



## **GUIDANCE NOTES - LICENSING OF HACKNEY CARRIAGE VEHICLES**

### **Definition**

A Hackney Carriage is a motor vehicle standing or plying for hire other than a Community Bus.

### **Period of Licence**

A Hackney Carriage Vehicle Licence remains in force for one year from the date on which the licence is granted, or for a shorter period in certain circumstances.

### **Vehicle Specifications**

The vehicle must have no less than 4 doors and be right hand drive, unless with the written consent of the Charnwood Borough Council.

The vehicle must be suitable to seat at least 4 passengers. Any continuous rear seats must be of a minimum length of 122cm (48 inches).

The engine capacity must not be less than 1200cc.

The vehicle must have adequate capacity for the carriage of luggage. (As a guide, one medium suitcase, or large bag, per passenger, would be considered adequate).

The vehicle must be fitted with a fare meter, which must be sealed.

A Hackney Carriage roof sign must be fitted.

The vehicle must be fitted with a suitable fire extinguisher, either dry powder or CO<sub>2</sub>, minimum capacity 1 litre, and must be in such a position as to be readily accessible for immediate use. No adverts are permitted in any window of the vehicle, and any other adverts displayed must not be discriminatory, obscene, or likely to offend in any way. The vehicle must undergo and pass a test (the Certificate of Compliance Test), at one of the garages acting for the Council prior to the licence being granted.

## Vehicle Test Standards

The Certificate of Compliance test incorporates the standards and requirements of a normal MOT test, but also includes additional requirements.

These requirements are:-

(Figures refer to the item shown on the Certificate of Compliance Inspection Report Sheet).

- (8) Dash Panel Lights - Must operate so that all instruments are visible.
- (24) Spare Tyre - Must be of the correct type and size for the vehicle, be properly inflated and suitable for use on the vehicle (emergency spare wheels fitted to some vehicles, and manufacturers are now deemed acceptable).
- (37) Battery - Must be suitable for the vehicle, securely fastened and free from corrosion.
- (39) Oil Leaks - All serious oil leaks to be rectified.
- (41) Interior Conditions - All upholstery and carpets to be clean, free from stains, rips, tears or burn marks. The headlining must be clean and correctly fitted. All surfaces to be kept clean.
- (42) Window Operating Mechanisms - Door windows to be capable of being opened or closed normally (either electric or manual).
- (46) Fare Card - Hackney Carriages and those Private Hire Vehicles fitted with meters must display a fare card, positioned so that it is visible to any passenger.

- (47) Door Operation
- All doors must be capable of being opened from both inside and outside, and must operate normally (notwithstanding child lock activation where unsupervised children are being carried).
- (49) Exterior Condition
- There must be no accident damage, and bodywork must be clean and free from rust or corrosion. The paintwork must be free of excessive scratches or stone chips. The vehicle structure must be free of unrepaired accident damage and/or, unrepaired significant corrosion.
- (52) Roof Signs
- Hackney Carriage vehicles shall be fitted with a roof sign, in accordance with the current Hackney Carriage Conditions. Private Hire vehicles are prohibited from displaying roof signs.
- (54) Vehicle Identity Plate  
(Licence Plate)
- The vehicle shall be fitted with a plate, of a type approved by the Charnwood Borough Council, showing the Hackney Carriage Licence Number allocated to the vehicle, along with any other details for the time being required by the Charnwood Borough Council. The plate will be positioned on the vehicle, and fitted in the bracket in accordance with the manufacturers guidance.
- (57) Fare Meter
- The Fare Meter must be fitted securely so that the face is visible to any passenger. Must be tested and sealed.

- (59) Vehicle Excise Licence - The vehicle excise licence must be valid and displayed - (except where the Certificate of Compliance is required to obtain the vehicle excise licence). A Hackney Carriage Vehicle Licence will NOT be issued to any vehicle not displaying a current vehicle excise licence.

As a guide, the vehicle examiner must be satisfied that the vehicle is suitable in its present state for use as a hackney carriage vehicle. In particular, there must be no evidence of unrepaired accident damage, or repaired significant corrosion to any part of the vehicle structure. Any repairs must be carried out to a high standard, and any evidence of corrosion or repairs to corrosion will bring into question the fitness of the vehicle. Where there is evidence of a number of repairs to the structure, particularly to load bearing components, but not exclusively, this will also bring into question the fitness of the vehicle, as such repairs will indicate that the vehicle has not been maintained in a practically faultless condition.

The vehicle examiner will have the discretion to fail the vehicle, even if any repairs have been carried out to the standards required to pass the MOT test. The vehicle examiner must be satisfied that the vehicle will continue to be suitable for use as a hackney carriage vehicle, subject to normal maintenance, until the date of the next scheduled examination (usually 6 months hence), bearing in mind the use to which the vehicle is being put. It will also be open to the examiner to refer to the Licensing Enforcement Officers should difficulties arise regarding the test.

### **The Application and Licensing Process**

The following procedure will be followed in order for the vehicle to be licensed as a hackney carriage vehicle:-

The vehicle must pass the Certificate of Compliance test. These tests are carried out, on the Council's behalf, by:-

- 1) Shreeve & Mardell Garage, Limehurst Avenue, Loughborough – 01509 263644
- 2) Co-op Garage, Empress Road, Loughborough – 01509 214028
- 3) R.E. Mills Motor Engineers, Town Green Street, Rothley – 01162 302295
- 4) ARK Motors, 38 Cossington Road, Sileby – 01509 812269

The Certificate of Compliance test certificate will be valid, for licensing purposes, for a period of 28 days. For renewals, this means that the vehicle may be tested up to a maximum of 28 days prior to the expiry of the existing licence, in order for the licence to be issued on a continuous basis. If the vehicle is tested earlier than 28 days prior to expiry, the licence will be issued from the date of the 28th day after the date of the Certificate of Compliance test. If the Certificate of Compliance test certificate is over 28 days old, it will not be accepted and the vehicle must be tested again, at your own expense.

The fees are payable directly to the garage conducting the test. If a retest is required, any retest fee is also payable to the garage. (You must indicate to the garage conducting the test whether the vehicle has been the subject of a Certificate of Compliance test at another garage). Vehicles over six years old will not be licensed unless they pass the compliance test at the first attempt.

When the Certificate of Compliance test certificate is issued, you should make an appointment with the licensing section to take the test certificate, vehicle registration document, (or other proof of ownership – see below), proof of insurance, and completed licence application form to the Licensing Section at the Council Offices, Southfield Road, Loughborough. Upon application, you will be required to pay the current licence fee. All of the above documents must be produced for the application to proceed.

**PLEASE NOTE: The proof of ownership must be one of the following :**

- 1 A Registration document in the applicant's name; or
- 2 A copy of a finance agreement in the applicant's name, identifying the subject vehicle;\* (This will only be accepted for a new vehicle put on the road in the first year, after that a registration document in your name must be produced, otherwise the vehicle application will not be accepted); or
- 3 A properly completed business/traders receipt of bill of sale, clearly identifying the vendor, the purchaser (who should be the applicant) and the subject vehicle.\* (Again, this will only be accepted for a new vehicle put on the road in the first year, after that a registration document in your name must be produced, otherwise the vehicle application will not be accepted);

(\*For occasions where the vendor sends the registration document to the DVLA, upon the purchase of the vehicle).

On the occasion of a lease vehicle being supplied and licensed by an insurance company or their agents, the application will be made by the applicant (driver) with the owner of the vehicle shown as the leasing company. The driver must be the named driver on the

insurance document.

Handwritten receipts purporting to be from the vendor of the vehicle following a private sale **WILL NOT** suffice. It will be the applicants' responsibility to ensure that the proof of ownership or lawful possession meets the requirements above **AT THE TIME OF MAKING THE APPLICATION**; otherwise the application **WILL NOT BE ACCEPTED**.

The insurance certificate must be valid for the date on which the licence is to commence, and must relate to the vehicle being licensed, unless the insurance is fleet cover, and must allow the vehicle to be used for public hire. The insurance cover will not be accepted if there is less than 7 days to its expiry.

Once a hackney carriage vehicle licence is issued, the proprietor and driver of the vehicle are expected to comply with all conditions of licence and other legislative requirements.

The vehicle may be subject to occasional inspections carried out by licensing staff to ensure compliance with requirements.

The Council may suspend, revoke, or refuse to renew a vehicle licence for any of the following reasons:

- (a) The vehicle is considered unfit
- (b) An offence has been committed by the proprietor or driver
- (c) For any other reasonable cause

Appeal against the suspension, revocation or refusal to renew a vehicle licence can be made to the Magistrates' Court.