

DEFINITIONS

"authorised officer" has the same meaning as in section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

"the Council" means the Council of the Borough of Burnley.

"taxi" has the same meaning as in the Transport Act 1995.

"identification plates" mean the plates issued by the Council for the purpose of identifying the vehicle as a hackney carriage.

"the proprietor" has the same meaning as in section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

"taximeter" has the same meaning as in section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

"Bylaws" are those bylaws made in pursuance of the Town Police Clauses Act 1947 and the Local Government (Miscellaneous Provisions) Act 1976.

Conditions attached to Hackney Carriage Proprietors Licences issued by Burnley Borough Council

Section 47 of Local Government (miscellaneous Provisions) Act 1976 allows a council to attach on the grant of a licence of a hackney carriage such conditions as the council may consider reasonably necessary.

Conditions attached to Hackney Carriage Proprietors Licences - Burnley

1 Convictions

- a) The proprietor shall within seven days disclose to the Council **in writing** details of any personal conviction imposed on him/her (or, if the proprietor is a company or partnership, or any of the directors or partners) during the period of this licence

2. Vehicles

- a) New applications will only be accepted where vehicles are less than 3 years old from date of first registration in Burnley.
- b) The maximum age limit for vehicles is twelve years from the date of first registration.
- c) The vehicle will be submitted for inspection at an M.O.T. Testing Station designated by the Council on two, where the vehicle is less than three years old, or three separate occasions, where the vehicle is three or more years old in each year during which the licence is in force. When submitted for inspection it shall be in a complete and thoroughly good condition and the engine, chassis, body, tyres, fittings, furniture and all parts must be in good repair and order. All steering parts, engine and braking linkages must be thoroughly cleaned to enable thorough inspection.
- d) The vehicle should be fit for public service at all times. Particular attention must be paid to the condition of each tyre (including the spare wheel), lights, engine coolant and lubrication levels, windscreen wipers, washer reservoir levels, and vehicle interior and exterior cleanliness.
- e) The steering wheel must be on the offside (right-hand side)
- f) All doors must be capable of being opened from the inside. There must be at least four doors. If the rear door is to be used for access and egress then access to this must be direct and not blocked by a line of seats. Vehicles without a nearside door are not acceptable.
- g) The maximum number of passengers a vehicle may carry is eight. Access to every seat must be unobstructed without the need for seats to be folded or removed. Bench type seating will not be permitted. Seats must not be sideways to the direction of travel. Any occasional seats must be so arranged as to rise automatically when not in use. Any occasional seats must not obstruct doorways.
- h) Seat belts must be fitted for use by every passenger capable of being carried.

- i) Where seats are facing each other, there must be a minimum space of 17" (*approximately 43 cm*) between any part of the front seat and any part of any other seat which faces it, provided adequate foot room is maintained at floor level. Where all seats are placed facing to the front of the vehicle. There must be a clear space of at least 26" (*66 cm*) in front of every part of each seat squab (padded back). Further to this a clear space of 7" (*approximately 18cm*) from back of front seat to front of rear seat (when front seat is fully pushed back), is to be recommended for passenger comfort.
- j) The vehicle must be able to carry a reasonable amount of luggage (safe from inclement weather). Luggage should be stored securely and not stored in such a way as to hinder access to a door.
- k) The flooring of the passenger compartment must be covered with a non-slip material, which can be easily cleaned.
- l) Grab handles must be placed at door entrances to assist the elderly and disabled. Grab handles should be highly visible.
- m) All entrances and exits must be sufficiently illuminated at night.
- n) The provision of a step for assisted entry is recommended. The step must be covered with a slip-resistant surface. In the case of vehicles with a high floor height, a step will be required.
- o) The vehicle will not contravene the Motor Vehicles (Construction and Use) Regulations or Road Vehicles (Lighting) Regulations currently in force
- p) Signs indicating that smoking is prohibited will be clearly displayed inside the vehicle.
- q) A licence plate will be maintained on the rear of the vehicle.
- r) The vehicle shall display on the rear nearside and offside doors signs designed and supplied by the Council, incorporating the words 'Burnley Borough Council', 'Licensed Hackney Carriage Vehicle' and the vehicle licence number
- s) The vehicle will have two stickers replicating the details contained on the licence plate adhered to positions that are clearly visible to any passengers sitting on any of the passenger seats.
- t) The vehicle will be black in colour and the colour must be maintained throughout the period for which the licence is in force.

3. Radio Microphone

Any radio microphone installed in the vehicle shall comply with current legislation and be securely fitted in such a position that its use by the driver would not impair his/her control of the vehicle when it is in motion.

4 Accidents To Vehicle

- a) The proprietor of a Hackney Carriage shall report to the Council as soon as reasonably practicable, and in any case within seventy-two hours of the occurrence thereof, any accident to such Hackney Carriage causing damage materially affecting the safety, performance or appearance of the Hackney Carriage or the comfort or convenience of persons carried therein. Compliance with this condition does not exempt the proprietor from his statutory liability to report accidents to the Police.
- b) The proprietor of a Hackney Carriage licensed by the Council shall, within such period as the Council may by notice reasonably require, state in writing the address of every place where such Hackney Carriage is kept when not in use, and shall if the Council so require afford them such facilities as may be reasonably necessary to enable them to cause such Hackney Carriage to be inspected or tested there.

5 Transfer Of Ownership

The proprietor shall notify the Council in writing, within fourteen days of any changes in vehicle ownership stating the name and address of the new proprietor.

6 Insurance

- a) The proprietor shall keep in force a policy of insurance and security for the vehicle covering its' use as a Hackney Carriage.
- b) The proprietor of any Hackney Carriage vehicle licensed by the Council shall at the request of any authorised officer of the Council produce for inspection the vehicle licence and the certificate of insurance for the Hackney Carriage vehicle.

7 Alteration Of Vehicle

No material alterations or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time whilst the licence is in force.

8 Advertisements

- (a) Save where, as respects any particular vehicle, an advertisement that covers the whole or substantially the whole of that vehicle is permitted by the Council in accordance with the provision of paragraph (b) of this condition, hackney carriages shall display on the rear nearside and offside doors, signs designed and supplied by the Council incorporating the words 'Burnley Borough Council Hackney Carriage' and the vehicle licence number.
- (b)
 - (i) Subject as is hereafter provided, hackney carriages may display advertisements that cover the whole of the vehicle but not including any glass surface. Advertisements may also be placed on the drop-down seats located in the rear of vehicles.
 - (ii) Prior to any advertisement being placed on vehicles, the proprietors of the vehicles must first obtain permission from the Licensing Unit and will be required to provide an exact representation of the advertisement they intend to display.
 - (iii) Each request under subparagraph (ii) above to advertise in or on a Hackney Carriage will be considered on its merits but the following adverts will not be approved in any event:
 - a) Those containing texts or images that are of a sexist, homophobic, racist, or blasphemous nature;
 - b) Those containing texts or images that would contravene age and disability discrimination legislation;
 - c) Those for escort agencies, gaming establishments, massage parlours or any sexual service;
 - d) Those displaying nude or semi-nude figures;
 - e) Those likely to offend public taste (depicting violence, obscene or distasteful language); and
 - f) Those that promote drugs, alcohol or tobacco.
 - (iv) Applications that are considered inappropriate will be referred to the Head of Planning and Environment Service for final decision.

9 Vehicle Type & Wheelchair Access

All vehicles should meet the Burrenley Council Conditions of Fitness for Hackney Carriages.

In addition vehicles should comply in the converted (wheelchair/disabled access) state to the following standard:

- European Community Whole Vehicle Type Approval

A nearside door must be used for wheelchair access. Vehicles which use a rear door for wheelchair access are not acceptable.

A ramp or ramps for the loading of a wheelchair and occupant must be available at all times for use at the nearside passenger door. An adequate locating device must be fitted to ensure that the ramp/ramps do not slip or tilt when in use. Provision must be made for the ramps to be stowed safely when not in use. The storage of the ramps when not in use must not impede access or egress of passengers.

There must be a slip-resistant surface on the ramp/ramps.

Anchorage must be provided for the wheelchair and chair bound passenger. Restraints for wheelchair and occupant must be independent of each other. Belts attached to a wheelchair in order to assist a person to remain in it whilst travelling will not be acceptable.

Vehicles must be capable of transporting a folded wheelchair as luggage. Anchorages must also be provided for the safe storage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment.

All anchorages and restraints must be so designed that they do not cause any danger to other passengers.

NOTE: *Vehicles, which have been confirmed to comply with the specification, and have as a result become licensed, shall remain compliant with these standards throughout the duration of the licence.*

10. Fares and Taximeters

The vehicle shall contain a statement of fares to be fitted and maintained in such a position so as to be clearly visible at all times to the hirer. The statement shall clearly show the following:

- the minimum charge of each hiring (if any);
- the fare tariff;
- the retention charge per minute or portion thereof;
- any additional charges

The vehicle shall be provided with a calendar meter that must be maintained and operational at all times the vehicle is in use.

Any enquiries concerning these vehicle specifications should be made to the Principal Licensing Officer, Licensing Unit, Parker Lane, Burnley BB11 2DT, (Telephone (01282) 425011)