.

Alloy wheels, wheel rims and fitted wheel trims must be free from damage and defects which affect the safety, appearance, or integrity of the wheel.

Part worn and remould tyres must comply with the Motor Vehicle Tyres (Safety) Regulations 1994.

All tyres (including the spare) must be the correct size, and load rating for the vehicle.

All tyres, including the spare must be properly inflated.

All tyres must have a continuous tread depth of at least 1.6mm across the central three quarters of the breadth of the tyre, and visible tread across the remaining breadth of the tyre.

All tyres including the spare must be free from cuts and other defects.

The hackney carriage vehicle must carry a method for dealing with a wheel or tyre should it become defective. This method should be in accordance with the vehicle manufacturer's specification which must be one of the following;

- Full size wheel – which must be the same size and type as the four road wheels and be fitted with a tyre of the same size, with the load rating as the four road wheels. Appropriate tools and equipment for changing the wheel must also be carried.
- Space saver spare wheel – which must be the correct size and type for the vehicle.
- Run flat tyres.
- Emergency tyre sealant and compressor/inflator pack.

If a wheel or tyre becomes defective and one of the above methods is used to rectify the fault this is a temporary measure only. The vehicle must not be used for public hire and reward purposes other than completing the current journey.

## **20. DOORS**

Where hinged doors are fitted:

- An automatic locking device must be fitted to passenger doors
- When the vehicle is stationary, the passenger doors must be capable of being opened from the inside and outside of the vehicle by one operation of the latch mechanism.

- The interior door handle must be clearly visible, of a contrasting colour to the interior of the vehicle, and easily accessible to passengers when the door is in the fully open position.
- A hinged door must be capable of being opened to a minimum angle of 90 degrees.

Where sliding doors are fitted:

- An automatic locking device must be fitted to passenger doors.
- When the vehicle is stationary, the passenger doors must be capable of being opened from the inside and outside of the vehicle by one operation of the latch mechanism.
- The interior door handle must be clearly visible, of a contrasting colour to the interior of the vehicle and easily accessible to passengers when the door is in the fully open or closed position.
- There must be reflective strips on both the front and rear edges of the door.
- There must be an illuminated sign bearing the words “Door Open” clearly visible from the rear of the vehicle. This sign must be automatically linked to the passenger doors in order that when either door handle is activated to open the door, the sign is illuminated.
- There must be a sign within the passenger compartment, clearly visible to all passengers, giving instructions on the correct operation of the passenger door.

## **21. WINDOWS**

All windows must be secure and free from cracks, damage or other defects.

The front windscreen and front passenger windows must let at least 75% of light through. All vehicles will be inspected prior to licensing to ensure that all windows on the vehicle meet this standard. Windows will be measured with the Licensing Authority’s tint meter but you may be asked to provide proof from the manufacturer.

Film or spray which may alter the characteristics or appearance of the windows will not be permitted.

Passenger door windows must be capable of being opened by passengers when travelling. The control for opening a door window must be clearly identified so as not to be mistaken for any other control.

## **22. MIRRORS**

All mirrors and mirror housing units must be secure and free from cracks, damage or other defects.

## **23. VEHICLE AGE RESTRICTIONS**

There are no requirements relating to how old a vehicle must be when first presenting for licensing and there are no upper age limits to continue to licence a vehicle. Vehicles should however be kept in good working order, along with bodywork and cleanliness of the vehicle (inside and out).

## **24. VEHICLE COLOUR RESTRICTIONS**

There are no colour restrictions in place for licensed vehicles.

## **25. PASSENGERS**

The proprietor(s) or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage. For the purpose of this condition a child under the age of two years is not regarded as a person and where two or more children under the age of ten years are being conveyed, one extra person may be conveyed in addition to the number specified on the plate affixed to the outside of the carriage.

The proprietor(s) or driver must not allow any child under 10 years of age to be conveyed in the front of the vehicle beside the driver.

The proprietor(s) or driver must not permit any person to be conveyed in the vehicle without the consent of the hirer.

## **26. FARES AND JOURNEYS**

The table of fares (tariff card) issued by St Helens Council must be clearly displayed in a prominent position where it can be easily read by all passengers. The maximum fares chargeable by hackney vehicles are fixed by the Council. Drivers of hackney carriage vehicles are permitted to charge any fare for a journey, up to and including (but not exceeding) the fare displayed on the meter.

When hackney vehicles are used for private hire purposes, hackney carriages they must charge from the point of pick-up of the hirer to the point of drop off. The meter must be used and the fare charged cannot be greater than that displayed on the meter.

The licence holder must if required by the hirer of a hackney carriage vehicle, provide a written receipt for any fare paid.

The licence holder, when hired to drive a hackney carriage vehicle to any particular destination, must, subject to any directions given by the hirer, proceed to that destination by the shortest practicable route.

## **27. SMOKING IN A LICENCED VEHICLE**

Revisions as per the Health Act 2006 which does not permit anyone to smoke in the licenced vehicle. The use of e-cigarettes or any other cigarette substitute (Vapes, etc.) which may be perceived to appear as a cigarette is not permitted within the licensed vehicle.

Any driver found or believed to be smoking in a vehicle will be required to have their vehicle inspected by an authorised officer. Should the vehicle fall below the standards acceptable to the Authority, i.e. cigarette/cigar odour then the vehicle licence may be suspended until such time that an authorised officer is satisfied that the matter has been resolved.

In the first instance, any driver found smoking will be issued with a fixed penalty notice under the Health Act 2006 and the matter will be recorded on their licence records. If the fixed penalty notice is not paid within the specified timeframe, the matter will be referred to the Council's legal department to consider prosecution. If a driver is found smoking for a second time within a three year period, they will not be given the opportunity to discharge liability by way of a fixed penalty notice and the matter will be referred to the Council's legal department to consider prosecution. Any driver who is found smoking twice within a three year period will also be referred to the Licensing & Environmental Protection Committee who can take action against the driver including suspension or revocation of the licence.

Proprietors should note that a licensed vehicle remains licensed even when being used for social or domestic (not hire and reward) purposes.

## **28. TAXIMETERS**

The meter must be calendar controlled and must be maintained in good working order. All timings must be correct. The meter must be locked and where appropriate sealed.

## **29. WHEELCHAIRS AND RAMPS**

Anchorage provided for the wheelchair and occupants must be secured.

Restraints for wheelchairs must be free from damage which may affect their safe use. If any such devices are damaged they must be replaced and not repaired.

The ramp used must be free from any damage and be in good working order.

### **30. PLYING AND STANDING FOR HIRE**

St Helens licensed hackney carriages may ply for hire on any street within the St Helens Council area. They may stand for hire on any appointed taxi ranks as defined by Section 38 of the Town Police Clauses Act. Hackney Carriage vehicles shall not be left unaccompanied on taxi ranks at any time.

### **31. LOST PROPERTY**

The licence holder must, immediately after the termination of any hiring, search the vehicle with reasonable care, for any property which may have been accidentally left therein. If any property left therein by any person who may have been conveyed in the vehicle is found by or handed to the licence holder they must report it to the Operator (in the case of a private hire vehicle). If the item is of significant value it must be taken to the nearest police station in the Borough in order to receive instructions from the police as to its custody.

### **32. DISPLAYING OF THE DRIVERS BADGE**

Drivers are issued with an identity badge which will display their unique licence number; the badge is to be worn or displayed so that it is plainly visible at all times, to passengers (or prospective passengers) and Authorised Officers, when driving a hackney carriage vehicle, attachment to a belt or hook at the waist is not acceptable. Failure to display your driver badge is a prosecutable offence under section 54(2) of the Local Government (Miscellaneous Provisions) Act 1976.

### **33. OPERATING THE HORN**

The vehicle proprietor(s) or driver should not sound the vehicle horn to signal to the hirer that you have arrived. Such actions cause annoyance to residents and may constitute an offence; offenders will be dealt with either by the Courts or the Licensing & Environmental Protection Committee.

### **34. CARRIAGE OF LUGGAGE**

The licensee shall afford all reasonable assistance with passengers' luggage, unless there is a medical reason why the specific driver cannot accede to any such request, documentary evidence must be provided to the Authorised Officer in advance and the hirer(s) must be made aware of the drivers inability to assist at the point of hiring or upon their entrance to the vehicle.

### **35. WEARING OF SEATBELTS**

Under the Motor Vehicle (Wearing of Seatbelts) Regulations 1982 every person in a licensed vehicle is required to wear a seatbelt apart from the driver in the following circumstance as stated under Regulation 5(h)(i):

- The driver of a taxi which is being used for seeking hire, or answering a call for hire, or carrying a passenger for hire.

### **36. PRODUCTION OF THE VEHICLES LOGBOOK (V5C)**

The vehicles logbook (V5C) must be in the proprietor's name and produced prior to the expiry of the vehicle licence, in cases where the proprietor has not received the logbook back from the DVLA following the purchase of the vehicle.

### **37. HACKNEY CARRIAGE BYLAWS**

The Council have a number of bylaws which were enacted on 1 May 1989 covering the use of Hackney Carriages which can be viewed on the Council's website or copies made available if requested. All holders of a Hackney Carriage/ Private Hire Drivers Licence are issued with a copy of the bylaws.