

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 REQUIREMENTS FOR THE ISSUE OF A PRIVATE HIRE VEHICLE LICENCE

Burnley Borough Council will only accept an application to licence a private hire vehicle if the vehicle complies with the following specifications.

Once the vehicle is licensed it will have to conform to the conditions contained in this document which will be attached to that licence.

ALL VEHICLES

Shall not be a London style hackney carriage style or similar vehicle.

Shall not be a left hand drive vehicle.

Shall not be a convertible i.e. have a soft top.

Shall have a capacity for at least four adult passengers.

Shall maintain at least two separate means of exit for all passengers seated to the rear of the driver's seat.

Shall have passenger seats that are either front or rear facing.

all seats must be positioned to ensure the comfort and safety of the passenger.

Shall have an engine capacity of not less than 1,200cc.

Shall be of such design to enable any person in the vehicle to communicate with the driver.

Shall be fitted with a roof covering which can be kept watertight.

Shall contain windows and a means of opening and closing not less than one window on each side.

Shall contain seats which must be properly cushioned or covered.

Shall be constructed or adapted so as to have sufficient luggage space for the number of passengers for which it is licensed.

The vehicle must be type approved. You will be required to provide the necessary confirmation that the vehicle is approved - a V5 registration document (log book) indicating that the vehicle is M1 type approved (shown in the vehicle category at line J), or in the case of minibuses, that the vehicle was manufactured as an M2 vehicle, which is a minibus with more than 8 passenger seats, and the only modification is the removal of the rearmost seats to reduce the seating capacity. The V5 will show M2 in the Vehicle Category at line J.

Vehicles converted from vans or imported from outside the EU will be required to have passed a VOSA Voluntary Individual Vehicle Approval inspection.

The relevant certificate will be required before such a vehicle can be licensed.

WHEELCHAIR ACCESSIBLE VEHICLES (WAV'S)

Any vehicle that has been adapted or modified to accommodate disabled passengers shall be re-certified, after adaptation or modification, to meet the European Whole Vehicle (M1 or M2) Type Approval standard, the British National Low Volume Type (M1 or M2) Approval standard or the Voluntary Individual Single Vehicle Approval in respect of all such adaptations or modifications. The relevant certificate will be required before such a vehicle can be licensed.

Access to and egress from the wheelchair position must not be obstructed in any manner, at any time, except by wheelchair loading apparatus;

Wheelchair internal anchorage points and equipment must be of the manufacturers design and construction and comply with the M1 or M2 standards as specified in European Directive 76/115 EEC (as amended by 90/629 EEC) and should be secured in such a position as to not obstruct any emergency exit when the equipment is not in use;

A suitable, separate restraint (seat belt) must be available for the occupant of the wheelchair.

Access ramps or lifts must be securely fixed to the vehicle prior to use and be able to support the weight of any wheelchair, occupant and helper

Ramps and lifts must be securely stored in the vehicle before driving off; such devices shall have a minimum load rating of 300kg.

The vehicle shall be fitted with a locking mechanism, or other device, that holds the wheelchair access door in the open position whilst a wheelchair is being loaded or unloaded.

Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must have been tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (S/I 1998/2307). Any such equipment must be maintained in efficient working order so as to be available for use at all times.

Where a vehicle is manufactured or adapted to carry a wheelchair, and the vehicle has been licensed as such, the licensee (and any licensed private hire operator responsible for operating the vehicle) shall ensure that the driver of the vehicle has received sufficient training to be able to load/unload and convey wheelchair bound passengers in safety and comfort.

A sign may be affixed to the outside of the vehicle indicating that it is able to convey passengers in wheelchairs, provided that the vehicle has been manufactured or properly adapted for that purpose.

The vehicle will be submitted for inspection at either Lancashire County Engineering Services, Brindley Close, Network 65 Business Park, Burnley BB11 5TD. Telephone **01282 456021** for test appointments, or Marshall's Motor Vehicle Engineers Ltd, Unit C2 Farrington Close (off Rossendale Road), Burnley BB11 5SH. Telephone **01282 428100** for test appointments, prior to being issued with a licence. Vehicles less than three years old will receive a 6-month test certificate and vehicles three or more years old will be issued with a four-month test certificate. Any licence issued will expire on the same date as the expiry of the test certificate.

When submitted for inspection the vehicle 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.

CONDITIONS RELATING TO PRIVATE HIRE VEHICLE LICENCES MADE UNDER LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

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.

"the identification plate" means the plate issued by the Council for the purpose of identifying the vehicle as a private hire vehicle.

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

1. The vehicle must not be equipped with roof fittings except a roof rack or a wireless aerial, which must be fitted in such a manner as to satisfy the Council.

The vehicle must be fitted with the following signs:

- (i) On saloon cars, estate cars and M.P.V's a sign on both nearside and offside front doors must be displayed, and contain the following information: the name of the firm, the words 'Private Hire' and the firm's telephone number.

The sign may also include the firm's website and/or e – mail address.

The word 'TAXI' must not be used on any sign displayed on a Private Hire vehicle.

Such signs may be affixed by magnetic or permanent means and shall not be less than 30cm X 20cm but can, if desired, cover the whole of the front door.

- (ii) a yellow sign on both nearside and offside rear doors with the words 'PRIVATE HIRE VEHICLE insurance invalid unless you pre-book this vehicle with a private hire firm' to be permanently fixed.

- (iii) Vehicles can be fitted with a sign at the rear of the vehicle, such to be

between 5cm and 10cm in height and 1 metre in width, giving only the name of the firm's, their e mail or website address and telephone number.

The word 'TAXI' must not be used on this sign. Any further signs either to be displayed internally or externally which the Council in its absolute discretion may from time to time require.

In addition to the above, minibuses may be sign written and include corporate livery.

2. There shall be no lights, plates, signs, advertisements or other fittings (other than the signs referred to in condition 1 and the licence plate referred to in Condition 7) displayed on, in or from the vehicle, except those approved by the appropriate Secretary of State.
3. Any radio microphone installed in the vehicle shall be fitted in such a position that its use by the driver would not impair his control of the vehicle when it is in motion.
4. If the vehicle is fitted with a taximeter, that taximeter must be so constructed, attached and maintained to comply with the following requirements:
 - (a) the taximeter shall be fitted with a key, flag, or other device, the turning of which will bring the machinery of the taximeter into action and cause the word 'HIRED' to appear on the face of the taximeter.
 - (b) such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter.
 - (c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate of fare which the proprietor or driver is entitled to demand and take from the hire of the carriage by distance.
 - (d) the word 'FARE' shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon.
 - (e) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figure shall be capable of being suitably illuminated during any period of hiring.
 - (f) the taximeter shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.
5. 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:
 - (a) the minimum charge of each hiring (if any).

- (b) the fare tariff.
 - (c) the retention charge per minute or portion thereof.
 - (d) any additional charges.
6. The vehicle shall:
- (a) have a capacity for at least four adult passengers
 - (b) have an engine capacity of not less than 1200cc
 - (a) be of such design to enable any person in the carriage to communicate with the driver.
 - (b) be fitted with a roof covering which can be kept watertight.
 - (c) contain windows and a means of opening and closing not less than one window on each side.
 - (d) contain seats, which must be properly cushioned or covered.
 - (e) the floor of the vehicle must be provided with a proper carpet, mat or other suitable covering.
 - (f) the fittings and furniture in the vehicle must be kept in a clean condition, well maintained and in every way fit for public service.
 - (g) be provided with sufficient luggage space for the number of passengers for which the vehicle is licensed.
 - (h) contain at least two doors for the use of persons conveyed in the vehicle and a separate means of ingress and egress for the driver.
 - (i) be equipped with an adequate first aid kit and fire extinguisher, both of which must be indelibly marked with the registration number of the vehicle it is used in.
 - (j) display 'No Smoking' signage that complies with current legislation.
7. A plate identifying the vehicle as a Private Hire Vehicle, which has been provided by the Council and is of such design, as they shall determine from time to time, shall be affixed to the rear of the vehicle.