



TOWN POLICE CLAUSES ACT 1847
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – PART II
HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS

Definitions

“Authorised officer”	means an officer of the Council authorised in writing by BDBC
“The Council”	means Basingstoke and Deane Borough Council
“Hackney Carriage”	has the same meaning as in the TPCA 1847 and the LG(MP) Act 1976 Part II
“Licence plate”	means the plate issued by the Council for the purpose of identifying the vehicle as a hackney carriage vehicle
“Proprietor”	means the person or persons or body named in the licence as the proprietors of the vehicle
“The vehicle”	means the hackney carriage vehicle in respect of which this licence is issued
“Exceptional condition”	means meeting the Certificate of Compliance test standards detailed in the vehicle standard inspection manual

Licence Conditions

The proprietor shall observe and perform the following terms and conditions in respect of Hackney Carriage licences:

- 1 (a) The HCV to which this licence relates shall at all times during the licence period of the licence be maintained in sound mechanical condition and the coachwork and upholstery shall be kept in good and clean order and fit for public service to the satisfaction of the Council.
- (b) the licence plate displaying the licence number shall be fixed and displayed outside and on the rear of the vehicle using the fixing system supplied by the council. The HCV must display an internal sticker showing the vehicle licence number on the passenger side of the driver partition.
- (c) the licence plate shall remain the property of the Council and shall be returned to the Council within 7 days after the service of an appropriate notice by the Licensing Team Leader.
- (d) if the proprietor no longer holds a licence granted by the Council any deposit paid prior to November 2016 shall be refunded upon the plate being returned to the Council.

2. Fare Tariff Card

- a) the fare card supplied by the Council shall be prominently displayed inside the vehicle and no charges greater than those specified on the fare card shall be charged for journeys beginning and ending within BDBC's controlled district.

3. Availability of vehicle for inspection

- a) An authorised officer of the Council may inspect and test a HCV at all reasonable times to ascertain the fitness or condition of the vehicle or any taximeter fitted and may, if defects are found suspend the licence until the vehicle becomes roadworthy/fit for use. If the officer is not satisfied with the vehicle condition within 2 months from the date of the suspension, the licence shall be revoked;
- (b) in the event of a vehicle licence being suspended the licence plate shall be surrendered to the authorised officer and shall be held by the council pending the reinstatement of the licence;
- (c) without prejudice to the aforementioned conditions, the proprietor on receipt of a notice in writing from the Licensing Team Leader, shall present the HCV for inspection and testing by or on behalf of the Council.

4. Insurance

- (a) the proprietor shall at all times during the licence period keep in force, in relation to the use of the vehicle as a HCV public liability insurance cover of £2m, and a policy of insurance which complies with the requirements of the Road Traffic Act 1988 or any re-enactment thereof;
- (b) An authorised officer may request a proprietor to produce for examination a certificate of insurance in respect of the HCV for the purpose of the Road Traffic Act 1988, or any re-enactment thereof. If the proprietor fails to produce a certificate the proprietor shall within five days produce it at the Civic Offices. The council may suspend the vehicle until satisfactory evidence of insurance is provided.

5. Taximeter

- (a) the proprietor shall provide and affix to the HCV a Fares HC Taximeter. Such meter must comply with the requirements of the Byelaws and shall be maintained in full working order at all times;
- (b) in the event of such taximeter suffering any malfunction or repair the proprietor shall immediately inform the Council in order that the taximeter may further be tested.
- (c) hackney carriage fare meters may be programmed with multi-tariffs, approved by the Council, provided the meter is fitted with an automatic calendar clock. The proprietor must notify the council if the meter is inaccurate and take immediate steps to ensure this be remedied. The vehicle must not be used at any time the meter does not accord with the approved fare levels.

6. Roof Sign
 - (a) the proprietor shall affix to the HCV a suitable roof sign connected to the meter, which is only capable of being lit when the HCV is plying for hire, and must show the word "Taxi" to the front of the sign.
7. Fire Fighting and First Aid
 - (a) the proprietor shall cause to be carried on the vehicle an appliance for extinguishing fire which must be carried in such a position as to be readily available for use
 - (b) the proprietor shall cause to be carried in the vehicle at all times a first aid kit containing dressings and appliances. The first aid kit shall be maintained in full and proper order and immediately available.
8. Vehicle Damage
 - (a) the proprietor shall report to the Council as soon as reasonably practicable and in any case within 72 hours of any accident to the HCV causing damage which materially affects the safety, performance or appearance of the vehicle.
 - (b) the proprietor shall report to the Council any alteration in the design of the HCV which may require the proprietor to submit the vehicle for further examination.
9. Drivers
 - (a) the proprietor shall not allow any person to drive a HCV unless that person is in possession of a current HCD licence granted by the BDBC.
10. Vehicle Ownership Transfer
 - (a) if the proprietor of a HCV transfers his interest in the HCV to a person other than a proprietor specified in the licence, notice must be given to the Council in writing within 14 days of such transfer.
 - (b) the new vehicle proprietor must apply for a transfer of the HCV licence into his/her name and pay the relevant fee. After providing evidence of ownership of the transferred vehicle, the vehicle licence will be transferred to the new owner.
11. Replacement Vehicle (permanent)
 - (a) if the HCV to which this licence relates is replaced you must make an application to transfer the licence to the new HCV. Following completion of the relevant documentation and fee and vehicle testing requirements a new licence and plate will be issued.
12. Replacement Vehicle (temporary)
 - (a) the proprietor must notify the Council if they require a temporary HCV to cover an off road HCV due to damage. The licence will be temporarily transferred to the replacement HCV whilst it is in use. On the return of the original HCV to which this licence relates, the proprietor must notify the Council and the licence will be transferred back to the original HCV.

- (b) Sub-Section (2) to (5) of Section 233 of the Local Government Act 1972, or any re-enactments thereof, are incorporated in these conditions in relation to any notice required or authorised by these conditions to be given or served on the proprietor.

13. Advertising on Vehicles

- (a) proprietors wishing to display advertising on a HCV must seek prior approval from BDBC before applying any advertising material to the HCV. Any unauthorised advertising may result in the suspension of the vehicle licence until such times as the advertising is approved or removed.

14. GENERAL CONDITIONS

The Council may decide to suspend, revoke or refuse to renew any licence in respect of a HCV for any reasonable cause, including:-

- (a) that the HCV is unfit for use as a HCV
- (b) any offence under, or non-compliance with, the provisions of the TPCA 1847, the LG(MP) Act 1976 Part II, or any re-enactments thereof, and the conditions or byelaws relating to HCV made by the Council.

FAILURE TO COMPLY WITH LICENCE CONDITIONS

Failure to comply with any of the above HCV licence conditions, BDBC mechanical or cosmetic testing requirements and standards without reasonable cause, will result in suspension and/or revocation of the vehicle licence.

Any person aggrieved by the refusal of the Council to grant a HCV licence, or by any of the conditions attached to the grant of this licence, may appeal to the Crown Court within 21 days from the date on which notice of the councils requirement.

Section 301 Public Health Act 1936