

## **1. PRIVATE HIRE VEHICLE POLICY**

### **1.1 limitation of numbers**

1.2 No powers exist for Licensing Authorities to limit the number of Private Hire Vehicles that they licence.

## **2. SPECIFICATIONS AND CONDITIONS**

2.1 Local Authorities have a wide range of discretion over the types of vehicles that they can licence as Private Hire vehicles. Government guidance suggests that local licensing authorities should adopt the principle of specifying as many different types of vehicles as possible and encouraged to make use of the “type approval” rules within any specifications they determine. Accordingly, the Council will require European Whole Vehicle Type Approval for all new licensed vehicles.

2.2 The Authority shall impose such conditions, as it considers reasonably necessary, on Private Hire vehicle licences. These vehicles provide a service to the public, so it is appropriate to set a criteria for the standard of the external and internal condition of the vehicle, provided that these are not unreasonably onerous.

2.3 Appendix 1 sets out the specification and minimum standards in respect of Private Hire vehicles.

2.4 Vehicles must be capable of carrying as least four and not more than eight passengers, provided that there is compliance with the specification applicable to such vehicles.

2.5 To apply for a new vehicle licence, the applicant must be able to supply a suitable vehicle and provide proof that the applicant can maintain the vehicle. The applicant must also provide a statement, including documentary evidence, as to why they believe there is a demand for another Private Hire vehicle in the County.

## **3. ACCESSIBILITY**

3.1 The Authority fully supports the view of the Equality and Human Rights Commission that,  
*“making successful journeys is critical to the social inclusion of disabled people. Without the ability to travel, disabled people are denied access to life opportunities. Their access to education, shopping, employment, healthcare, as well as social and family life is significantly improved when journeys become accessible”*

3.2 For this reason, the Authority considers it important that people with disabilities have access to all forms of public transportation and encourages Private Hire Operators and drivers to use vehicles that will assist those passengers with mobility difficulties.

#### **4. MAXIMUM AGE OF VEHICLES**

- 4.1 The Authority shall consider how far its Policy can and should support any local environmental initiative and future initiatives, such as setting vehicle emissions standards or promoting cleaner fuels, as well as ensuring a modern standard of its licensed vehicles.
- 4.2 All vehicles licensed under a new application must be a maximum of 5 years old and, if compliant with the requirements for licence, shall therefore be granted a renewal of a vehicle licence until the age of 12 years, whereupon the licensed vehicle must be replaced with one of a maximum age of 5 years. This also applies to any vehicle that is transferred/replaced or that has been involved in a road traffic collision.
- 4.3 All existing licensed vehicles will have “grandfather rights” for 5 years after the implementation of this policy, by which time all existing licensed vehicles must be able to comply with 4.2 above eg all licensed vehicles aged 12 years or over must have been replaced with one of a maximum age of 5 years. This will only be relevant to licensed vehicles that have had a continuous licence. Vehicles that are not renewed before the expiry date of the existing licence will be treated as a new vehicle and 4.2 above will apply.

#### **5. VEHICLE TESTING**

- 5.1 Prior to the granting of a licence, each vehicle shall be examined and tested at a designated testing station, approved by the Authority.
- 5.2 Private Hire vehicles are used for reward purposes and as such are subject to much higher annual mileages and more arduous driving than normal private vehicles. Therefore, in the interests of passenger and other road user’s safety, a more stringent maintenance and testing regime is required. This Policy Statement considers the MOT inspection Manual for Car and Light Commercial Vehicle Testing issued by DVSA as a basic inspection standard for Private Hire vehicles. However, in addition to the DVSA standards, it is a requirement for all vehicles to conform to the Council’s Hackney Carriage and Private Hire Vehicle Inspection Standards. Therefore, when assessing the mechanical condition of a vehicle, it is more likely an item which would ordinarily pass an MOT test with an advisory note, could fail the Hackney Carriage and Private Hire vehicle test.
- 5.3 All Private Hire vehicles must be maintained to no less than the standards set out in the DVSA publication ‘MOT Inspection Manual – Car and Light Commercial’, ISBN 0-9549239-0-1 as amended and the Council’s Hackney Carriage and Private Hire Vehicle Inspection Guidance.
- 5.4 The purpose of the Private Hire vehicle test is to confirm vehicles meet the more stringent standards set out in this Policy Statement. Vehicles must be submitted fully prepared for the test. It is not intended that the test be used in lieu of a regular preventative maintenance programme. It

is an offence under the Vehicle Construction and Use Regulations 1986 to use an unroadworthy vehicle on the public highway. Private Hire drivers/operators who fail to maintain their licensed vehicles in a safe and roadworthy condition may have their licence(s) suspended, or revoked by the Council.

5.5

<b>AGE OF VEHICLE (from date of first registration)</b>	<b>NUMBER OF MOT/COMPLIANCE TESTS</b>	<b>TEST VENUE</b>
ALL NEW TO FLEET VEHICLES (irrespective of age)	2 x MOT and Compliance Tests	Initial MOT and Compliance to take place at County's Fleet Services  All further Compliances (up to the age of 5 years) to take place at any Designated Testing Station
Licensed Vehicles under 5 years old	2 x MOT and Compliance Tests (every 6 months)	At any Designated Testing Station
Licensed Vehicles 5 years and over and up to 12 years old	2 x MOT and Compliance Tests (every 6 months)	1 at Fleet Services and 1 at any Designated Testing Station

5.6 Vehicles that are presented for their MOT and Compliance tests in a condition that would result in a failure, will be subject to a re-test fee, to be determined by the Designated Testing Station.

5.7 The inspection regime for vehicles has not been designed so as to create difficulties for the Hackney Carriage and Private Hire trades, but to promote vehicle and road safety. The Council therefore considers the inspection requirements to be justified by the risks it aims to address.

5.8 Any authorised Officer of the Council or any Police Constable has the power at all reasonable times to inspect and test for the purpose of ascertaining its fitness, any Private Hire vehicle licensed by Denbighshire. If the Officer feels the licensed vehicle is unfit for use as a Private Hire vehicle, or the licensed vehicle is in breach with taxi legislation or the Council's Licensing Policy and Conditions, the vehicle licence may be suspended, revoked or not renewed.

## **6. SIGNAGE AND ADVERTISING**

- 6.1 It is important that the public should be able to identify and understand the difference between a Hackney Carriage and a Private Hire vehicle. Private Hire vehicles shall not display roof-mounted signs of any description.
- 6.2 Vehicle identification plates are a key feature in helping to identify vehicles that are properly licensed. All licensed vehicles, except those Private Hire vehicles that have been granted exemption by the Authority shall display plates on the rear of the vehicle (refer to Section 15 of Appendix 1).
- 6.3 Private Hire vehicles shall display door signs, issued by the Council and fitted as set out in the conditions of licence.
- 6.4 Licensed Vehicles shall not be allowed to display any written or other material on any window with the exception of those permitted by the conditions of licence.
- 6.5 Private Hire vehicles shall not be allowed to display or advertise written or other material on its bodywork.

## **7. SECURITY/CCTV**

- 7.1 The Private Hire trade provide a valuable public service particularly late at night when other forms of public transport are not available. Security for drivers and passengers is of paramount importance. CCTV can be a valuable deterrent as well as protection for the driver from unjustified complaints.
- 7.2 It is not proposed that such measures such as CCTV should be required, as part of the licensing regime, as it is considered that they are best left to the judgement of the owners and drivers themselves.
- 7.3 In any licensed vehicle where a CCTV security system is fitted, the proprietor shall ensure that the system is properly maintained and serviced to ensure clear images are recorded. It will be the driver/proprietor's responsibility to comply with all aspect of the law regarding such surveillance equipment. Please refer to Appendix (to be confirmed) for guidance.

## **8. APPLICATION PROCEDURES**

- 8.1 The procedure for applying for a Private Hire vehicle licence is not prescribed but shall be made on the specified application form in accordance with the application procedure set out in Appendix (to be confirmed)

## **9. CONSIDERATION OF APPLICATIONS**

- 9.1 The Council shall consider all applications on their own merits once it is satisfied that the appropriate criteria have been met and the application form and supporting documents are complete.

## **10. RENEWAL OF LICENCE**

- 10.1 Application forms, appropriate fees, and supporting documentation, as set out in Appendix (to be confirmed) shall be produced at the Licensing Office. It is the licence holder's responsibility to ensure that licences are renewed prior to their expiry.
- 10.2 Licences will not be renewed after expiry. If a licence holder fails to renew their licence on or before the respective expiry date, the licence will lapse and become invalid. Licence holders should note that if they allow their licence to expire, they will be required to make a new application in full. This will obviously incur a potentially significant time delay, and dependant upon the age of the existing licensed vehicle, it may require a change in vehicle to meet the age requirements set out in Section 4. The cost implications of failing to renew a licence could therefore be significant, and licence holders are therefore strongly advised to ensure that they renew their licence before the expiry date. If the licence holder is aware of any reason that they may not be able to renew their licence before the expiry date, they must inform the Licensing Section immediately.

## **11. STRETCHED LIMOUSINES**

- 11.1 Stretched limousines are elongated saloon cars that have been increasing used for mainstream Private Hire work. The number of stretched limousines being imported, particularly from the United States of America, has been increasing. Their general use includes all Private Hire work plus special occasions such as birthday parties for all ages, stag and hen parties.
- 11.2 Most limousines are imported for commercial purposes and are therefore required to take an Individual Vehicle Approval (IVA) test. The IVA test verifies that the converted vehicle is built to a certain safety and environmental standards. When presented for IVA the vehicle is produced with a declaration that it will never carry more than 8 passengers. The importer must inform any person who may use it of this restriction.
- 11.3 Applications to licence stretched limousines as Private Hire vehicles will be treated on their own merits. It is however, proposed that imported stretched limousine type vehicles:
- a. be granted an exemption from the requirement under the conditions of licence for Private Hire vehicles to be right hand drive
  - b. be granted exemption to display the Private Hire vehicles plates as outlined in the Private Hire Vehicle Exemption Policy

c. be approved for licensing as Private Hire vehicles subject to the additional conditions detailed in Appendix (to be confirmed)

## **12. CONTRACT VEHICLES**

12.1 The Road safety Act 2006 requires vehicles used for a contract with an organisation or company for carrying passengers for Hire or reward under a contract to be licensed as Private Hire vehicles. As a general guide this shall include executive hire, chauffeur service, airport travel, stretch limousines and novelty vehicles.

## **13. FUNERAL AND WEDDING VEHICLES**

13.1 Funeral and wedding vehicles do not need to be licensed whilst it is being used in connection with a wedding or funeral.

## **14. TRAILERS**

14.1 Licensed Vehicles are prohibited to tow a trailer.

## **15. ACCIDENTS**

15.1 A licence will be suspended if, upon reporting an accident to a licensed vehicle, the Council is of the opinion that the damage caused materially affects the safety, performance or appearance of the licensed vehicle or the comfort or convenience of passengers carried therein.

## **16. PLATE EXEMPTION**

16.1 The displaying of the external identification plates on a licensed Private Hire Vehicle and the wearing of a driver's identification badge is important in terms of public safety and reassurance. They indicate to the travelling public that the vehicle and driver are approved and therefore would have been subject to a number of important checks prior to the licence being granted.

16.2 However, there are a small number of occasions when the requirement to display external identification plates may have commercial and customer safety implications ie safety for dignitaries and famous people

16.3 It is not intended that all Private Hire vehicles licensed by the Council should be exempt from the Council's requirements to display an external identification plate, however the Council recognises that there may be circumstances when it would be appropriate for vehicles operating the type of service to be considered suitable for such an exemption. Please refer to the Private Hire Vehicle Plate Exemption Policy.