

**WYRE FOREST DISTRICT COUNCIL**

**LICENSING AND ENVIRONMENTAL COMMITTEE**

**18<sup>TH</sup> JULY 2005**

**Hackney Carriage Vehicle Licence Deregulation Plan**

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<b>APPENDICES</b>	<b>Appendix 1 Hackney Carriage Deregulation Plan 2005-2008</b>

**1. PURPOSE OF REPORT**

1.1 To consider the Hackney Carriage Vehicle Licence Deregulation Plan 2005-2008.

**2. RECOMMENDATION**

**The Committee is asked to RECOMMEND to Cabinet.**

**2.1 To approve the Wyre Forest Hackney Carriage Vehicle Licence Deregulation Plan 2005-2008 as outlined in the report.**

**2.2 To apply the provisions of the Wyre Forest Hackney Carriage Vehicle Licence Deregulation Plan 2005-2008 to the nine Hackney Carriage vehicle licences issued as a result on the ballot on 18<sup>th</sup> July 2005.**

**3. BACKGROUND**

3.1 The Halcrow Group Ltd Hackney Carriage Unmet Demand Survey dated 31<sup>st</sup> March 2005 identified significant unmet demand within Wyre Forest District and recommended that the authority issue Hackney Carriage licences on demand up to a point which the unmet demand is removed. Halcrow have calculated that an extra ten licences are required.

3.2 Council considered the recommendation of the Halcrow report at its meeting of 18<sup>th</sup> May 2005 at which time the Halcrow report was accepted and it was agreed that ten additional licences be issued by way of a ballot to be agreed by Licensing and Environmental Committee. Further the Head of Planning, Health and Environment in consultation with the Head of Legal and Democratic services was authorised to prepare a Deregulation Plan to de-restrict the licence numbers over a three year period.

3.3 Licensing and Environmental Committee at their meeting on 10<sup>th</sup> June approved the issue of nine Hackney Carriage Vehicle licences by ballot which will take place at the 18<sup>th</sup> July meeting and one to be issued to an applicant whose application had previously been refused but had given notice of intention to appeal to the Crown Court.

**4. KEY ISSUES**

- 4.1 The Deregulation Plan proposes the issue of ten additional new, purpose built wheelchair accessible Hackney Carriage Vehicle licences to comply with the recommendations within the Halcrow 'Unmet Demand Survey' report and will address the issue of the currently identified 'significant unmet demand'.
- 4.2 It is proposed to issue another additional five Hackney Carriage Vehicle licences (by ballot) in April 2006 and again in April 2007 and number restriction will cease in April 2008.
- 4.3 The Deregulation Plan also contains revised conditions for Hackney Carriage Vehicle licences, Private Hire Vehicle licences, Operators licences and Drivers licences. In particular the Plan seeks to improve the quality of the hackney carriages and the service offered by operators and drivers.
- 4.4 All new Hackney Carriage Vehicle licence plates issued by ballot in 2006 and 2007 will have to comply with the new conditions as outlined within the Deregulation Plan as will all subsequent issues. Licensing and Environmental Committee are asked to recommend to Cabinet that the condition outlined in the Deregulation Plan also be applied to the nine licences to be issued this year.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 The issue of additional licences will result in additional licensing income in respect of application fees.
- 5.2 It is proposed to meet any costs resulting from the implementation of the Deregulation Plan from existing budgets.

## **6. RISK MANAGEMENT**

- 6.1 By pursuing a three year Deregulation Plan the Council would not have to justify its reasons for staying within regulation and would be meeting the initial unmet demand.

## **7. CONCLUSION**

- 7.1 The Deregulation Plan meets the initial unmet demand whilst proposing a phased deregulation. Matters of quality, safety and customer service are also addressed within the Plan.

## **8. CONSULTEES**

- 8.1 Head of Legal and Democratic Services
- 8.2 Chief Executive
- 8.3 Head of Financial Services

29.06.05

# HACKNEY CARRIAGE VEHICLE LICENCES

## DEREGULATION PLAN 2005-2008

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WYRE FOREST DISTRICT COUNCIL

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**HACKNEY CARRIAGE VEHICLE LICENCES**

**DEREGULATION PLAN 2005-2008**

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WYRE FOREST DISTRICT COUNCIL  
**HACKNEY CARRIAGE VEHICLE LICENCES**  
**DEREGULATION PLAN 2005-2008**

**STATEMENT OF ACCOUNTABILITY**

1. The Deregulation Plan 2005 – 2008 was prepared under the direction of the Wyre Forest District Council (“the Council”) in accordance with Minute CM xxx. The Cabinet is accountable for the contents of the plan, including the time table for implementing deregulation. Further, the Cabinet ensures the Council achieves its aims and objectives and reports on its performance annually. The Licensing and Environmental Committee is responsible for issuing hackney carriage vehicle licences under this Plan.
2. The Plan is consistent with government’s priorities and overall guidance in respect of hackney carriages. Significant assumptions and identified risks, as of May 2005, have been considered in preparing the Plan.
3. Achievement of results may be influenced by factors, such as legislative and other external changes, which are beyond the Council’s control.

Signed **Leader of the Council**

Signed **Chairman of Licensing and Environmental Committee**

## INTRODUCTION

4. Following an independent study on significant unmet demand (final report April 2005) the Council at its meeting on 18<sup>th</sup> May 2005 decided to issue an additional 10 Hackney Carriage Vehicle Licences immediately and to discontinue its policy on the limitation on the number of such licences.
5. It recognises that there are concerns over immediate deregulation and has agreed to phase in deregulation over the next three years.
6. As a result of deregulating the number of Hackney Carriage Licences there may be a need to expand the size of, or increase the number of, taxi ranks. However, there would no longer be a need to carry out Unmet Demand Surveys every 3 years in order to justify maintaining a limit.
7. Deregulation of number control over hackney carriage vehicle licences will begin on 1<sup>st</sup> September 2005, and be completed by 31<sup>st</sup> March, 2008.
8. Deregulation will be accomplished in accordance with this plan which has been developed by the Licensing and Environmental Committee in consultation with the taxi trade and approved by the Cabinet at its meeting on 25<sup>th</sup> August 2005.
9. The Deregulation Plan, through a review of its hackney carriage and private hire licensing conditions, will ensure that quality standards and customer safety are improved.
10. The Plan includes, but is not limited to, provisions designed to
  - a) meet the Government's request to review the case for restricting the number of hackney carriage vehicle licences;
  - b) make public the outcome of the review;
  - c) provide a three-year phased approach to removing the numerical limits on hackney carriage licences after 1<sup>st</sup> April 2008;
  - d) balance the needs of taxi users, licence holders and new entrants to the taxi industry;
  - e) improve quality by reviewing conditions including vehicle age, safety, livery and by introducing service standards.

11. The Plan consists of two major components:

- a) Part 1: Quantity Deregulation; Rationale, Purpose and Objectives.
- b) Part 2 Quality Regulations and Criteria; Improvement of Safety, Vehicles Drivers and Service; Customer Service Standards.

Both components are essential to implement effective deregulation. Figure 1 below shows the components.

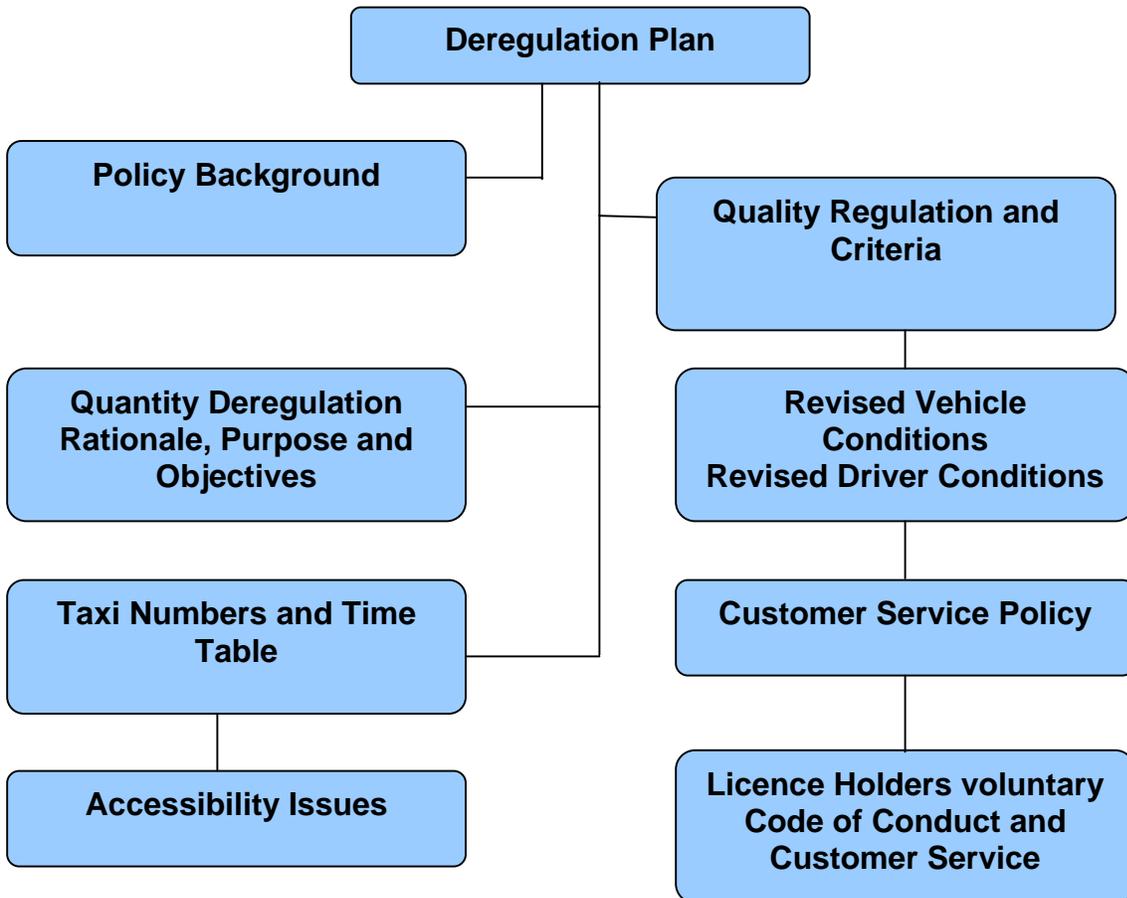


Figure 1 Components of Deregulation Plan

# PART 1

## QUANTITY DEREGULATION

### **POLICY BACKGROUND**

#### ***Transport Policy***

12. Taxis and private hire vehicles have a specific role to play in a sustainable integrated transport system. They are able to provide services in situations where public transport is limited (for example in rural areas, or outside normal hours of operation such as in the evenings or on Sundays), and for those with mobility difficulties. They can also be used to provide innovative types of service such as taxi-buses. It is important, however, that taxis and private hire vehicles are seen to complement and reinforce public transport services rather than compete with them. The Deregulation Plan will ensure that the role of taxis is as part of a local and county wide sustainable integrated transport network.
13. In this way, it can be seen that taxis and private hire vehicles can play an important role in fulfilling the Government's five criteria for assessing transport policies and schemes of:
  - promoting accessibility to everyday facilities for all, especially those without cars;
  - improving safety for all travellers;
  - contributing to an efficient economy and supporting sustainable economic growth in appropriate locations; and
  - promoting the integration of all forms of transport and land-use planning, leading to a better, more efficient sustainable transport system.

#### ***Taxis and the Local Transport Market***

14. Worcestershire County Council is the Highway Authority for the County, including Wyre Forest District. At the time of writing this Deregulation Plan the County is considering its Local Transport Plan 2 (LTP2).
15. As an overview the LTP2 document outlines the four main transport priorities as follows:
  - ◆ Tackling congestion
  - ◆ Improving air quality

- ◆ Improving accessibility to services
  - ◆ Improving road safety
16. The role of taxis impacts on several of these objectives in that they place demands on the transport infrastructure, especially in town centres and they have the potential to contribute to a reduction in car dependency by being complimentary to other transport modes. In this way they promote both sustainability and integration. Their flexibility (and increasingly their design) promotes travel opportunities, particularly for those with physical disabilities, and those visiting Wyre Forest for the first time who may find other forms of public transport difficult to use, improving accessibility to services.
  17. At the moment, taxis provide the main transportation alternative to the private car at night and therefore support and enhance the night-time economy. They can support accessibility to a range of leisure activities in the town centres. In addition, through proactive work with this Council, they also assist in achieving the objective of environmental improvements, liveability and reducing anti-social behaviour.
  18. The LTP2 acknowledges the role taxis play in providing an alternative form of flexible transport throughout Worcestershire. Rural areas in general are described by the LTP2 as having very different transport requirements to their urban counterparts.

*“In the rural areas of the County, however, it is more difficult to properly cater for the journeys that the public wish to make, due to the dispersed nature of the population and the dispersed destinations that they wish to travel to. A greater focus on innovative measures will be required, including the increasing use of taxis as a public transport tool, and a combination of demand responsive and community transport services to ensure that maximum flexibility is achieved for travel opportunities in rural communities.”*
  19. Continued work with the County Council, through the development of LTP2 and the Wyre Forest Bus Quality Partnership, will ensure that taxis and new taxi buses will continue to have an enhanced role as demand responsive services.

## ***Department for Transport Requirements***

20. In May 2004, "The Government's Response to the Transport Committee's Report on the Regulation of Taxis and Private Hire Vehicle Services in the UK" (Cm 6183) concluded:

*"On the particular issue of restricting taxi licences, the Government considers that local authorities are best placed to judge local needs and circumstances, but where they restrict taxi licence numbers they should be able to justify their policy publicly, and continue to do so on a regular basis. Where such a policy cannot be justified, the Government would expect local authorities to derestrict. The Government itself will review the situation in three years, with a view to further action if it is needed."*

21. In June 2004 the Department for Transport (DFT) wrote to all local authorities operating a limitation policy requesting them to review their local policy to restrict the number of taxi licences that they grant and to publish the outcome by 31<sup>st</sup> March 2005.
22. The Office of Fair Trading (OFT) has recommended that Local Authorities should not continue to restrict numbers because restrictions can:
- reduce the availability of taxis
  - increase the waiting time for consumers
  - reduce choice and safety for consumers
  - restricts those wanting to set up a taxi business
23. The DFT has stated that if the Council is to continue restricting licence numbers, it needs to carry out a comprehensive review of the current position showing that there are significant benefits for the consumer. In addition the Government will also require:
- a three yearly review with published conclusions
  - justification of the local policy for quantity restrictions in the 5 yearly Local Transport Plan process.

## RATIONALE FOR DEREGULATION

24. In addressing the issue of deregulation the Council has considered the following relevant matters:-
- ◆ The financial impact on existing licence holders who may have invested in their licence
  - ◆ The potential reduced custom for existing licence holders
  - ◆ Congestion on hackney carriage stands
  - ◆ Congestion on the roads generally
  - ◆ Benefits to the travelling public of additional vehicles
  - ◆ The opportunity for others to become involved in the trade as a means of securing a livelihood
  - ◆ The cost of commissioning three yearly surveys
  - ◆ The impact of releasing a small number of additional licences
  - ◆ The likely success of defending appeals against refusals to grant licences, either with or without a survey.
25. The arguments for and against deregulation are set out in *Appendix 1* and have been fully debated by this Council at its Licensing and Environmental Committee of 29<sup>th</sup> November 2004, Council on 8<sup>th</sup> December 2004 and again on 20<sup>th</sup> April 2005, Environment and Economic Regeneration Policy and Scrutiny Panel on 16<sup>th</sup> May 2005 and finally Council on 18<sup>th</sup> May 2005.
26. The Council has decided to deregulate to ensure:
- consistency with the government's criteria for transport policies;
  - community needs are met;
  - the objectives set out in paragraph 27 of this Plan are met.

## PURPOSE AND OBJECTIVES

27. The purpose of this Plan is to **deregulate numerical limits on hackney carriage vehicle licences by 1<sup>st</sup> April 2008**; and provide residents, local businesses and visitors to the district with quality, reliable, affordable and consumer-friendly taxi services.
28. The specific objectives are:

<b>Objective 1</b>	Phase out regulation of numerical limits by 1 <sup>st</sup> April 2008
<b>Objective 2</b>	Introduce new conditions for taxi entry and ensure that vehicles meet established standards for road worthiness and safety in their mechanical systems from September 2005.
<b>Objective 3</b>	Increase in the number of Hackney Carriages that fully comply with the Disability Discrimination Act requirements and improve standards of driver training in particular in the area of disability awareness.
<b>Objective 4</b>	Ensure that taxi-related businesses provide services in a safe and secure manner.
<b>Objective 5</b>	Ensure taxi-related businesses provide a high quality of service
<b>Objective 6</b>	Ensure that all participants in the taxi-related businesses (owners, drivers, etc.) and the general public share fairly in the costs and benefits of the regulatory system.
<b>Objective 7</b>	Improve the provision and location of taxi ranks and ensure that they continue to meet the needs of our developing town centres.
<b>Objective 8</b>	Encourage taxi-related businesses to promote public safety and sound business practices amongst members of their industry and encourage them to enter a voluntary code of conduct.
<b>Objective 9</b>	To ensure the quality and safety of vehicles is maintained.
<b>Objective 10</b>	Produce, distribute and monitor feedback of a taxi and private hire vehicle information leaflet.

## TAXI NUMBERS AND TIME TABLE

29. The timetable for deregulation is as follows:

**Table 1: Number of Licensed Vehicles in Wyre Forest May 2005 to April 2008**

	Taxis (Hackney Carriages)	Private Hire Vehicles	Fully Accessible
<b>May 2005</b>	83	36	16
<b>July 2005</b>	93	not regulated	26
<b>April 2006</b>	98	not regulated	31
<b>April 2007</b>	103	not regulated	36
<b>April 2008</b>	Deregulated	not regulated	

The Council will release 10 new licences in July 2005 to meet the unmet demand identified in the recent Halcrow survey. In order not to create further suppressed unmet demand up to April 2008 the Council will release a further 5 licences in April 2006 and in April 2007.

## **ACCESSIBILITY ISSUES**

30. Taxis are considered to be an important service provider of alternative transport within Worcestershire. They are considered to be a key element in completing journeys undertaken by other transport modes, allow for access to areas where conventional public transport is poor and assist those without access to a car with transport of heavy or bulky items.
31. Taxis form an integral part of the local transport network within the District and have a role in facilitating the access for those with mobility difficulties.
32. To improve accessibility for all, it is proposed that new hackney carriage vehicle licences will be granted only where operators and vehicles fulfil prescribed conditions, including a condition that the vehicle is fully wheelchair accessible.

## **PART 2**

### **QUALITY REGULATION AND CRITERIA**

#### **QUALITY STANDARDS AND PUBLIC SAFETY**

##### **CURRENT STANDARDS**

###### **Hackney Carriages (Taxis)**

1. In large towns and cities these are often traditional 'black cabs' but in Wyre Forest they currently can also be normal saloons and people carriers with up to 8 seats.
2. They are licensed by the Council and carry a yellow licence plate at the rear of the vehicle; the licence plate gives details of the vehicle and also indicates how many passengers the vehicle can legally carry.
3. Hackney carriages are allowed to pick up customers from taxi ranks and people who flag them down in the street and carry a fare meter. Their scale of charges is set by the Council.
4. All licensed hackney carriages have a compliance test three times a year and this includes the normal Department for Transport MOT as well as a check on the overall condition of the vehicle inside and out. Most vehicles can be licensed as a hackney carriage at up to 4 years old and can be kept on the fleet until 7 years old and only some are required to be wheelchair accessible.

###### **Private Hire Vehicles**

5. These vehicles are saloon cars, estates or people carriers with up to 8 seats. They are licensed by the Council and carry a red licence plate on the rear which gives details of the vehicle and the maximum number of passengers the vehicle can legally carry.
6. Private hire vehicles do not have to carry a meter and operators can set their own scale of fares.
7. The vehicles cannot use the taxi ranks and are not allowed to stop if flagged down. They can only pick up passengers if they have pre-booked to do so.

8. All licensed private hire vehicles have a compliance test three times a year in the same way as hackney carriages. Vehicles can be licensed for the first time up to 4 years old and can be operated until they are 7 years old.

### **Drivers**

9. All the licensed hackney carriage and private hire drivers are subject to a Criminal Records Bureau (CRB) check upon application for a licence (reviewed every 3 years) to make sure they have not been convicted of certain offences; in addition they have to have regular medical check ups to make sure they are fit to drive.
10. Every driver applying for a licence is also required to take and pass a 'knowledge test' which ensures a good level of knowledge of the area in which they are going to operate.

## **PROPOSED STANDARDS**

### **Hackney Carriages**

11. Because the Council has operated a system of 'number control' for a number of years and from time to time a small number of additional licences have been granted following 'needs survey' the licence conditions currently applying to hackney carriages have become fragmented and outdated with some vehicles entering the fleet required to be new and wheelchair accessible and others can be up to 4 years old and not wheelchair accessible.
12. In order to regularise these anomalies and improve quality and safety, the Council intends to ensure that all vehicles are of a certain age profile, safe and easily recognisable. For this reason new vehicle conditions are proposed which address the following main areas (*Appendix 2*).
  - Age profile of fleet
  - Wheelchair accessibility
  - Livery
13. The new vehicle conditions will apply to all licences and vehicle replacements issued after 1<sup>st</sup> September 2005. The Council recognises that it will take some time for the existing hackney carriage fleet to be fully replaced with the new standards and expects that by 1<sup>st</sup> September 2013 all vehicles will adhere to the new standards. During this time all existing licence holders will be encouraged to apply the new livery decals, provided by the Council, to offer some consistency of identification.

### **Private Hire Vehicles**

14. To maintain a consistent approach with regard to hackney carriage licences all new private hire vehicle licences and vehicle replacements will be expected to comply with new conditions from 1<sup>st</sup> September 2005. The new private hire vehicle standards address the following main areas (*Appendix 3*).

- Age of vehicle
- Livery

The same issue of timing of replacement applies similarly to private hire vehicles as to hackney carriages.

### **Drivers**

15. The Driver Conditions and the existing hackney carriage byelaws will be retained (*Appendices 7 and 8*).

### **Operators Licence**

16. These fundamentally stay the same but all operators will be encouraged to sign up to a Code of Conduct and Customer Care policy and adopt new livery in the existing fleet (*Appendices 5 and 6*)

## **PUBLIC SAFETY**

17. The licensing of vehicles and drivers has the prime aim of protecting public safety and the proposed new vehicle and drivers conditions will ensure that the public of Wyre Forest can use hackney carriages and private hire vehicles in the knowledge that they are as safe as the Council can make them.
18. In addition to the vehicle and driver conditions there are other measures which can be taken to improve public safety and these include the voluntary adoption of a Code of Conduct and Customer Care policy by Taxi Operators. The Code will be developed in consultation and with the co-operation of the Wyre Forest Taxi Drivers Association. A draft for consultation is provided at *Appendix 5*. Those operators signing up to the code will be recognised by the Council as providing a quality service.
19. The Council's Licensing Section has its own Customer Service Policy (*Appendix 4*).

**Arguments for and against Deregulation**

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**Arguments for Deregulation:** The Office of Fair Trading compared accident records both in areas that have regulated and in areas that maintain limits - no statistically significant difference was found to support any concern.

**Arguments against Deregulation:** It is argued that the removal of the 10-hour limit could lead to excessive hours causing problems such as driving whilst tired.

**Local Government ( Miscellaneous Provisions ) Act 1976**

**Hackney Carriage Vehicle Licences**  
**Conditions of Licence**

*A District Council may attach to the grant of a hackney carriage vehicle licence, such conditions as it may consider reasonably necessary (Section 47(2) Local Government (Miscellaneous Provisions) Act 1976).*

*All relevant information will be taken into account when consideration is given to an application for a hackney carriage vehicle or driver's licence. Whilst an application for a licence should conform to the licensing conditions and Council policies or guidelines, each application will be considered on its own merits.*

*Should an application be refused, the applicant has a right of appeal, in writing, within 21 days, to the Magistrates' Court. In the case of a refusal to grant a hackney carriage proprietor's licence the appeal is directly to the Crown Court. Wyre Forest District Council may, at its discretion, waive, alter or add to any of the conditions, standards or requirements.*

*A hackney carriage vehicle licence is issued, upon application, on 1 July each year and is valid for one year.*

*A hackney carriage driver's licence is issued, upon application, on 1 April and is valid for two years*

The hackney carriage ("the vehicle") shall at all times be kept and used in compliance with:-

The provisions of all Acts of Parliament and regulations made thereunder relating to the use of vehicles on public highways including in particular those contained in the Motor vehicles (Construction and Use) regulations.

The provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976

All byelaws relating to hackney carriages for the time being in force where the vehicle is kept and used.

## Hackney Carriage Licensing Conditions

- 1 Wyre Forest District Council will only licence new vehicles of a purpose built design for use as Hackney Carriages. The body must be of a fixed head type and have a bulkhead partition. The vehicle must be designed and developed exclusively for use as a wheelchair accessible taxi. Wheelchair access must be from the side and not from the rear. It must be unaltered from the manufacturer's specification and documentation must be produced to show that the vehicle is certified to M1, European Whole Vehicle Approval or Low Volume Type Approval standards.
- 2 Production of the registration document (V5 form) that records when the vehicle was first registered; body type, vehicle type approval will be required to be produced at the time of MOT testing and licensing, together with a certificate provided by the manufacturer, issued by the Vehicle certification Agency (VCA form) and a bill of sale from the vendor that stipulated the vehicle is the standard of the new specification.
- 3 Hackney carriages will be coloured silver, suitably finished to a high quality. The silver colour shall be matching to BS 5252 (reference no. 00A03) or other similar colour as the Council may agree. The identification decal provided by the Council shall be applied to the mid or upper section of the nearside and offside front doors
- 4 Where rubbing strips are fitted on the doors or panels they should comply with the colour scheme of the relevant door or panel unless they consist of black plastic, rubber or other material as normally supplied by the manufacturer.
- 5 All Vehicles when first submitted for licensing, must be brand new. The upper age limit for hackney carriage vehicles will be 7 years unless agreed by the Council who may on a vehicle by vehicle basis extend this period beyond 7 years up to a maximum of 10 years.
- 6 All vehicles shall have a minimum of four doors, each adjacent to, and allowing direct access to and from the seats
- 7 Vehicles must be capable of carrying a wheelchair accessed from the side in a secure forward or rear facing position.
- 8 All wheelchair accessible hackney carriages are to permit loading of wheelchairs ONLY through the side door(s) of the vehicle. Vehicles, which load wheelchairs through the tailgate, will not be accepted for licensing

- 9 All wheelchair accessible hackney carriages shall be equipped with properly mounted fittings for the safe securing of a wheelchair and the passenger seated in it, when carried inside the vehicle
- 10 Anchorage provided for wheelchair access must be either chassis or floor linked. Restraints for wheelchair and occupant must be independent of each other. Anchorage must be provided for the safe stowage of a wheelchair when not in use when folded or otherwise, if carried within the passenger compartment.
- 11 Provisions must be made for the ramps to be stowed safely when not in use.
- 12 Each seat shall have a minimum width of not less than 16 inches per person. The seat width for 3 persons of 48" shall be measured by taking the actual distance between the arm rests.
- 13 The rear seat shall accommodate not less than three persons; unless the safe carriage of a passenger seated in a wheelchair necessitates the removal of any seat

#### **Maintenance of vehicle**

- 14 The hackney carriage vehicle hereby licensed is to be tested to a Ministry of Transport standard, and the vehicle shall be taken to the appropriate Council testing station. Vehicles will be tested and inspected three times per year.
- 15 The vehicle and all its fittings and equipment shall at all times when the vehicle is in use, or available for hire, be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements (including in particular those contained in the Motor vehicles (Construction and Use) Regulations shall be fully complied with.
- 16 Vehicles submitted for test/inspection shall be in such a condition as to be suitable for inspection, free from oil and any other matter, thoroughly cleaned inside and out. Vehicles not meeting these conditions will not be inspected. These vehicles will be treated as having failed to attend the inspection centre and be suspended immediately until they pass a re-examination
- 17 Proprietors of vehicles, which fail to attend any notified inspection, or whose vehicles are refused an inspection due to their condition, shall be liable to pay a fee for the re-inspection.
- 18 Vehicles that fail to attend for any inspection will be suspended immediately until such time as they attend and pass the inspection.
- 19 Vehicles must have a Department for Transport test certificate where required by the Road Traffic Acts.

NB : UNDER S.47 ROAD TRAFFIC ACT 1988, A HACKNEY CARRIAGE IS REQUIRED TO BE TESTED NOT LESS THAN ONE YEAR FROM ITS FIRST REGISTRATION.

#### **Alteration of Vehicle**

20 No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without prior approval of the Council at any time while the licence is in force.

#### **CCTV**

21 There may be installed a CCTV camera, providing all image handling and recording equipment complies with the requirements of current and future data protection legislation. There must be signs displayed in and out of all windows of the vehicle informing passengers that the vehicle is fitted with surveillance equipment. The signs shall be not less than 11 x 8cm .

#### **Advertising**

22 The Hackney carriage hereby licensed shall display no advertisement unless the council shall have first approved its size colour and subject matter, and position on the vehicle in writing. A daft copy of the advertisement must be firstly submitted for approval. The letter of approval must be produced to the Council testing station at the time of the vehicle inspection.

#### **Safety Equipment**

23 There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a suitable and efficient fire extinguisher.

#### **Accidents**

24 In the event of the hackney carriage vehicle hereby licensed being involved in any accident to the vehicle causing damage material affecting the safety, performance, or appearance of the vehicle, or comfort or convenience of the passengers, the proprietor shall report such accident to the Council as soon as reasonable practicable, and in any event within 72 hours of the occurrence thereof.

#### **Change of address**

25 The proprietor shall notify the Council in writing of any change during the period of licence within 7 days of such change-taking place.

#### **Liquid Petroleum Gas**

26 A hackney carriage proprietor converting their licensed vehicle to run on Liquid Petroleum Gas (LPG) must notify the Council of such change and comply with the following conditions. These conditions will also apply to proprietors purchasing a new or used vehicle that runs on LPG.

27 That the installation of a LPG tank be fitted by an LPGA approved installer as recommended by the Liquid Petroleum Gas Association.

- 28 That the proprietor produces a certificate of compliance by an approved LPGA installer.
- 29 That the LPG tank fitted must be a multi-valve tank and be fitted with a sealed tank box made from aluminium and vented to the atmosphere.
- 30 That the vehicle displays on the front and rear screens a round sticker stating that the vehicle has been fitted with a LPG tank for the purpose of the emergency services in the event of an accident.
- 31 That if a doughnut tank is fitted in the spare wheel well of the boot, the spare wheel must be securely fixed in a position not obstructing the entire luggage space.
- 32 That the proprietor of the vehicle must notify DVLA Swansea, of the change in fuel from petrol to both LPG and petrol.
- 33 The vehicle be serviced by a person competent in LPG powered vehicles.

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**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

**PRIVATE HIRE VEHICLE LICENCE CONDITIONS**

*A District Council may attach to the grant of a private hire vehicle licence, such conditions as it may consider reasonably necessary (Section 48(2)) Local Government (Miscellaneous Provisions) Act 1976).*

*All relevant information will be taken into account when consideration is given to an application for a private hire vehicle licence. Whilst an application for a licence should conform to the licensing conditions and Council policies or guidelines, each application will be considered on its own merits.*

*Should an application be refused, the applicant has a right of appeal, in writing, within 21 days, to the Licensing Committee.*

*Wyre Forest District Council may, at its discretion, waive, alter or add to any of the conditions, standards or requirements.*

*A private hire vehicle licence is issued, upon application, on 1 August each year and is valid for one year.*

- 1 Wyre Forest District Council will licence vehicles for private hire operation. Vehicles must be unaltered from the manufacturer's specification and documentation must be produced to show that the vehicle is certified to M1, European Whole Vehicle Approval or Low Volume Type Approval standards.
- 2 Production of the registration document (V5 form) that records when the vehicle was first registered; body type, vehicle type approval will be required to be produced at the time of MOT testing and licensing, together with a certificate provided by the manufacturer, issued by the Vehicle Certification Agency (VCA form ) and a bill of sale from the vendor that stipulated the vehicle is the standard of the new specification.
- 3 Private hire vehicles will be coloured (red) suitably finished to a high quality. The red colour shall be matching to BS 5252 (reference no. 04E55) or other similar colour as the Council may agree. The identification decal provided by the Council shall be applied to the mid or upper section of the nearside and offside front doors.
- 4 Where rubbing strips are fitted on the doors or panels they should comply with the colour scheme of the relevant door or panel unless they consist of black plastic, rubber or other material as normally supplied by the manufacturer.

- 5 All Vehicles when first submitted for licensing, must be less than 2 years of age. The upper age limit for private hire vehicles will be 7 years at the time of application for renewal. These age limits can be waived if the vehicle is special or prestigious as designated by the Council's Licensing Officer.
  - 6 All vehicles shall have a minimum of four doors, each adjacent to, and allowing direct access to and from the seats
  - 7 Vehicles capable of carrying a wheelchair passenger must be able to do so in a secure forward or rear facing position.
  - 8 All wheelchair accessible private hire vehicles are to permit loading of wheelchairs ONLY through the side door(s) of the vehicle. Vehicles, which load wheelchairs through the tailgate, will not be accepted for licensing
  - 9 All wheelchair accessible private hire vehicles shall be equipped with properly mounted fittings for the safe securing of a wheelchair and the passenger seated in it, when carried inside the vehicle
  - 10 Anchorage provided for wheelchair access must be either chassis or floor linked. Restraints for wheelchair and occupant must be independent of each other. Anchorage must be provided for the safe stowage of a wheelchair when not in use when folded or otherwise, if carried within the passenger compartment.
  - 11 Provisions must be made for the ramps to be stowed safely when not in use.
  - 12 Each seat in every private hire vehicle shall have a minimum width of not less than 16 inches per person; The seat width for 3 persons of 48" shall be measured by taking the actual distance between the arm rests.
  - 13 The rear seat shall accommodate not less than three persons; unless the safe carriage of a passenger seated in a wheelchair necessitates the removal of any seat
- Maintenance of vehicle**
- 14 The private hire vehicle hereby licensed is to be tested to a Ministry of Transport standard, and the vehicle shall be taken to the appropriate Council testing station. Vehicles will be tested and inspected three times per year.
  - 15 The vehicle and all its fittings and equipment shall at all times when the vehicle is in use, or available for hire, be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements (including in particular those contained in the Motor vehicles (Construction and Use) Regulations shall be fully complied with.

- 16 Vehicles submitted for test/inspection shall be in such a condition as to be suitable for inspection, free from oil and any other matter, thoroughly cleaned inside and out. Vehicles not meeting these conditions will not be inspected. These vehicles will be treated as having failed to attend the inspection centre and be suspended immediately until they pass a re-examination
- 17 Proprietors of vehicles, which fail to attend any notified inspection, or whose vehicles are refused an inspection due to their condition, shall be liable to pay a fee for the re-inspection.
- 18 Vehicles that fail to attend for any inspection will be suspended immediately until such time as they attend and pass the inspection.
- 19 A Department of Transport test certificate where required by the Road Traffic Acts.

#### **Alteration of Vehicle**

- 20 No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without prior approval of the Council at any time while the licence is in force.

#### **CCTV**

- 21 There may be installed a CCTV camera, providing all image handling and recording equipment complies with the requirements of current and future data protection legislation. There must be signs displayed in and out of all windows of the vehicle informing passengers that the vehicle is fitted with surveillance equipment. The signs shall be not less than 11 x 8cm.

#### **Advertising**

- 22 The private hire vehicle shall display no advertisement unless the Council shall have first approved its size colour and subject matter, and position on the vehicle in writing. A draft copy of the advertisement must be firstly submitted for approval. The letter of approval must be produced to the Council testing station at the time of the vehicle inspection.
- 23 The advertisement shall only be permitted on the rear doors of the vehicle of a maximum size of 39" x 16". No advertisement shall be permitted to be displayed on the windows, roof or bonnet of the vehicle. The advertisement will include the words "ADVANCE BOOKINGS ONLY" which must be displayed in letters of a minimum size of two inches. This wording must be displayed before the company name and or telephone number. The word "taxi" or Cab shall not be permitted to be displayed in the advertisement or anywhere on the vehicle. The proprietor of the private hire vehicle shall pay the full cost of any advertisement.

### **Safety Equipment**

- 24 There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a suitable and efficient fire extinguisher.

### **Accidents**

- 25 In the event of the private hire vehicle being involved in any accident to the vehicle causing damage material affecting the safety, performance, or appearance of the vehicle, or comfort or convenience of the passengers, the proprietor shall report such accident to the Council as soon as reasonable practicable, and in any event within 72 hours of the occurrence thereof.

### **Change of address**

- 26 The proprietor shall notify the Council in writing of any change during the period of licence within 7 days of such change-taking place.

### **Liquid Petroleum Gas**

- 27 A private hire vehicle. Converting their licensed vehicle to run on Liquid Petroleum Gas (LPG) must notify the Council of such change and comply with the following conditions. These conditions will also apply to proprietors purchasing a new or used vehicle that runs on LPG.
- 28 That the installation of a LPG tank be fitted by an LPGA approved installer as recommended by the Liquid Petroleum Gas Association.
- 29 That the proprietor produces a certificate of compliance by an approved LPGA installer.
- 30 That the LPG tank fitted must be a multi-valve tank and be fitted with a sealed tank box made from aluminium and vented to the atmosphere.
- 31 That the vehicle displays on the front and rear screens a round sticker stating that the vehicle has been fitted with a LPG tank for the purpose of the emergency services in the event of an accident.
- 32 That if a doughnut tank is fitted in the spare wheel well of the boot, the spare wheel must be securely fixed in a position not obstructing the entire luggage space.
- 33 That the proprietor of the vehicle must notify DVLA Swansea, of the change in fuel from petrol to both LPG and petrol.
- 34 The vehicle be serviced by a person competent in LPG powered vehicles.

**Limousines** (Left hand drive) – All conditions applying to Private Hire Vehicles will also apply and in addition:

- 35 The Seating capacity to be a minimum of 6 and a maximum of 8
- 36 Seat belts to be provided for all passengers
- 37 All vehicles to have full Department for Transport type approval
- 38 Vehicles to be put through a normal MOT test at the Vehicle Testing Station at Summerfield, Kidderminster, and then brought to the Council Depot for checking and testing items which are in the Council test, but not in the MOT.
- 39 Testing frequency to be three times per year as directed by the Council
- 40 These vehicles to be exempt from displaying licence identity plates on the outside, but to display an identity plate inside the driver's compartment and to carry a letter of dispensation.
- 41 The normal conditions applying to the licensing of operators and drivers to apply (including the wearing of identity badges by drivers at all times).

WYRE FOREST DISTRICT COUNCIL  
**LICENSING SERVICES**

**Customer Services Policy**

Wyre Forest District Council is committed to providing a quality service in a courteous, helpful and caring manner. This Policy sets out what the Licensing team do to achieve this, the standards you can expect from them, and how you can help them meet these standards.

**Who are we?**

The Planning Health and Environment Division of Wyre Forest District Council covers a range of services that influences the way we live, work and play.

Our clients include other Council Divisions, Council Members, other Government and public service bodies, businesses and members of the public. In providing these services we aim to meet clients needs, providing a quality service, in a courteous and efficient manner.

The Licensing team operating as part of the Division, is responsible for processing a wide variety of applications and for providing advice and guidance on Licensing issues.

**Service Provided**

- To protect health and safety we licence premises for public entertainment, skin piercing and specific food businesses.
- We licence pet shops boarding kennels, riding schools and dog breeders.
- We implement the provisions of the Licensing Act 2003 and licence the retail sale of alcohol and provision of regulated entertainment.
- We licence and regularly inspect taxis to ensure they are safe.
- We assess and licence drivers of taxis to make sure they are acceptable.

**What you can expect from us**

We will:

- Provide an independent courteous and confidential service.
- Give us much information and immediate advice as possible.
- Provide a quality service at all times.
- Respond to written enquiries within 10 working days.
- Respond to requests for service as quickly as possible and in all cases within 3 working days.
- Process all applications for licences as quickly as possible.
- If you make a request, keep you informed of the progress of your case.
- When possible work in partnership with the business community.

## **Treating everyone fairly**

The Licensing team is committed to promoting equal opportunities for the community it serves.

### **You can help us by**

- Providing your name, address and telephone number when you make a request so we can report back to you.
- Attend any appointment in time, or let us know if you cannot do so.
- Provide the information we ask for when we ask for it. This will speed up the process.
- Please be patient as there will be times when we are exceptionally busy. We will however, make every effort to keep waiting times to a minimum.

### **Listening to your views**

If you are unhappy with any aspect of our service please contact us and we will try to resolve any problems quickly. Comments on service standards are always welcomed by the Environmental Health and Licensing Manager and are recognised as essential to maintain and improve service standards. Please telephone directly on 01562 732580 or write addressed to:

Environmental Health and Licensing Manager  
Duke House  
Clensmore Street  
Kidderminster  
Worcs. DY10 2JX

The Council has a formal procedure for Customer Complaints if this is the route you wish to follow. A copy of the procedure is available from any Council office.

The Council will encourage all sectors of the business community to formally adopt customer care policies similar to the above to ensure that standards of customer care are high at all points of service delivery.

The Council will assist with the preparation of such policies, if requested, and a Code of Conduct and Customer Care for licensed vehicle operators will be made available in due course.

**HACKNEY CARRIAGE AND PRIVATE HIRE TRADE**

**CUSTOMER CARE POLICY**

**Your driver will:**

- Wear an identification badge, be presentable, polite and courteous.
- Not smoke in the vehicle.
- Take you to your destination by the most direct possible route, unless you ask otherwise.
- Charge no more than the fare shown on the meter, or the fare agreed before your journey commences and provide a receipt upon request.
- Not allow other passengers to share the taxi without the agreement of all parties.
- When requested, give all reasonable assistance in helping passengers in and out of the vehicle and with loading and unloading of luggage.
- Not play music in the vehicle without passengers' permission.
- Carry guide, hearing and other assistance dogs free of charge.
- Maintain the vehicle in a roadworthy and clean condition, including inside the vehicle.
- Always pick up passengers at the time indicated, at the location asked for.
- Have undertaken training on handling wheelchair passengers
- Have passed the Council's 'knowledge test'
- Be medically fit to drive the vehicle

**Complaints**

- Complaints directly to the trade will be dealt with promptly and courteously using the approved complaints procedure and every effort made to reach a resolution (*Appendix 9*).
- If any complaint cannot be satisfactorily resolved, then it should be referred to the Licensing Section of Wyre Forest District Council.

- Any breaches of licensing conditions witnessed by the public or the trade should immediately be reported to the Council in writing.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**PRIVATE HIRE OPERATOR LICENCE****CONDITIONS OF LICENCE**

- A The licence shall remain in force for a period of one year from the date of issue.
- B The full fee shall be paid before the issue or renewal of any Operator's Licence
- C The licensed operator shall keep a record of every booking of a Private Hire vehicle accepted by him, and shall keep such records for not less than six months.
- D The licensed operator shall keep a record for all drivers, full or part time, employed by him and shall supply the Council with a list of such drivers within seven days of a written request from the Council.
- E The licensed operator shall keep a record of all Private Hire Vehicles licensed and operated by him, and supply the Council with a list of such vehicles within seven days of a written request from the Council.
- F The licensed operator shall inform the council of any change of address of his Private Hire business or any change of his driver's or vehicles within fourteen days.
- G Every application for the issue or renewal of an Operator's Licence shall give
1. the name and address of the applicant
  2. the address or addresses from which he intends to carry on business and were cars are garages, if difference
  3. details of any trade or business activities carried on by him or previously carried on by him within the private Hire Trade
  4. details of any previous application made by him for an Operator's Licence
  5. details of any revocation or suspension of an Operator's Licence previously held by him
  6. details of any convictions recorded against him
- H The proprietor shall ensure that at all times the vehicles used by his Private Hire business are duly licensed in accordance with the provisions of the Act and that the drivers driving those vehicles on Private Hire business are duly licensed by the Council to drive such vehicles.
- I All vehicles used must be suitable in type and design for use as a Private Hire Vehicle as approved by the Council's Licensing Officer.

- J All fittings or signs shall be attached inside or outside the vehicle except in accordance with the Council's Condition 23 made in respect of advertising or private hire vehicles (see Condition No. 14 on Private Hire Licence conditions).
- K All vehicles (except limousines) shall be right hand drive and shall have four doors.
- L All vehicles shall be so constructed with the doors opening to allow easy access and egress and cause no inconvenience to passengers.
- M The exterior and interior of the vehicles shall be maintained in a good and clean condition at all times.
- N No vehicle shall be licensed for the first time unless it is less than 4 years old at the time of application for registration or unless it is a prestige vehicle approved by the Council in writing.
- O No vehicle over 7 years old at the time of application for re-registration shall be licensed unless it is a prestige vehicle approved by the Council.
- P The operator shall ensure that each vehicle operated by him is presented in a clean and suitable condition to enable the Council's examiner to conduct tests, to the Council's Green Street site, Kidderminster, for examination before application for re-licensing is made. Following registration the vehicle should be presented at the Green Street site for inspection on instructions from the Council at any time specified during normal working hours.
- Q A vehicle licensed as a Private Hire Vehicle shall not stand or ply for hire in any street or at any railway station or railway premises or other premises to which the public resort.
- R No proprietor or firm shall in any of its advertising or signs purport to provide a 'Hackney Carriage' or 'Taxi' service unless that proprietor or firm also operates a Hackney Carriage for which there is in force at all times a current Hackney Carriage Vehicle Licence issued by Wyre Forest District Council.
- S Private hire operators shall have a published complaints procedure that has been approved by the Council and deals with customer and employee complaints and copies made available at the operator's office for use of customers and staff, and must be used when dealing with a complaint.

WYRE FOREST DISTRICT COUNCIL

**DRIVING LICENCE CONDITIONS**

1. A driver of a hackney carriage or private hire vehicle when standing or plying for hire shall not, by calling out or otherwise, importune any person to hire such carriage or vehicle and shall not make use of the services of any other person for the purpose.
2. The driver of a hackney carriage or private hire vehicle shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
3. The driver of a hackney carriage or private hire vehicle who has agreed or has been hired to be in attendance with the carriage or vehicle at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage or vehicle at such appointed time and place.
4. The driver of a hackney carriage or private hire vehicle when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.
5. A driver of a hackney carriage or private hire vehicle shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage or vehicle.
6. The driver of a hackney carriage or private hire vehicle shall, when standing, plying or driving for hire, wear the badge allocated to him in such a position and manner as to be plainly and distinctly visible.

7. The driver of a hackney carriage or private hire vehicle so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage,:
  - (a) convey a reasonable quantity of luggage
  - (b) afford reasonable assistance in loading and unloading
  - (c) afford reasonable assistance in removing it to or from entrance of any house, station or place at which he may take up or set down such person.
8. Every driver of a hackney carriage who shall knowingly convey in the carriage the dead body of any person shall immediately notify the fact to the Planning, Health and Environment Division.
9. The driver shall within forty-eight hours of the happening advise the Council's Environmental Health and Licensing Manager of any accident or occurrence or disease which would affect or impair his ability to drive a hackney carriage or private hire vehicle.
10. Group 2 medical standards (as defined by 'A guide for Medical Practitioners', DVLA), will apply to all Hackney Carriage and Private Hire vehicle drivers. Applicants must provide proof from a medical practitioner that they meet this standard before being granted a licence. Licensed drivers will be required to undergo a medical if the Council officers are concerned over their medical fitness and under these circumstances, medical fees may be refunded.
11. All drivers of wheelchair accessible vehicles are required to show competence in the loading and unloading of wheelchairs either by the completion of a suitable training course approved by the Council or by a suitable length of practical experience with the vehicle involved.
12. Drivers shall operate to a published complaints procedure that has been approved by the Council and deals with customer complaints and dispute resolution and expected standards of service; copies must be available for use of customers and procedures must be used when dealing with a complaint.

WYRE FOREST DISTRICT COUNCIL

**BYELAWS**

Made under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875 by the Wyre Forest District Council with respect to Hackney Carriages.

***INTERPRETATION***

1. THROUGHOUT these Byelaws 'the Council' means the Council of the District of Wyre Forest and 'the District' means the administrative district of Wyre Forest.

**PROVISIONS REGULATING THE MANNER IN WHICH THE NUMBER OF EACH HACKNEY CARRIAGE CORRESPONDING WITH THE NUMBER OF ITS LICENCE SHALL BE DISPLAYED.**

2. (a) 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 and inside respectively of the carriage or on plates affixed thereto.
- (b) A proprietor or driver of hackney carriage shall:
  - (i) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing, plying or being driven for hire
  - (ii) not cause or permit the carriage to stand, ply or be driven for hire with any such painting marking or plate so defaced that any figure or material particular is illegible
  - (iii) cause a plate (to be provided by the Council and hereinafter called 'the number plate') bearing the number corresponding with the number of the Licence of such carriage to be conspicuously affixed on the outside of the back of such carriage
  - (iv) cause a plate (to be provided by the Council and hereinafter called 'the inside number plate') bearing a number corresponding with the number of the Licence of such carriage to be conspicuously affixed inside such carriage, immediately above the fare plate.

## **PROVISIONS REGULATING HOW HACKNEY CARRIAGES ARE TO BE FURNISHED OR PROVIDED**

3. The proprietor of a hackney carriage shall:
  - (a) provide sufficient means by which any person in the carriage may communicate with the driver
  - (b) cause the roof or covering to be kept water tight
  - (c) provide any necessary windows and a means of opening and closing not less than one window on each side
  - (d) cause the seats to be properly cushioned or covered
  - (e) cause the floor to be provided with a proper carpet, mat or other suitable covering
  - (f) cause the fittings and furniture generally to be kept in a clean condition well maintained and in every way fit for public service
  - (g) provide means for securing luggage if the carriage is so constructed as to carry luggage
  - (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use
  - (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver
4. A proprietor of a duly licensed motor hackney carriage shall not cause or suffer such carriage to be used for the purpose of plying for hire or carrying passengers for required unless and until it has been fitted with a taximeter or other similar apparatus.
5. The proprietor of a hackney carriage shall cause any taximeter with which the carriage is provided to be so constructed, attached and maintained as to comply with the following requirements that is to say
  - (a) 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 causes the word 'HIRED' to appear on the face of the taximeter

- (b) 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
- (c) 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 byelaw in that behalf
- (d) the word 'FARE' shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon
- (e) 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
- (f) the taximeter and all 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.

**PROVISIONS REGULATING THE CONDUCT OF THE PROPRIETORS AND DRIVERS OF HACKNEY CARRIAGES PLYING WITHIN THE DISTRICT IN THEIR SEVERAL EMPLOYMENTS; AND DETERMINING WHETHER SUCH DRIVER SHALL WEAR ANY AND WHAT BADGES**

6. The driver of a hackney carriage provided with a taximeter shall
- (a) when standing or plying for hire keep the key flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter
  - (b) before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key flag or other device so that the word 'HIRED' is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring
  - (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purpose of the Road Traffic Act 1972 and also at any other time at the request of the hirer

7. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided with the fittings thereof or with the seals affixed thereto.
8. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired,;
  - (a) proceed with reasonable speed to one of the stands in the District
  - (b) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward
  - (c) when the carriage is the first carriage on the stand remain with the carriage ready to be hired at once.

In this byelaw 'stand' means a stand for the time being:

- (j) appointed under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 in the District, or
  - (ii) fixed by byelaw made under Section 68 of the Town Police Clauses Act 1847 in any part of the District
9. A proprietor or driver of a hackney carriage when standing or plying for hire shall not, by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.
10.
  - (a) Every proprietor or driver of a motor hackney carriage shall at all times when standing, plying or driving for hire conduct himself in an orderly manner
  - (b) The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
11. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.

12. The driver of a hackney carriage or private hire vehicle when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.
13. A proprietor or driver of a hackney carriage or private hire vehicle shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
14. If a badge has been provided by the Council and delivered to the driver of a hackney carriage either with the Licence granted to him by the Council or afterwards he shall, when standing, plying or driving for hire, wear the badge allocated to him in such a position and manner as to be plainly and distinctly visible.
15. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage,:
  - (a) convey a reasonable quantity of luggage
  - (b) afford reasonable assistance in loading and unloading
  - (c) afford reasonable assistance in removing it to or from entrance of any house, station or place at which he may take up or set down such person.
16. Every proprietor or driver of a hackney carriage who shall knowingly convey in the carriage the dead body of any person shall immediately notify the fact to the Environmental Health and licensing Manager of the Planning, Health and Environment Division.

**PROVISIONS FIXING THE RATES OR FARES TO BE PAID FOR HACKNEY CARRIAGES WITHIN THE DISTRICT AND SECURING THE DUE PUBLICATION OF SUCH FARES**

17. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the following table, the rate or fare being calculated by distance unless the hirer expresses at the commencement of the hiring his desire to engage by time PROVIDED ALWAYS that where a hackney carriage finished with a taximeter shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the following table which it may not be possible to record on the face of the taximeter.

**WYRE FOREST DISTRICT COUNCIL**  
**TABLE OF FARES FOR HACKNEY CARRIAGES**  
**EFFECTIVE FROM 10<sup>TH</sup> NOVEMBER 2003**

Hiring Charge	TARIFF 1 For hirings on any date between 6.00 a.m. and midnight except those in Tariffs 2 and 3	TARIFF 2 For hirings begun between 6.00 a.m. and midnight on all Bank Holidays, except Christmas Day, Boxing Day and New Year's Day, and for hirings between 6.00 p.m. and midnight on Christmas Eve and New Year's Eve	TARIFF 3 For hirings begun between midnight and 6.00 a.m. and on Christmas Day, Boxing Day and New Year's Day
If the distance does not exceed ½ mile (805 metres) for the whole distance	£2.00	£2.50	£3.00
If the distance exceeds ½ mile (805 metres) for the first ½ mile (805 metres)	£2.00	£2.50	£3.00
And for each subsequent 1/11 mile (146 metres) or uncompleted part thereof	10p	15p	20p

Waiting Time	TARIFF 1	TARIFF 2	TARIFF 3
For each period of forty five seconds or uncompleted part thereof	10p	15p	20p

**EXTRA CHARGES (Additional to above)**

When the hirer arranges in advance by letter, telephone or otherwise with the proprietor or driver prior to the commencing of the hire of the carriage to commence from any point between ½ mile (805 metres) and 1½ miles (2,415 metres) from any hackney carriage rank:                   20p

**or**

Where the hirer arranges in advance by letter, telephone or otherwise with the proprietor or driver prior to the commencement of the hire of the carriage to commence from any pint outside a radius of 1½ miles (2,415 metres) or more from any hackney carriage rank:                   50p

18. (a) The proprietor of a hackney carriage for which fares are fixed by any byelaw in that behalf shall
- (i) cause a statement of such fares to be painted or marked on the inside of the carriage or on a plat affixed thereto in clearly distinguishable letters and figures
  - (ii) renew such letters or figures as often as is necessary to keep them clearly visible
- (b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is playing or being used for hire.

**PROVISIONS SECURING THE SAFE CUSTODY AND REDELIVERY OF ANY PROPERTY ACCIDENTALLY LEFT IN HACKNEY CARRIAGES AND FIXING THE CHARGE TO BE MADE IN RESPECT THEREOF**

19. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left thereon.
20. The proprietor or driver of a hackney carriage shall if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him.
- (i) carry it within forty eight hours if not sooner claimed by or on behalf of its owner to the office of the Council and leave it in the custody of the officer in charge of the office on his giving a receipt for it
  - (ii) be entitled to receive from any person to whom the property shall be redelivered an amount equal to five pence in the pound of its estimated value for the fare for the distance from the place of finding to the office of the Council (whichever be the greater) but not more than Five pounds
21. Every driver of a motor hackney carriage shall, at all times, when standing driving or plying for hire have a copy of these Byelaws clean and in good order ready to produce and upon request produce the same for perusal and inspection to any person who shall hire such carriage or to any Police Officer.

## PENALTIES

22. Every person who shall offend against any of these Byelaws shall be liable on summary conviction to a fine not exceeding Fifty pounds and in the case of a continuing offence to a further fine not exceeding Five pounds for each day during which the offence continues after conviction thereafter.
23. The following Byelaws relating to a hackney carriages are hereby repealed:
- (i) Byelaws made by the Council in respect of the former Borough of Kidderminster on the Twelfth day of March One thousand nine hundred and seventy six and which were confirmed by the Secretary of State on the Twenty sixth day of November One thousand nine hundred and seventy six
  - (ii) Byelaws made by the Council in respect of the former Borough of Bewdley on the Twelfth day of March One thousand nine hundred and seventy six and which were confirmed by the Secretary of State on the Twenty sixth day of November One thousand nine hundred and seventy six
  - (iii) Byelaws made by the Council in respect of the former Urban District of Stourport on Severn on the Twelfth day of March One thousand nine hundred and seventy six and which were confirmed by the Secretary of State on the Third day of December One thousand nine hundred and seventy six
  - (iv) Byelaw number 18 made by the Council in respect of the former Borough of Bewdley on the Fourteenth day of January One thousand nine hundred and seventy seven and which was confirmed by the Secretary of State on the First day of April One thousand nine hundred and seventy seven
  - (v) Byelaw number 18 made by the Council in respect of the former Borough of Kidderminster on the Fourteenth day of January One thousand nine hundred and seventy seven and which was confirmed by the Secretary of State on the First day of April One thousand nine hundred and seventy seven.

GIVEN under THE COMMON SEAL of the  
WYRE FOREST DISTRICT COUNCIL, this  
Twelfth day of January 1979 in the  
Presence of:

J. HOLLOWAY  
Chairman

L.S.

S. EWBANK  
Director of Legal and  
Administrative Services

The foregoing Byelaws are hereby confirmed by the Secretary of State and shall  
come into operation on the 16<sup>th</sup> day of March 1979

R.F.D. SHUFFREY  
An Assistant Urban Secretary of State

Signed by authority of the Secretary of State

Home Office

15<sup>th</sup> March 1979

I certify that the foregoing is a true copy of a Byelaw made under Section 68 of the  
Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875 by  
Wyre Forest District Council on the 12<sup>th</sup> day of January 1979 and confirmed by the  
Secretary of State on the 15<sup>th</sup> day of March 1979.

S, EWBANK  
Director of Legal and  
Administrative Services

## **COMPLAINTS AND DISPUTE RESOLUTION PROCEDURE**

Every hackney carriage operator, driver and private hire operator must operate according to a published complaints and dispute resolution procedure which must be approved by the Council.

The complaints procedure must contain details of:

1. To whom and under what circumstances the procedure applies
2. Who will deal with any complaint together with contact details
3. Each step of the procedure giving details of what will happen and what information the complainant can expect
4. The time period for each step of the procedure
5. Details of what will happen if the complaint cannot be resolved
6. Details of what records will be kept and for how long.

The complaints procedure will cover the following areas of potential dispute:

- a) Fares (overcharging)
- b) Failure to pick up a fare at the designated place or time
- c) Inappropriate or rude behaviour by drivers or operators
- d) Poor service
- e) Lost luggage/possessions
- f) Injury
- g) Vehicle standards
- h) Driver standards
- i) Any form of discrimination
- j) Damage to goods or passengers

The above is not an exhaustive list and should be used as guidance.

Please note that any complaints which indicate a breach of Council conditions **must** be immediately referred to the Council.

HACKNEY CARRIAGE VEHICLE



LICENCE NUMBER

111

MOSIGN SYSTEM Patents Pending

MOGO

ADVANCE BOOKINGS ONLY



PRIVATE HIRE

100

MOSIGN SYSTEM Patents Pending

MOGO



LICENCE NUMBER  
**151**



**HACKNEY CARRIAGE**

**MOGO**  
Mogsign  
SYSTEM  
Patents  
Pending



PRIVATE HIRE  
**123**



**ADVANCE BOOKINGS ONLY**

**PRIVATE HIRE**

**MOGO**  
Mogsign  
SYSTEM  
Patents  
Pending