



Hackney carriage vehicle licence conditions

In this licence and conditions:

- “authorised officer” means any officer of the council authorised in writing by the Assistant Director, Regulatory Services of the council for the purposes of these conditions.
- “the council” means Barnsley Metropolitan Borough Council.
- “hackney carriage” has the same meaning as in the Town Police Clauses Act, 1847.
- “licence plate” means the plate issued by the council for the purpose of identifying the vehicle as a hackney carriage duly licensed by the council.
- “proprietor” means the person or persons or body named in the licence as the proprietor of the vehicle.
- “the vehicle” means the hackney carriage in respect of which this licence is issued.

Conditions

1. (a) The proprietor shall cause the number of this licence to be fixed and displayed on the vehicle at all times, such number to be displayed by means of the licence plate/s and an interior licence plate.

(b) The interior licence plate shall be fixed and displayed inside the vehicle in such a manner and place that the particulars thereon are clearly visible to any passengers being conveyed in the vehicle.

(c) The exterior licence plate shall be fixed and displayed outside on the rear of the vehicle in a position that the vehicle’s registration mark is not obscured, with the particulars thereon facing outwards and in such a manner and place that the licence plate is clearly visible.
2. All licence plates shall remain the property of the council and shall be returned forthwith to the Licensing Section of the council if the hackney carriage licence expires, is suspended or is revoked.
3. (a) The vehicle shall have valid insurance for the purpose of hire and reward, the carriage of passengers and public liability, which must also comply with the requirements of Section 143 of the Road Traffic Act 1988.

(b) On request by an authorised officer or constable the proprietor shall produce a relevant and fully compliant certificate of insurance.
4. (a) Any vehicle other than a purpose-built hackney carriage shall be white with black bonnet and boot, subject to the discretion of the Principal Licensing Officer. Purpose built vehicles must be black. A roof sign of the design approved by the council must be displayed.

(b) The vehicle shall display on the external surface of the front doors the Barnsley Metropolitan Borough Council crest and the wording “Barnsley Metropolitan Borough

Council Licensed Hackney Carriage” any other sign or marking shall be at the discretion of the council.

5. Sub-sections (2) to (5) of Section 233 of the Local Government Act 1972 shall have effect and are incorporated in these conditions in relation to any notices required or authorised by these conditions to be given or served on the proprietor by or on behalf of the council or by an authorised officer.
6. The proprietor shall not allow more passengers to be carried in the vehicle than the maximum number specified on this licence, subject to the availability of a useable seatbelt for each person carried.
7. The proprietor shall cause to be carried on the vehicle an efficient fire extinguisher of a make and type approved by the council and suitable for use on motor vehicles such extinguishers to be fixed on the vehicle in such a position as to be readily available for use and maintained in good working order at all times.
8. Any authorised officer of the council or any constable shall have power at all reasonable times to inspect and test, for the purpose of ascertaining its fitness, any hackney-carriage licensed by the council, or any taximeter affixed to such a vehicle, and if he is not satisfied as to the fitness of the hackney-carriage or as to the accuracy of the taximeter he may by notice in writing require the proprietor of the hackney-carriage to make it or its taximeter available for further inspection and testing at such reasonable time and place as may be specified in the notice and suspend the vehicle licence until such time as such authorised officer or constable is so satisfied.

Provided that, if the authorised officer or constable is not so satisfied before the expiration of a period of two months; the said licence shall, by virtue of this section, be deemed to have been revoked.

9. Without prejudice to the provisions of the previous condition the proprietor shall present the vehicle for inspection and testing by or on behalf of the council within such a period and at such a place within the area of the council as they may by notice reasonably require provided that the council shall not under the provisions of this condition require the proprietor to present the same vehicle for inspection and testing on more than three separate occasions during any one period of twelve months.
10. The vehicle shall be equipped with a taximeter, it shall not be used for hire unless such taximeter has been tested and approved by or on behalf of the council.

Any person who tampers with any seal on any taximeter without lawful excuse or alters any taximeter with intent to mislead; or knowingly causes or permits a vehicle of which he is the proprietor to be used in contravention of sub-section (1) of Section 71 of the Local Government (Miscellaneous Provisions) Act 1976 shall be guilty of an offence.

Where a replacement or new taximeter is fitted to a hackney carriage it must be calendar controlled compliant.

11. Without prejudice to the provisions of Section 170 of the Road Traffic Act 1988, the proprietor of a hackney carriage vehicle licensed by the council shall report to the Principal

Licensing Officer, in writing, as soon as reasonably practicable, and in any case within seventy two hours of the occurrence thereof, any accident to such vehicle causing damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons carried therein.

12. If the proprietor transfers his interest in the hackney carriage he shall within fourteen days after such transfer give notice in writing to the Principal Licensing Officer of the council, specifying the name and address of the person to whom the vehicle has been transferred.

Note: without prejudice to the foregoing conditions, the licensee is required to comply with statutory requirements and attention is drawn in particular to Part II of the Local Government (Miscellaneous Provisions) Act 1976, the Town Police Clauses Act 1847 and Bye-laws made under Section 68 thereof and the Public Health Act 1875.

13. A citizen band (CB) radio may only be installed or used in the vehicle subject to the following:

- (a) that permission for the installation or use of CB radios in the vehicle may be withdrawn by the Principal Licensing Officer at any time without notice.

- (b) that only mid-band CB radios shall be installed or used in the vehicle.

- (c) the CB radios shall only be used to advise other hackney carriage drivers of the availability of ranks or to summon help in any emergency.

- (d) no information about the identity and/or home address of any customer or passenger shall be issued in a CB radio transmission.

- (e) No obscene, offensive or abusive language shall be used.

14. No driver or proprietor shall contravene parking restrictions whilst using or being in charge of the vehicle.

15. (a) If the vehicle is less than five years old at the commencement date of this licence then the proprietor shall present the same for a six monthly re-inspection (at the council's vehicle depot, Smithies Lane, Barnsley) at the end of six months following the commencement date of this licence. Furthermore, if the vehicle is more than five years old at the commencement date of this licence then the proprietor shall present the same for a re-inspection (at the council's vehicle depot, Smithies Lane, Barnsley) every four months following the commencement date of this licence.

- (b) If on such re-inspection the vehicle shall fail to satisfy the standards of fitness of the council's vehicle examiner, then the licence will automatically be suspended until the vehicle has been rectified to the satisfaction of the examiner.

- (c) If the vehicle is not presented for re-inspection within 7 days of the expiry of the four month or six-month period specified in paragraph (a) above then this licence shall automatically be revoked.

16. This licence holder shall ensure that the licensed vehicle has a daily safety check. As a minimum this must be a visual check on all lights, oil, water, tyres, mirrors and seat belts. A written record must be made of each safety check, details of faults recorded and remedial action taken. The record must be signed by the person undertaking the safety checks and

kept on the vehicle for a minimum of 30 days and then for a further six months by the licence holder. On being so required by an authorised officer, the driver of the vehicle shall produce, to that officer, the recorded daily checks kept on the vehicle and the licence holder, on request by that officer, shall produce those recorded checks in his possession and/or those kept in the vehicle.

The following condition applies to all licences issued on or after 1st January 2011, where the vehicle is constructed or adapted for wheelchair use and applies at all times irrespective of whether or not the vehicle is carrying passengers.

17. No person, other than a hackney carriage driver who has satisfied the council of their competency to safely load, unload and secure a wheelchair and its passenger, may drive this licensed hackney carriage. Notwithstanding that they are a licensed hackney carriage driver.