

## HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS

### LEGISLATION

In these conditions unless the subject or context otherwise requires, “the Proprietor” means the holder of a Hackney Carriage Proprietor’s Licence, “the Council” means the Reading Borough Council and “the Licence” means a Hackney Carriage Proprietor’s licence issued by the Council.

#### A) TOWN POLICE CLAUSES ACT 1847

- 1 Licence plate to be displayed on the vehicle. (Section 38)
- 2 The proprietor must inform the council within seven days of any change of address. (Section 44)
- 3 The proprietor must retain the hackney carriage driver’s licence of any person he permits or employs to drive a hackney carriage and shall return it when he ceases to drive such vehicle. (Section 48)

#### B) LOCAL GOVERNMENT (MISC. PROVISIONS) ACT 1976

- 1 If you transfer your interest in your vehicle you must inform the council of this person’s name and address within 14 days. (Section 49)
- 2 You must present the vehicle for inspection and testing and produce a certificate of insurance when required by the council. (Section 50)
- 3 If the vehicle is involved in an accident which causes damage which materially affects the safety, performance or appearance of the vehicle or comfort or convenience of passengers you must report the damage to the council as soon as reasonably practicable or in any case within 72 hours of the accident. (Section 50)
- 4 You must return the licence plate issued to the vehicle within seven days of the request of the council when it has expired or been revoked or suspended. (Section 58)
- 5 The council may suspend, revoke or refuse to renew a vehicle licence on any of the following grounds:
  - 5.1 that the vehicle is unfit for use as a hackney carriage
  - 5.2 any offence or non-compliance with the laws and conditions controlling the hackney carriage trade
  - 5.3 any other reasonable cause. (Section 60)
- 6 An authorised officer of the council or police constable may inspect your vehicle at all reasonable times to ascertain its fitness for use and if he/she is not satisfied with its

condition may by notice in writing require it to be made available for a further test at a date and time shown in the notice. The vehicle licence is suspended until this examination is carried out. Should you fail to present the vehicle for such a test within two months the licence is deemed to have been revoked. (Section 68)

- 7 You must not wilfully obstruct a council officer or police constable acting under the above Act, or without reasonable excuse fail to comply with any requirement made to you by such a person, or without reasonable cause fail to give any such person any other assistance or information he may reasonably require in the performance of his duties under the above Act. (Section 73)

## C) BYELAWS MADE BY THE COUNCIL UNDER SECTION 68 TOWN POLICE CLAUSES ACT 1847 AND SECTION 171 PUBLIC HEALTH ACT 1875

- 1 The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside of the carriage, or on a plate affixed thereto.
- 1.1 Cause the roof or covering to be kept watertight
  - 1.2 Provide any necessary windows and a means of opening and closing not less than one window on each side
  - 1.3 Cause the seats to be properly cushioned or covered
  - 1.4 Cause the floor to be provided with a proper carpet, mat or other suitable covering
  - 1.5 Cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service
  - 1.6 Provide means for securing luggage if the carriage is so constructed as to carry luggage
  - 1.7 Provide an efficient fire extinguisher, which shall be carried in such a position as to be readily available for use by the driver
  - 1.8 Provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress of the driver
- 2 The proprietor of a hackney carriage shall cause the same to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements
- 2.1 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 or for the taximeter to indicate that the carriage is hired or that a fare is being charged
  - 2.2 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
  - 2.3 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 or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance in pursuance of the Table of Fares
  - 2.4 The word "FARE" shall be printed on the face of the taximeter in plain letters so as to clearly apply to the fare recorded thereon
  - 2.5 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 figures shall be capable of being suitably illuminated during any period of hiring

- 2.6 The taximeter and all the fittings thereof 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.

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### **D) CONDITIONS**

- 1 The proprietor shall report the loss of any plate or the licence to the council as soon as the loss becomes known and, in the event of ceasing to use his vehicle as a hackney carriage, shall return the plate and licence to the council within seven days.
- 2 In the event of a licence plate being stolen, lost, damaged or destroyed, the full cost of replacement shall be payable by the proprietor.
- 3 The proprietor shall ensure that the internal identification plate issued by the council is displayed on the driver’s side of the glass partition so as to be clearly visible to passengers, without obscuring their view of the taximeter. In the event of the proprietor ceasing to use the vehicle as a hackney carriage, he shall return the plate to the council within seven days.
- 4 The proprietor shall ensure that the exterior sign approved by the council clearly displays to the front of the vehicle the word “TAXI” in normal daylight and shall be kept illuminated during the hours of darkness, as defined in the Road Traffic Acts, when plying for hire. “TAXI” shall be shown on the said side on plain letters not less than 50mm high, such lettering to be dark in colour, on a light background.
- 5 The proprietor shall ensure that no advertisement is displayed, on or within the vehicle, unless prior approval has been received from the Council.
- 6 All hackney carriage vehicles must have council approved electronic payment device facilities available for use by customers at all times and must display council approved signage to show this facility is available.
- 7 The proprietor shall not attach or affix or cause to be attached or affixed to the vehicle any sign or mark other than those allowed under conditions 3, 4,5 and 6 above and section 38 Town Police Clauses Act 1847.
- 8 A Hackney carriage vehicle shall comply with Part II of the Public carriage Office Specification “Conditions of Fitness” as amended appropriate to the Borough of Reading at all times.
- 9 The proprietor shall provide a copy of these conditions and a valid vehicle insurance certificate to any licensed driver of this vehicle.

## E) APPEAL PROCEDURE

- 1 Any person aggrieved by any condition specified in this licence may appeal to a Magistrates' Court.
- 2 The procedure shall be by way of complaint for an order, and the Magistrates' Courts Act 1980 (or any re-enactment thereof) shall apply to the proceedings.
- 3 The time within which any such appeal may be brought shall be twenty one days from the date on which notice of the requirement, or other decision was served upon the person desiring to appeal, and for this purpose the making of the complaint shall be deemed to be the bringing of the appeal.