



**NOTES FOR PROPRIETORS OF RESTRICTED PRIVATE HIRE VEHICLES**  
**LAWS RELEVANT TO THE PROPRIETORS OF RESTRICTED PRIVATE HIRE VEHICLES**  
**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**  
**PRIVATE HIRE VEHICLE LICENSING**

Vehicles licensed by the Council must be mechanically fit and suited for their purpose. A comprehensive inspection and test prior to licensing will be necessary and a fee will be payable in relation to each vehicle licence. The Proprietor of a restricted Private Hire vehicle must be considered by the Council to be a fit and proper person.

**VEHICLES CONVERTED TO RUN ON (LIQUEFIED PETROLEUM GAS) LPG**

All (Liquefied Petroleum Gas) LPG vehicle conversions must have been carried out by an (Liquefied Petroleum Gas Association) LPGA Approved Installer and the vehicle proprietor issued with an LPG Conversion Certificate which must be produced when applying for a Private Hire Vehicle Licence.

**INSURANCE**

When applying for a Restricted Private Hire Vehicle Licence, a current certificate of insurance covering the use of the vehicle for carrying fare-paying passengers must be produced. A conversion of a vehicle to run on LPG is a modification and must be notified to the insurance company. The terms of insurance cover taken out should also include:-

- (i) Unlimited indemnity for injury and death to passengers and other third parties.
- (ii) Indemnity of at least £1,000,000.00 for damage to third party property - other than that being carried in or on the insured vehicle.
- (iii) Cover of up to at least £50.00 for damage to property belonging to persons being carried in the insured vehicle.

**TRANSFER OF VEHICLE TO OTHER PROPRIETOR**

Restricted Private Hire Vehicle licences may be transferred during the term of the licence. In every case written notice of transfer, specifying the full name and address of the person to whom transfer is being arranged, must be provided by the licence holder to the Licensing Office in writing within 14 days. A Proprietor who fails to notify the Council of such a transfer will commit an offence and may be liable to prosecution. If the council is of the opinion that the person to whom the licence has been transferred is not a suitable person to hold the licence, it may suspend, revoke or refuse to renew the licence provided that there is reasonable cause to do so.

**UPKEEP OF VEHICLE**

The proprietor is responsible for:

- i. ensuring that the licensed vehicle is at all times kept clean and in good repair;
- ii. reporting any damage sustained by the vehicle which materially affects its safety, performance and appearance or the convenience or comfort of passengers.

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Such matters must be reported within 72 hours to the Licensing Office and arrangements then made for the vehicle to be inspected by a Council Vehicle Inspector at the Central Transport Unit BEFORE repair work is commenced. Damaged vehicles should not be worked.

An authorised Officer of the Council or any Police Officer may at any reasonable time test and inspect a licensed Private Hire vehicle and if he is not satisfied as regards to the fitness of the vehicle he may, by notice to the Proprietor, require the vehicle to be made available for further inspection and suspend the licence until the vehicle has been passed as fit.

A Proprietor who commits offences under or fails to comply with the legislation listed within these notes, may cause the Council to exercise powers to suspend, revoke or refuse to renew his/her licence(s) as deemed appropriate.

## **DRIVER'S LICENCES**

Vehicle Proprietors must keep records of the drivers of their vehicle(s) and when they drive them. The licence issued to each individual driver so engaged must be kept by the Proprietor and returned to the Driver when the arrangement ceases.

## **OBSTRUCTION OF AUTHORISED OFFICER**

It is an offence to fail to comply without reasonable excuse with any reasonable requirement of an Authorised Officer of the Council or Police Officer or to fail to provide any assistance or information required by him/her in connection with his/her duties and responsibilities.

## **VEHICLE SIGNS, ADVERTISEMENTS AND IDENTIFICATION**

Proprietors are permitted to advertise their own company business but must not cause or permit signs, notices or other advertisements to be displayed in, on or from a Private Hire Vehicle unless authorised by the Council.

THE PROPRIETOR IS, HOWEVER, RESPONSIBLE FOR AFFIXING AND MAINTAINING THE VEHICLE LICENCE PLATE AND STICKERS ISSUED BY THE COUNCIL AS DIRECTED. THE PLATE AND STICKERS MUST BE KEPT CLEARLY VISIBLE AT ALL TIMES. THE VEHICLE PLATE MUST BE RETURNED TO THE COUNCIL ON EXPIRY OF THE LICENCE WHEN REQUESTED. TO DO SO WITHOUT REASONABLE EXCUSE COMMITS AN OFFENCE.

## **POWERS OF THE COUNCIL**

The Council has powers to suspend, revoke or refuse to renew for any conduct which appears to render Proprietors unfit to hold licences.

## **PERIOD OF LICENCE**

A licence will usually be issued for a twelve month period. In exceptional circumstances a short term licence may be issued but only at the discretion of the Council.



## RESTRICTED PRIVATE HIRE VEHICLE CONDITIONS

1. These conditions were made pursuant to Section 48 of the Local Government (Miscellaneous Provisions) Act 1976. Breach of one or more of these Conditions may lead to suspension, revocation or refusal to renew the licence pursuant to Section 60 of the said Act and/or prosecution should there be an offence under Taxi Licensing law.
2. In this licence:  
"Authorized officer" has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976.  
"The council" means the City and County of Swansea.  
"Restricted Private Hire vehicle" means a vehicle which is currently licensed by the Council under Section 48 of the Act (See restricted Private Hire Operators Conditions)  
"Restricted Licence" means the licence issued by the Council for the purpose of identifying the vehicle as a restricted Private Hire Vehicle.  
"The Proprietor" has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

### GENERAL

3. The Restricted Private Hire Vehicle Licence can only be used for restricted Private Hire Journeys pre-booked with a licensed operator and identified in the licence. These are:  
  
School Transport contracts;  
Airport travel;  
Executive Hire.
4. All vehicles must be presented for inspection when and where required by an authorised officer, and must comply with all current statutory requirements for road vehicles and with the conditions imposed by the Council.  
**A fee of £50 will be charged for any inspection appointment missed without reasonable excuse and without 2 working days' notice. (Each case will be decided on its own merit)**  
Any vehicle(s) that fails the test shall not be used to carry passengers for hire or reward until the vehicle has been re-tested and found to be roadworthy.
5. Vehicles will not be accepted for licensing on the first occasion after 5 years from the date of first registration. Vehicles will be relicensed on merit.
6. All vehicle licences will remain in force for one year and the expiry date will be the last day of the month preceding the month of issue.
7. No licence will be issued until the appropriate fee is paid. Where payment is made by cheque which is subsequently dishonoured, any licence issued will be null and void.

8. a) The licence holder must present the registration document (V5c) at the time of grant of the licence or where the vehicle has been modified. The licence holder must present a valid certificate of insurance issued under the Road Traffic Act 1988 and current M.O.T. certificate, at the time of payment of the appropriate fee. The licence holder must present the vehicle for an official inspection at the designated centre.
- b) Where a vehicle is modified in some way, the Licensing Authority must be satisfied that the standard of work undertaken meets current safety legislation and standards. Proprietors must submit one of the following original documents prior to a licence being issued:
  - i) EC Whole Vehicle Type Approval (ECWVTA)
  - ii) National Small Series Type Approval (NSSTA)
  - iii) Certificate of Conformity (CoC)
  - iv) Individual Vehicle Approval (IVA)
  - v) Single Vehicle Approval (SVA).

**N.B. Where the above certificates are not available due to the modifications being undertaken following the sale of the vehicle, proprietors will be required to undertake a Voluntary Standard Single Vehicle Approval with a VOSA Inspector**

## **VEHICLE SPECIFICATION AND MAINTENANCE**

9. All vehicles must be right hand drive and have 2 doors each side of the vehicle. All passengers shall have access to a door capable of being opened from inside the vehicle.
  10. The maximum permitted number of passengers will be decided following an examination of the vehicle by the Council.
  11. The proprietor shall not at any time permit the number of passengers carried to exceed the number of passengers for which the vehicle is licensed.
  12. All vehicles must be constructed and maintained so as to be safe and comfortable and the doors must open sufficiently wide so as to allow easy access to and egress from the vehicle. **Where a vehicle has been adapted to carry wheelchairs then all ramps/lifts and retaining devices shall be properly maintained and the drivers trained in their correct and safe use.**
  13. i) Where a vehicle is provided with a spare wheel, including the use of a space saver tyre the proprietor shall ensure that at all times that the spare wheel complies with current legal requirements (paying particular attention to depth of tread) and wheel changing equipment including a jack and wheel brace is carried at all times.
    - ii) a) 'Run Flat' and or 'Space-saver' spare tyres are acceptable on licensed vehicles if they conform to the Original Manufacturers' Specification. Where a puncture does occur, proprietors and drivers shall seek alternative arrangements for continuation of the passenger's journey
    - b) If a 'Run Flat' and or 'space-saver' spare tyre is utilised on a vehicle in order to complete a hiring it must only be for the duration of completing the current fare and returning to a garage to obtain a suitable replacement and used in accordance with the
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manufacturer's guidelines. No further fares may be taken whilst the 'Run Flat' or 'space-saver' spare tyre is being used on the vehicle.

iii) Temporary Repair Kits:

- a) vehicles approved for licensing with the use of a temporary repair kit in place of a spare wheel will be equipped with a repair kit at all times for use in accordance with the manufacturer's guidelines. Where the temporary repair kit is used it shall immediately be replaced with another temporary repair kit.
  - b) where a puncture does occur, proprietors and drivers shall seek alternative arrangements for continuation of the passenger's journey before utilising the temporary repair kit;
  - c) vehicles that utilise a temporary repair kit in order to complete a hiring shall be used in accordance with the manufacturer's guidelines and not be used for any further hiring until the wheel or tyre had been replaced;
  - d) vehicle proprietors of vehicles that utilise a temporary repair kit will keep a record of the date and time the repair kit was last used in the vehicle at all times and will obtain and retain evidence that the wheel or tyre had been replaced. Such information will be readily available for Officers upon request.
14. All seats shall be fitted with safety belts which comply with and are installed in accordance with British Standards and current legal requirements. A booster cushion or child seat shall be provided for children on request.
15. All vehicles must meet the following minimum dimensions internally:-
- HEIGHT**  
From the top of the seat cushions (without compression) to the roof at the lowest part must not be less than 810 mm.
- KNEE SPACE**  
The measurement between the rear of the front seats and the squab of the back seat must not be less than 700 mm. Where the front seats are capable of adjustment the measurement is to be made in the mid-position
- SEATS (WIDTH)**  
The width of the back seat from the squab to the front edge must not be less than 407 mm.
- REAR SEAT (LENGTH)**  
The length of the rear seat measured in a straight line lengthwise on the front of the seat must not be less than 1220 mm.
16. All vehicles must carry a suitable 1kg fire extinguisher, indelibly marked with the vehicle plate number, readily visible for emergency use and maintained annually in accordance with British Standards. Written confirmation of maintenance will be required.

17. Any carpets, fixtures or fittings must be removed on inspection at the request of any authorised officer or vehicle examiner. Refusal to comply with any reasonable request of such an officer will result in the vehicle failing the inspection.
18. The interior and exterior of the vehicle must be kept clean and tidy and the vehicle must be able to accommodate a reasonable amount of luggage at all times.
19. The proprietor shall keep any radio equipment installed in the vehicle in good working order but shall not install in the vehicle:-
  - a) any two-way radio equipment (including Citizens Band Radio) without first notifying the insurers of the vehicle and having their confirmation endorsed on the certificate of motor insurance.
  - b) any radio equipment which is capable of scanning more than one frequency.
20. Tinted windows shall conform with the legal requirements of the current Road Vehicle (Construction and Use) Regulations and taxi-meters will not be fitted to the vehicles.

### **NOTIFICATIONS**

21. 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.
22. Any accident damage to a vehicle must be reported to the Licensing office, in writing, within 72 hours and the vehicle made available for inspection.

### **DISPLAY OF LICENCE ON THE VEHICLE**

23. Vehicle plates and stickers must be securely fixed to the vehicle. The vehicle plate is to be fixed on the bumper bar or boot lid/rear door between centre line and the offside of the vehicle. Stickers must be affixed to the front near and offside doors of the vehicle. The plate and stickers must be kept clearly visible at all times. The vehicle plate must be returned to the Council on expiry of the licence.

### **TRANSFER OF VEHICLE LICENCE**

24. No vehicle may be transferred or substituted for that licence except in accordance with the approved procedure.
25. Where a proprietor transfers his interest in the licensed vehicle to a person other than the proprietor named in the licence, he shall notify the Council within fourteen days after the transfer specifying the name and address of whom the vehicle has been transferred to.
26. The fitting of a CCTV type camera within the vehicle is permitted in order to protect the driver and passengers. The proprietor shall ensure that the use of such equipment complies with all requirements of current legislation. If a camera is fitted then Notices informing passengers of its use must be displayed inside the vehicle.

## **INSURANCE**

27. The Proprietor of the Private Hire Vehicle shall keep in force in relation to the user of that vehicle a Policy of Insurance complying in all respects with current Road Traffic legislation and covering the use of the vehicle for the carriage of passengers for hire and reward.
28. On being so required by an authorised Officer, the Proprietor shall produce to the Officer for examination a Certificate of Insurance in respect of the vehicle. If the Proprietor fails to produce such a certificate to the Officer on request, the Proprietor shall within five days of such a request produce it to the Officer or to any authorised Officer at the Licensing office.

## **ADVERTISING**

29. Restricted Private Hire Vehicles may advertise the business of the company/person who holds the licence for the vehicle. No other fittings, signs or advertisements except those approved by the Council or its authorised officers in accordance with the guidelines listed below shall be attached to the inside or outside of the vehicle.

### **GUIDELINES FOR ADVERTISING ON PRIVATE HIRE VEHICLES**

- a. All applications for advertising on a Private Hire Vehicle must be made in writing to the Director of Environment and accompanied by a sample of the advertising proposed.
- b. The quality of submissions must be of an acceptable standard. No faxes will be accepted. Coloured artwork is to be provided in every case and full details of the advertising proposals must be provided.  
  
(NB it is essential that all the details of the proposed advertisement is shown in the original submission. If it is not then the advertisement may subsequently be rejected).
- c. The submission, if it is considered acceptable will be given Provisional Approval.
- d. Final Approval will be given once the advertisement has been placed on the vehicle. An appointment must be made with a Taxi Licensing Officer for a final inspection when the Officer will confirm that the work has been completed in accordance with the provisional approval granted.
- e. The proprietor of any vehicle displaying an advertisement that has not received its final inspection will be required to remove it immediately.
- f. Vehicles displaying advertising without approval of the Council will be in contravention of the conditions attached to the vehicle licence and may be liable to suspension until such time as the material has been removed from the vehicle.
- g. All advertising must comply with the British Codes of Advertising and Sales Promotion and is the responsibility of the agency or individual seeking the Licensing Authority's approval to ensure that they do so.

- h. Any advertisement approved shall be placed on the back passenger doors only, below the windows.

Any company logo, advertising the Operator's or Proprietor's own taxi or private hire business, which has been approved in accordance with condition 29 (d) above, may be displayed on the front bonnet, rear of the vehicle and/or on the back passenger doors only.

- i. Materials used for advertisement must be of a quality not easily defaced or detached. No paper based materials or water soluble adhesive paste shall be used. Advertisements must be affixed directly to the exterior rear door panels of the vehicle or initially attached to an approved magnetic panel which is then attached to the vehicle.

- j. Reflective material is not to be used for advertising purposes.

- k. Each proposal will be considered on its merits but the following advertisements will not be approved:

- \*Those with political, racial, religious, sexual or controversial texts;
- \*Those for escort agencies, gaming establishments or massage parlours;
- \*Those displaying nude or semi-nude figures;
- \*Those likely to offend public taste (depicting violence, obscene or distasteful language)
- \*Those which have any reference to alcohol, tobacco/cigarettes and drugs;
- \*Those promoting discounted fares;
- \*Those advertising jobs;
- \*Those which detract from the integrity and/or identity of the vehicle;
- \*Those which seek to advertise more than one company/service or product.

- l. Advertising on the underside of flip down seats is allowed provided any application received complies with the above guidelines.