

APPENDIX H

PRIVATE HIRE VEHICLE SPECIFICATIONS

Vehicle Age

Upon first application all vehicles must be less than 7 years old

There is no maximum age for vehicles to be licensed. At 10 years old all vehicles will require a Council Vehicle Test prior to each renewal and at 6 monthly intervals.

Grandfather Rights

Vehicles that are wheelchair accessible or previously categorised as 'minibuses' which are licensed at the time this version of the policy is implemented may continue to be licensed until they fail the Council's mechanical vehicle test. These vehicles will be subject to a mechanical vehicle test every 6 months. The cost of the tests will be met by the vehicle owner. At each renewal test, and subsequent 6 month test will be permitted **one** retest only. Once a vehicle fails a test and retest it will cease to be suitable for licensing.

Specifications

1. Vehicles must not seat less than 4 or more than eight passengers (not including the driver) and:
2. Be a Light Passenger Vehicle as defined by section 85 of the Road Traffic Act 1988 and have a minimum of 4 wheels. Vehicles converted from being light goods vehicles (registered under the N1 tax classification) to being passenger carrying vehicles will be considered subject to paragraph (e) below;
3. It must not be of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage
4. To be licensed for Private Hire the vehicle must have uniform coloured paintwork and can be any colour other than black, or a colour that closely resembles black (eg dark greys, blues may not be suitable)
5. The Council encourages vehicles presented to be licensed for Private Hire for the first time to be wheelchair accessible but they do not have to be. Where the vehicles are wheelchair accessible they may be purpose built, or specifically converted from a passenger carrying vehicle with no wheelchair access to a passenger carrying vehicle that is capable of carrying a passenger in their wheelchair (typically known as an M1 conversion). Converted vehicles must provide an appropriate certificate to prove the conversion has been carried out to the required standard (European-wide type approval).
6. Provide sufficient means by which any person in the carriage may communicate with the driver;
7. All paintwork must be maintained to a high standard and be free from dents, scratches and rust other than can be attributed to general wear and tear in the life of a licensed vehicle.
8. Have a watertight roof or covering;
9. Provide at least two windows on each side of the vehicle of which one window on one side must have a means of opening/closing;
10. Have fitted rear passenger windows that are not heavily tinted or blacked out and will allow a minimum of 35% transmission of light (tolerance of 2%) and must comply with the Road Vehicles (Construction & Use) Regulations 1986;
11. Have seats that are properly cushioned and covered;
12. Have a floor provided with a proper carpet, mat, or other suitable covering;
13. Have fittings and furniture in a clean condition and be well maintained and in every way fit for public service;
14. Provide means for securing luggage if the carriage is so constructed as to carry luggage;
- 15.

16. Be fitted with an anti-lock braking system
17. Where tilting passenger seats are fitted (**except where these are part of the manufacturer's original vehicle specification**), the seat must:-
 - be forward facing (with the exception of the fold down seats fitted onto the bulkhead/partition of a purpose built hackney carriage);
 - be designed for use by an adult;
 - have a three point seatbelt - as specified in the Road Vehicle (Construction and Use) Regulations 1986 (as amended).
18. Have a minimum of four passenger doors, which may include the rear tailgate doors if they can be opened from inside the vehicle, including an entry/exit point for the driver:
19. Be maintained in a sound mechanical and structural condition at all times;
20. Have a full size spare wheel or space saver design wheel and the tools to change a wheel OR an emergency puncture repair kit OR carry details of their current a contract with a mobile tyre, replacement specialist (in any event where a spare wheel or puncture repair kit has been used, it is only to permit the current fare to be completed and any defective wheel must be replaced before taking another fare to ensure passenger safety); all pneumatic tyres, including the spare, must comply with the vehicle manufacturer's specification and any relevant legislation;
21. Be maintained in a clean and safe condition at all times from both exterior and interior perspectives.
22. Vehicles should have no damage affecting the structural safety of the vehicle and must not have been written off for insurance purposes
23. Minibuses and Multi-Purpose Vehicles (MPVs) must have a step fitted to assist passenger access through all rear passenger doors.
24. Electric vehicles that are fitted with a range extension device are acceptable, providing that it is approved by the manufacturer and fitted by a suitably qualified professional.

Proprietors are encouraged to have provision for the legal transportation of a minimum of one wheelchair at all times. (When a vehicle licence is granted and the plates are issued, the maximum number of passenger seats that the vehicle will be licensed to carry will be the maximum number of seats, as detailed in the vehicle specification, less the number of wheelchairs that can be carried in the vehicle).

Wheelchair Accessible Vehicles

24. Vehicles must be able to accommodate at least one wheelchair using passenger.
25. Vehicles shall have a designated space capable of accepting a reference wheelchair, of at least 1200mm by 700mm (measured front to back and side to side) with a minimum headroom of 1350mm measured from the floor of the vehicle for each passenger who uses a wheelchair. The space(s) shall be immediately adjacent to a vehicle door which is fitted with wheelchair access equipment so that the passenger using a wheelchair can board the vehicle and use the anchoring equipment with the minimum of manoeuvring.
26. Wheelchairs can be loaded from either the side or the rear of the vehicle
27. A system for the effective anchoring of wheelchairs must be provided such that they only face forwards or rearwards when the vehicle is in motion. It is best practice to secure wheelchairs in a forwarding facing position.
28. A suitable restraint must be available to the occupant of the wheelchair.
29. A ramp or ramps, or other approved lifting device must be present and available for use to enable the safe loading and unloading of any passenger using a wheelchair, and be capable of supporting a wheelchair, occupant and helper. When deployed

ramps must run flush with the vehicles interior floor level.

30. Any lifting device fitted must be regularly tested in accordance with any applicable health and safety regulations (e.g. Lifting Operations and Lifting Regulations 1998) for such devices and maintained in good working order.

Other Vehicles

Limousines, Novelty Vehicles and Vintage Vehicles

31. For the purpose of licensing a limousine is described as a luxurious vehicle that has been stretched by the insertion of an additional section not exceeding 3048 millimetres to extend the length of the vehicle. The vehicle shall be capable of carrying up to, but not exceeding, eight passengers. Applicants are directed towards the VOSA (now DVSA) 'Guidance for Operators of Stretch Limousines' (March 2011).
32. Limousines will be licensed by the Council however, the over-riding consideration will be the safety of the vehicle. Such types of vehicle will only be licensed as private hire vehicles. They will be subject to the production of specific documents, in original form or as copies certified by the vehicle builder (uncertified photocopies will not be accepted), and to conditions as set out in **Appendix G**. These are in addition to the documents required and the conditions applicable to standard private hire vehicle licensing. Proprietors may submit an application for a Private Hire Vehicle Exemption Certificate.
33. The following documentation must be produced prior to licensing:
 - a. Evidence of compliance through the Individual Vehicle Approval Scheme (IVA) or a Qualified Vehicle Modifier (QVM) certificate; this is issued by the vehicle builder.
 - b. Public Liability Insurance documentation for a minimum of £5,000,000 and, where drivers other than the proprietor are used, Employer Liability Insurance documentation for a minimum of £10,000,000.
 - c. Documentation recording the overall weight of the vehicle (as displayed on the vehicle.)
34. In addition to stretched limousines, novelty vehicles, e.g. fire engines, and vintage vehicles will also be considered for licensing. Such vehicles do not have to comply with the European Emission Standards or the New Car Assessment Programme rating but will be dealt with by a case by case basis and referred to the Council's Public Protection Committee or Sub-Committee for determination.

Private Hire Vehicle Exemption Certificates

The Local Government (Miscellaneous Provisions) Act 1976 ("LGMPA76") prohibits a licensed private hire vehicle being used without the identification plate issued by the Council being displayed upon the vehicle. It also provides that the driver of said vehicle must wear their identity badge (referred to here as drivers badge) at all times they are driving it.

The Council may issue a written notice (referred to here as a Private Hire Vehicle Exemption Certificate) that exempts the proprietor of the vehicle from having to display the identification plates. The Private Hire Vehicle Exemption Certificate can be used to exempt a vehicle from displaying plates at specific times or can give a blanket exemption. If the Council issues a Private Hire Vehicle Exemption Certificate then the LGMPA76 provides that the driver of said vehicle does not have to wear their drivers badge.

The LGMPA76 allows the Council to attach conditions to a private hire vehicle licence including the displaying of door signs upon the vehicle, colour of the vehicle and level tint permitted in the windows.

A proprietor can request to be exempt (referred to here as Private Hire Vehicle Exemption Requests) from displaying the vehicle licence plates and wearing the drivers badge, and also to be exempt from conditions attached to private hire vehicle licences such as those detailed above.

The LGMPA76 is silent on the reasons why a Council may choose to grant such an exemption to not display signs, plates and the driver's badge.

Private Hire Vehicle exemption requests are usually made in connection with 'executive' or 'celebrity' customers who rather than requiring the security that clear identification of the vehicle and driver usually affords, instead may become more at risk (along with the driver) if their presence can be identified from use of a particular vehicle or operator.

There are currently a small number of local operators that benefit from a Private Hire Vehicle Exemption Certificate and the Council's starting position is that a Private Hire Vehicle Exemption Request will only be granted in very limited circumstances. While the legislative process is specific and a standard process for requesting and determining an exemption operates, there is an absence of criteria within the legislation to guide applicants and Members regarding if and when an exemption should be granted. Here we seek to outline the criteria that the Council will use when determine whether a request will be granted.

The Council will request copies of written contracts or client lists to support the application, and may restrict the use of an exempted vehicle to contracted work only.

Given the type of passengers to be carried exempted vehicles are expected to be prestigious models with above average appearance and levels of equipment. Suggested indicative features are:

- ***A vehicle which is above the standard model and towards the top of the range as offered by the vehicle manufacturer***
- ***Climate control, all electric windows, and central anti-intrusion locking***
- ***Front and rear headrests and above average legroom***
- ***Seats which permit direct access into and out of the vehicle without the need to move, remove or fold down any other seat***
- ***Pristine interior and external condition***

Use of the vehicle outside of the exemption is permitted by the legislation provided door signs and licence plates are reapplied, however if a vehicle has been granted an exception certificate that restricts the use of the vehicle to contract work only then a condition will be placed on the vehicle licence that it may not be used for 'general private hire bookings' such as a trip to the shops or home from a restaurant.

All exempted vehicles must carry their licence plates and the Private Hire Vehicle exemption certificate in the boot of the vehicle at all times and produce them to an authorised officer of the Council or a Police Constable upon request.

There is a prohibition on private hire vehicles being black or a similar colour. Vehicles that benefit from a Private Hire Vehicle exemption certificate will be exempt from this condition and may be any colour.

If a proprietor of an exempted vehicle applies to transfer it to another person then that person will also have to apply for a new exemption certificate. Private Hire Vehicle Exemption certificates cannot be transferred from one person to another, or from one vehicle to another.