

**HACKNEY
CARRIAGE AND
PRIVATE HIRE
VEHICLE
SPECIFICATION
AND LICENCE
CONDITIONS**

**HACKNEY
CARRIAGE
VEHICLE
LICENCE**

**PRE-LICENSING
STANDARDS**

HACKNEY CARRIAGE VEHICLE LICENCE

PRE-LICENSING STANDARDS

1. **The vehicle must:**
 - 1.1. Be wheelchair accessible with 8 or less passenger seats. Those Hackney Carriage proprietors whose vehicles were a saloon, estate or multi-passenger vehicle on 1 August 2013 will be permitted to replace their vehicle with a vehicle that is not wheelchair accessible, if the licence is transferred to a new proprietor then any replacement vehicle thereafter must be a wheelchair accessible vehicle.
 - 1.2. When first submitted for licensing, must be less than 4 years of age.
 - 1.3. At the time of renewal of the licence be no more than 10 years of age, except for wheelchair accessible vehicles, which must be no more than 15 years of age.
 - 1.4. Any vehicle accepted for licensing as a Hackney Carriage Vehicle, may only be replaced by a vehicle that is younger by reference to the dates of first registration.
 - 1.5. Be right hand drive, in good mechanical order and body condition and in operational order in every respect.
 - 1.6. Be suitable in size and design for use as a Hackney Carriage Vehicle and to the manufacturers specification have:
 - 1.6.1. Rear Seat (width): The width of the rear seats, measured in a straight line widthways on the front edge of the seat must be such as will allow adequate seating accommodation to the extent of a minimum of 42cm (16 ½ ").
 - 1.6.2. Seats (length): The length of the seat from the back to the front edge must be a minimum of 43cm (17").
 - 1.6.3. Knee Space: The measurement between the rear of the front seats and the back of the backseat must be a minimum of 66cm (26") with the front seat at its centre point.
 - 1.6.4. An exemption may be granted to the minimum specifications above in special circumstances if agreed by the Licensing Department. (An example where this may be appropriate is where MPV's or Minibuses have M2 seats fitted.)
 - 1.7. Have a minimum of 4 doors, each adjacent to and allowing direct access to and from the seats.
 - 1.8. Have manufacturers recommended sized tyres (remould tyres are not acceptable).

- 1.9. Have rear seat accommodation for not less than three passengers, unless the safe carriage of a passenger seated in a wheelchair necessitates the removal of any seat(s).
- 1.10. Have accommodation for not less than 4 passengers.
- 1.11. Have appropriate seatbelts to the front and rear seats of the vehicle. The number of seatbelts fitted to the vehicle shall correspond with the number of passengers the vehicle is licensed to carry, plus a belt for the driver.
- 1.12. Have, in addition to the driver, up to 2 passenger seats in the front of the vehicle, provided each seat has a separate lap/diagonal seat belt.
- 1.13. Have adequate luggage facilities, which must be separate from the passenger-carrying compartment. All vehicles must be capable of carrying a wheelchair, folded down if appropriate, in a reasonable manner.
 - 1.13.1. In London style vehicles, the area next to the driver shall be deemed to be the luggage space and no provision for seating shall be permitted there.
- 1.14. Have a parcel shelf or similar fitted, where the vehicle design allows for.

2. Wheelchair Accessible Vehicles

- 2.1. Any proprietor who has a Hackney Carriage Vehicle licence for a wheelchair accessible vehicle, must in future, only replace the vehicle with a wheelchair accessible vehicle.
- 2.2. Permit loading of wheelchairs ONLY through the side door(s) of the vehicle. Vehicles that load wheelchairs through the tailgate will not be accepted for licensing. Those Hackney Carriage proprietors whose vehicles are side loading on 1 August 2013 shall replace their vehicle with a vehicle that is rear loading, if the vehicle is changed or when the licence is renewed after the vehicle reaches 10 years of age.
- 2.3. 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, in accordance with European Directive 76/115 EEC (as amended).

3. Minibus and Multi Passenger Vehicles

- 3.1. Any seat adjacent to the nearside door of the passenger compartment of a licensed vehicle must be removed, where necessary, to permit a clear and unobstructed entry to and exit from the back row seating compartment.

- 3.2. No person entering or exiting the licensed vehicle should have to remove or dismantle any seat or other obstacle, climb over any person being carried in the vehicle, or have any other person leave their seat to facilitate them entering or exiting the vehicle.

4. Tinted Windows

- 4.1. Tinted windows, including factory fitted tinted windows, which have sufficient tint to obscure the inside of the vehicle from being viewed from the outside will not be permitted without the prior approval of the Licensing authority. Those Hackney Carriage proprietors, whose vehicles have such tinted windows on 1 August 2013, may remain licensed until the vehicle is replaced.

5. Taximeter

- 5.1. The vehicle shall be fitted with an efficient taximeter that is capable of visibly recording fares by measuring distance and time and calculating fares for all lengths and duration of journeys equivalent to the maximum fare tariff set by Thurrock Council. The taximeter shall be calibrated to only allow the use of the aforementioned tariff for the calculation of fares and no others.

6. LPG Vehicles

- 6.1. 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 pre-licensing conditions. These conditions will also apply to proprietors purchasing a new or used vehicle that runs on LPG:
 - 6.1.1. That a certificate of compliance is produced to state that the LPG installation was undertaken by a Petroleum Gas Association (LPGA) approved installer.
 - 6.1.2. That the vehicle displays on the front and rear screens, a sticker stating that the vehicle has been fitted with a LPG tank for the purpose of alerting the emergency services in the event of an accident.
 - 6.1.3. 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.
 - 6.1.4. The proprietor of the vehicle must notify DVLA Swansea, of the change in fuel from petrol to both LPG and petrol.
 - 6.1.5. The vehicle is serviced by a person competent in LPG powered vehicles.

7. Vehicle Inspections

- 7.1. Thurrock Council reserves the right to examine any vehicle before the grant of a Hackney Carriage Vehicle licence in order to ascertain that the vehicle conforms to all current legislation, licensing criteria and licensing conditions. Such examination does not guarantee the grant of a licence.
- 7.2. The applicant shall submit the vehicle for an MOT and compliance inspection and/or other inspections as the Council may require at one of the Council approved garages as follows:
 - 7.2.1. Upon initial application (regardless of the age of the vehicle).
 - 7.2.2. Annually in respect of vehicles up to 5 years old.
 - 7.2.3. Six monthly in respect of vehicles over 5 years old and up to 8 years old.
 - 7.2.4. Four monthly in respect of vehicles over 8 years old.

8. Production of Documentation

- 8.1. All applicants for a Hackney Carriage Vehicle licence shall produce the following documents prior to the issue of a licence and at any time when requested to do so by the Council (documents must be current at the time the licence commences):
 - 8.1.1. A current MOT test certificate
 - 8.1.2. A valid vehicle test sheet issued by Thurrock Council approved testing garage, or other such certificate as may be required from time to time by Thurrock Council.
 - 8.1.3. An insurance certificate or cover note, which expressly indicates cover for public hire.
 - 8.1.4. The vehicle registration document showing the applicants name and address.
 - 8.1.5. New applications and transfer notifications must also include proof of ownership by means of bill of sale or hire purchase agreement.

**HACKNEY
CARRIAGE
VEHICLE**

**CONDITIONS OF
LICENCE**

HACKNEY CARRIAGE VEHICLE LICENCE

CONDITIONS OF LICENCE

1. Pre Licensing Standards

- 1.1. Satisfy the Hackney Carriage Vehicle Licence Pre Licensing Standards adopted by Thurrock Council at all times.

2. Safety Equipment

- 2.1. An efficient and serviceable fire extinguisher marked with the plate number of the vehicle shall be carried at all times. The extinguisher must be located in a secure and easily accessible position, in the boot or front cab of the vehicle. Wheelchair accessible vehicles must carry a fire extinguisher which is at least a 1 litre AFFF extinguisher with a minimum of an 8A to 21B rating. Where a minibus fitted with a passenger lift to meet the construction and use regulations, a second extinguisher must be fitted near the back doors of the same type.

NB: In the event of a vehicle fire, the priority is to GET THE PASSENGERS OUT.

- 2.2. Each vehicle shall carry a first aid kit for the use of the driver and shall contain those items laid down by the Health and Safety (First Aid) Regulations 1981.
- 2.3. The proprietor shall have available in the vehicle sufficient high visibility jackets for the seating capacity of the vehicle, and an emergency triangle to use in the event of a breakdown or accident.

3. Interior Markings

- 3.1. The proprietor shall ensure that the following are clearly displayed inside the vehicle:
 - 3.1.1. The vehicle window card licence.
 - 3.1.2. The tariff card supplied by the Council shall be displayed on the inside of the vehicle in such a position as to be plainly visible to persons travelling inside the vehicle
 - 3.1.3. "No Smoking" signs shall be displayed on both rear passenger door windows.

4. Exterior Signs

- 4.1. The proprietor shall ensure that:
 - 4.1.1. The licence plate issued by Thurrock Council identifying the vehicle as a Hackney Carriage shall be displayed in a vertical

position and firmly fixed to the outside of the vehicle at the rear using the fixing bracket supplied. Velcro, cable tie and magnetic fastenings are not be permitted. In any case of doubt about a proper method of fixing the plate, the Licensing Department should be consulted.

- 4.1.2. The Hackney Carriage plate shall not be concealed from public view or defaced in any way.
- 4.1.3. The licence plate shall remain the property of Thurrock Council at all times and must be returned immediately if the vehicle ceases to be a licensed Hackney Carriage vehicle, any detail of the vehicle is changed or if the vehicle licence is suspended or revoked by the Council.
- 4.1.4. Door stickers provided by Thurrock Council shall be permanently displayed on each rear door of the vehicle on the upper panel of the door. Magnetic door signs are not permitted. Any variance to the location of the stickers should be agreed with the Licensing Department.
- 4.1.5. The door stickers shall not be concealed from public view or defaced or altered in any way.
- 4.1.6. A roof sign capable of being illuminated and showing to the front and rear the word "TAXI" the light for which should automatically be extinguished when the taxi meter is engaged. London style and other taxis with signs forming an integral part of the roof are acceptable.

5. Trailers and Roof Boxes

- 5.1. A proprietor of a licensed Hackney Carriage vehicle will be permitted to tow a trailer provided that:
 - 5.1.1. The trailer complies with all legal requirements (please see appendix for further guidance).
 - 5.1.2. The driver of the vehicle holds the appropriate category on his/her DVLA driving licence, which must be produced to the Council.
- 5.2. A proprietor of a licensed Hackney Carriage vehicle will not be permitted to carry any form of roof box or luggage on the roof of the vehicle.

6. CCTV

- 6.1. A proprietor of a licensed Hackney Carriage vehicle will be permitted to install CCTV provided that:

- 6.1.1. The CCTV complies with all legal requirements (please see appendix for further guidance).

7. Advertising

- 7.1. A proprietor of a Hackney Carriage shall ensure that the display of advertising materials is restricted to the following:
 - 7.1.1. Advertising, including product advertising or the trade name, address and telephone number of the circuit may be displayed anywhere on the exterior of the vehicle apart from the rear doors, which show the Thurrock Council stickers and the windows / glazing of the vehicle.
 - 7.1.2. Product advertising is subject to the Council giving authority and retaining the right to request the removal of any particular advertisement that is felt to be unsuitable.
 - 7.1.3. All product advertising must be professionally applied and no reflective materials may be used.
 - 7.1.4. Wheelchair accessible vehicles may display the disability symbol of a maximum of 10" (245mm) square on the wheelchair access door(s) only.
 - 7.1.5. Internal advertising is permitted subject to approval by the Council.
 - 7.1.6. All advertising must be approved by the Council. The written approval of Thurrock Council shall be obtained as to the content and layout of any advertisement before it is fitted or displayed.

8. Vehicle Inspections

- 8.1. The proprietor shall submit the vehicle for an MOT and compliance inspection and/or other inspections as the Council may require at one of the Council approved garages as follows:
 - 8.1.1. Upon initial application (regardless of the age of the vehicle)
 - 8.1.2. Annually in respect of vehicles up to 5 years old.
 - 8.1.3. Six monthly in respect of vehicles over 5 years old and up to 8 years old.
 - 8.1.4. Four monthly in respect of vehicles over 8 years old
- 8.2. Vehicles submitted for inspection shall be in such a condition as to be suitable for inspection: free from oil or any other matter and 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 and be suspended immediately until they pass a re-inspection.

- 8.3. The proprietor should submit the vehicle to the Council after any repair made necessary by an accident affecting the safety, performance or appearance of the vehicle or comfort or convenience of passengers.
- 8.4. Proprietors of vehicles which fail to attend any notified inspection, or whose vehicles are refused an inspection due to the condition of the vehicle shall be liable to pay a fee for a re-inspection.
- 8.5. Proprietors of vehicles, which fail to attend for an inspection, during the life of the vehicle licence, may be suspended immediately until such time as they attend and pass an inspection.

9. General Conditions

- 9.1. Vehicles must be kept clean, tidy, free from damage, well maintained and in every way fit for public service both inside and out.
- 9.2. Vehicles without alloy wheels should be fitted with all 4 matching hubcaps.
- 9.3. During the period of the licence the proprietor shall be in direct control of the day-to-day running of the vehicle.
- 9.4. The vehicle shall not be used to convey a greater number of passengers than shown on the plate and licence, irrespective of the age of the passenger.
- 9.5. Whilst a vehicle is licensed as a Hackney Carriage vehicle and at all times, whether plying for hire or not shall not be driven by any person other than a driver properly licensed by Thurrock Council.
- 9.6. If the proprietor permits or employs another person to drive the vehicle, that person must be licensed by Thurrock Council. The proprietor must have a copy of his/her Hackney Carriage driver's licence before he/she commences to drive the vehicle. The proprietor will record the details of the licence in a register for that purpose. The copy of the licence will be retained until such a time as the driver ceases to be permitted or employed to drive the vehicle. It is the responsibility of the driver to notify the proprietor of the vehicle if he/she ceases to be permitted to drive.

10. Taximeter

- 10.1. The vehicle shall be fitted with an efficient taximeter that is capable of visibly recording fares by measuring distance and time and calculating fares for all lengths and duration of journeys equivalent to the

maximum fare tariff set by Thurrock Council. The taximeter shall be calibrated to only allow the use of the aforementioned tariff for the calculation of fares and no others.

NB: Nothing in this condition prevents a driver from charging the customer less than the metered fare.

- 10.2. The taximeter shall be maintained at all times so that the fare displayed can readily be seen by the passenger(s). There shall be recorded on the face of the taximeter in figures, clearly legible and free from ambiguity a fare not exceeding the scale of fares prescribed by the Council.
- 10.3. The taximeter and all the fittings shall be so affixed to the vehicle 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 seal or other appliance.
- 10.4. The operation of the taximeter shall accord with any byelaws made by the Council.
- 10.5. The taximeter shall be tested for accuracy on initial application and following any changes to the table of fares or as required. Thurrock Council staff may seal meters after each inspection.

11. Animals and the Carriage of Assistance Dogs

- 11.1. The proprietor shall not allow any driver to convey in a licensed vehicle any animal belonging to or in the custody of himself or the proprietor or operator of the vehicle.
- 11.2. Any animal belonging to or in the custody of a passenger may be conveyed at the driver's discretion, however it shall only be conveyed in the rear of the vehicle.
- 11.3. The proprietor shall ensure the driver of the vehicle complies with the requirement to carry guide dogs, Hearing dogs, other assistant dogs, dogs for the disabled, support dogs and canine partners for independence.
- 11.4. A driver of a licensed vehicle is required to carry the following assistant dogs free of charge, unless the driver has a proven medical condition that would preclude such actions:
 - 11.4.1. Guide dogs for the blind
 - 11.4.2. Hearing dogs
 - 11.4.3. Dogs for the disabled
 - 11.4.4. Support dogs (e.g. epilepsy)
- 11.5. All assistant dogs can be identified usually by their harness or identification coat. The dog owner should carry an identification card,

in the case of those registered as blind, this will include a passport sized photograph and in addition they may also hold an Institute of Environmental Health card confirming no hygiene risk to vehicles or premises.

- 11.6. All assistance dogs should travel at their owner's feet in the front of the vehicle where possible, unless the driver has a dog phobia or religious belief, then the dog may travel in the rear of the vehicle with the passenger, but only with consent of the passenger.

12. Documentation

- 12.1. A proprietor shall at all times hold a current certificate or cover note of motor insurance and vehicle MOT certificate and ensure copies of the original documents are supplied to the Licensing Department upon first licence and at the time of renewal of the licence and at any other time as may be required. Certificates must run concurrent, without any breaks in date or time and new or replacement copy documentation must be submitted to the Council within 7 days of the expiry of the preceding certificate / cover note.

- 12.1.1. Failure to provide copies of a valid insurance certificate or cover note and or MOT test certificate will lead to immediate suspension for a minimum of 24 hours or until the production of the required documents is made in person to a Licensing Officer, at which time the suspension will be immediately lifted.

- 12.2. A proprietor shall produce vehicle registration documents and any other evidence of proprietorship of the vehicle to the Council at the request of the Licensing Department, within a reasonable period of time or a maximum of 7 days from such a request.

- 12.3. The Council must be notified in writing or by electronic means within 7 days of any change of address. Official documents such as vehicle registration document, insurance certificate and driving licence must be presented to the Licensing Department as soon as reasonably practicable, showing proof of change of address.

13. Accidents / Vehicle Damage / Theft

- 13.1. The proprietor of any Hackney Carriage vehicle shall report to the Licensing Department as soon as reasonably practicable and in any case, within one working day of the occurrence, thereof any accident causing damage to the said vehicle.

- 13.2. The proprietor shall report to the Licensing Department in writing, by telephone or by electronic means any vehicle body damage i.e. vandalism. Notification must be reported within 72 hours of such damage.

- 13.3. The proprietor shall report to the Licensing Department in writing, by telephone or by electronic means any theft of vehicle or licence plate. Notification must be reported as soon as practicable and within 72 hours of such theft.

14. Byelaws and Regulations

- 14.1. The proprietor shall ensure that any driver complies with the Council's Byelaws and Conditions.
- 14.2. The proprietor should make themselves familiar with statutory requirements in relation to Hackney Carriage Licensing in the Town Police Clauses Act 1847 (as amended), Public Health Acts 1875 and 1936 and the Local Government (Miscellaneous Provisions) Act 1976. These are available at a public library or via the internet.

15. Surrender of Licence

- 15.1. If the proprietor ceases to use the vehicle for the purpose for which it is licensed they shall surrender the licence and return the licence plate, which remains the property of Thurrock Council.
- 15.2. Thurrock Council may, at any time during the period of the licence, revoke the licence should a breach be detected of any terms and conditions of the licence.

16. Appeals

- 16.1. Statutory rights for appeal against the decisions made by the Licensing Authority in respect of the grant or renewal of a Hackney Carriage licence are to be found in the Local Government (Miscellaneous Provisions) Act 1976:
- 16.1.1. Appeal against conditions imposed on a Hackney Carriage Proprietor's licence (to the Magistrates Court); and
- 16.1.2. Appeal against refusal to grant a Hackney Carriage Proprietor's licence (to the Crown Court)

**PRIVATE HIRE
VEHICLE
LICENCE**

**PRE-LICENSING
STANDARDS**

PRIVATE HIRE VEHICLE LICENCE

PRE-LICENSING STANDARDS

1. **The vehicle must:**
 - 1.1. When first submitted for licensing, must be less than 4 years of age.
 - 1.2. At the time of renewal of the licence be no more than 10 years of age, except for wheelchair accessible vehicles, which must be no more than 15 years of age.
 - 1.3. Speciality vehicles, classic vehicles and limousines can be more than 4 years of age at first point of licensing and will have no upper age limit, but must be subject to testing at a frequency according to age. These vehicles will also be exempt from other further requirements which may not be applicable to the vehicle type, at the discretion of the Licensing Department.
 - 1.4. Any vehicle accepted for licensing as a Private Hire Vehicle after, may only be replaced by a vehicle that is younger by reference to the dates of first registration.
 - 1.5. Be right hand drive, in good mechanical order and body condition and in operational order in every respect.
 - 1.6. Be suitable in size and design for use as a Private Hire Vehicle and to the manufacturers specification have:
 - 1.6.1. Rear Seat (width): The width of the rear seats, measured in a straight line widthways on the front edge of the seat must be such as will allow adequate seating accommodation to the extent of a minimum of 42cm (16 ½ ").
 - 1.6.2. Seats (length): The length of the seat from the squab to the front edge must be a minimum of 43cm (17").
 - 1.6.3. Knee Space: The measurement between the rear of the front seats and the squab of the backseat must be a minimum of 66cm (26") with the front seat at its centre point.
 - 1.6.4. An exemption may be granted to the minimum specifications above in special circumstances if agreed by the Licensing Department. (An example where this may be appropriate is where MPV's or Minibuses have M2 seats fitted or on speciality vehicles.)
 - 1.7. Have a minimum of 4 doors, each adjacent to and allowing direct access to and from the seats.

- 1.8. Have manufacturers recommended sized tyres (remould tyres are not acceptable).
- 1.9. Have rear seat accommodation for not less than three passengers, unless the safe carriage of a passenger seated in a wheelchair necessitates the removal of any seat(s).
- 1.10. Have accommodation for not less than 4 passengers.
- 1.11. Have appropriate seatbelts to the front and rear seats of the vehicle. The number of seatbelts fitted to the vehicle shall correspond with the number of passengers the vehicle is licensed to carry, plus a belt for the driver.
- 1.12. Have, in addition to the driver, up to 2 passenger seats in the front of the vehicle, provided each seat has a separate lap/diagonal seat belt.
- 1.13. Have adequate luggage facilities, which must be provided separate from the passenger-carrying compartment. All vehicles must be capable of carrying a wheelchair, folded down if appropriate, in a reasonable manner.
- 1.14. Have a parcel shelf or similar fitted, where the vehicle design allows for.

2. Wheelchair Accessible Vehicles

- 2.1. 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, in accordance with European Directive 76/115 EEC (as amended).

3. Minibus and Multi Passenger Vehicles

- 3.1. Any seat adjacent to the nearside door of the passenger compartment of a licensed vehicle must be removed, where necessary, to permit a clear and unobstructed entry to and exit from the back row seating compartment.
- 3.2. No person entering or exiting the licensed vehicle should have to remove or dismantle any seat or other obstacle, climb over any person being carried in the vehicle, or have any other person leave their seat to facilitate them entering or exiting the vehicle.

4. Tinted Windows

- 4.1. Tinted windows, including factory fitted tinted windows, which have sufficient tint to obscure the inside of the vehicle from being viewed from the outside will not be permitted without the prior approval of the Licensing authority. Those Hackney Carriage proprietors, whose

vehicles have such tinted windows on 1 August 2013, may remain licensed until the vehicle is replaced. The only exceptions to that are likely to be considered are for vehicles with a plate exemption or limousines.

5. Taximeter

5.1. If a taximeter is fitted it:

5.1.1. Shall be fitted with an efficient taximeter that is capable of visibly recording fares by measuring distance and time and calculating fares for all lengths and duration of journeys equivalent to the maximum fare tariff set by the Taxi Operator. The taximeter shall be calibrated to only allow the use of the aforementioned tariff for the calculation of fares and no others.

6. Vehicle Inspections

6.1. Thurrock Council reserves the right to examine any vehicle before the grant of a Private Hire Vehicle licence in order to ascertain that the vehicle conforms to all current legislation, licensing criteria and licensing conditions. Such examination does not guarantee the grant of a licence.

6.2. The applicant shall submit the vehicle for an MOT and compliance inspection and/or other inspections as the Council may require at one of the Council approved garages as follows:

6.2.1. Upon initial application (regardless of the age of the vehicle)

6.2.2. Annually in respect of vehicles up to 5 years old.

6.2.3. Six monthly in respect of vehicles over 5 years old and up to 8 years old.

6.2.4. Four monthly in respect of vehicles over 8 years old

7. Production of Documentation

7.1. All applicants for a Private Hire Vehicle licence shall produce the following documents prior to the issue of a licence and at any time when requested to do so by the Council (documents must be current at the time the licence commences):

7.1.1. A current MOT test certificate

7.1.2. A valid vehicle test sheet issued by Thurrock Council approved testing garage, or other such certificate as may be required from time to time by Thurrock Council.

- 7.1.3. An insurance certificate or cover note, which expressly indicates cover for private hire and reward.
- 7.1.4. The vehicle registration document showing the applicants name and address.
- 7.1.5. New applications and transfer notifications must also include proof of ownership by means of bill of sale or hire purchase agreement.

8. LPG Vehicles

- 8.1. 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 pre-licensing conditions. These conditions will also apply to proprietors purchasing a new or used vehicle that runs on LPG:
 - 8.1.1. That a certificate of compliance is produced to state that the LPG installation was undertaken by a Petroleum Gas Association (LPGA) approved installer.
 - 8.1.2. That the vehicle displays on the front and rear screens, a sticker stating that the vehicle has been fitted with a LPG tank for the purpose of alerting the emergency services in the event of an accident.
 - 8.1.3. 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.
 - 8.1.4. The proprietor of the vehicle must notify DVLA Swansea, of the change in fuel from petrol to both LPG and petrol.
 - 8.1.5. The vehicle is serviced by a person competent in LPG powered vehicles.

PRIVATE HIRE VEHICLE

CONDITIONS OF LICENCE

PRIVATE HIRE VEHICLE LICENCE

CONDITIONS OF LICENCE

1. Pre Licensing Standards

- 1.1. Satisfy the Private Hire Vehicle Licence Pre Licensing Standards adopted by Thurrock Council at all times.

2. Safety Equipment

- 2.1. An efficient and serviceable fire extinguisher marked with the plate number of the vehicle shall be carried at all times. Wheelchair accessible vehicles must carry a fire extinguisher which is at least a 1 litre AFFF extinguisher with a minimum of an 8A to 21B rating. Where a minibus fitted with a passenger lift to meet the construction and use regulations, a second extinguisher must be fitted near the back doors of the same type.

NB: In the even of a vehicle fire, the priority is to GET THE PASSENGERS OUT.

- 2.2. Each vehicle shall carry a first aid kit for the use of the driver and shall contain those items laid down by the Health and Safety (First Aid) Regulations 1981.
- 2.3. The proprietor shall have available in the vehicle sufficient high visibility jackets for the seating capacity of the vehicle, and an emergency triangle to use in the event of a breakdown or accident.

3. Interior Markings

- 3.1. The proprietor shall ensure that the following are clearly displayed inside the vehicle:
 - 3.1.1. The vehicle window card licence.
 - 3.1.2. "No Smoking" signs shall be displayed on both rear passenger door windows.

4. Exterior Signs

- 4.1. The proprietor shall ensure that:
 - 4.1.1. The licence plate issued by Thurrock Council identifying the vehicle as a Private Hire Vehicle shall be displayed in a vertical position and firmly fixed to the outside of the vehicle at the rear using the fixing bracket supplied. Velcro, cable tie and magnetic fastenings are not be permitted. In any case of doubt about a proper method of fixing the plate, the Licensing Department should be consulted.

- 4.1.2. The Private Hire plate shall not be concealed from public view or defaced in any way.
- 4.1.3. The licence plate shall remain the property of Thurrock Council at all times and must be returned immediately if the vehicle ceases to be a licensed Private Hire vehicle, any detail of the vehicle is changed or if the vehicle licence is suspended or revoked by the Council.
- 4.1.4. Door stickers provided by Thurrock Council shall be permanently displayed on each rear door of the vehicle on the upper panel of the door. Magnetic door signs are not permitted. Any variance to the location of the stickers should be agreed with the Licensing Department.
- 4.1.5. The door stickers shall not be concealed from public view or defaced or altered in any way.

5. Trailers and Roof Boxes

- 5.1. A proprietor of a licensed Private Hire vehicle will be permitted to tow a trailer provided that:
 - 5.1.1. The trailer complies with all legal requirements (please see appendix for further guidance).
 - 5.1.2. The driver of the vehicle holds the appropriate category on his/her DVLA driving licence, which must be produced to the Council.
- 5.2. A proprietor of a licensed Private Hire vehicle will not be permitted to carry any form of roof box or luggage on the roof of the vehicle.

6. CCTV

- 6.1. A proprietor of a licensed Private Hire vehicle will be permitted to install CCTV provided that:
 - 6.1.1. The CCTV complies with all legal requirements (please see appendix for further guidance).

7. Advertising

- 7.1. A proprietor of a Private Hire vehicle shall ensure that the display of advertising materials is restricted to the following:
 - 7.1.1. Advertising, including product advertising or the trade name, address and telephone number of the circuit may be displayed anywhere on the exterior of the vehicle apart from

the rear doors, which show the Thurrock Council stickers and the windows / glazing of the vehicle.

- 7.1.2. Product advertising is subject to the Council giving authority and retaining the right to request the removal of any particular advertisement that is felt to be unsuitable.
- 7.1.3. All product advertising must be professionally applied and no reflective materials may be used.
- 7.1.4. Wheelchair accessible vehicles may display the disability symbol of a maximum of 10" (245mm) square on the wheelchair access door(s) only.
- 7.1.5. Internal advertising is permitted subject to approval by the Council.
- 7.1.6. All advertising must be approved by the Council. The written approval of Thurrock Council shall be obtained as to the content and layout of any advertisement before it is fitted or displayed.

8. Vehicle Inspections

- 8.1. The proprietor shall submit the vehicle for an MOT and compliance inspection and/or other inspections as the Council may require at one of the Council approved garages as follows:
 - 8.1.1. Upon initial application (regardless of the age of the vehicle)
 - 8.1.2. Annually in respect of vehicles up to 5 years old.
 - 8.1.3. Six monthly in respect of vehicles over 5 years old and up to 8 years old.
 - 8.1.4. Four monthly in respect of vehicles over 8 years old
- 8.2. Vehicles submitted for inspection shall be in such a condition as to be suitable for inspection: free from oil or any other matter and 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 and be suspended immediately until they pass a re-inspection.
- 8.3. The proprietor should submit the vehicle to the Council after any repair made necessary by an accident affecting the safety, performance or appearance of the vehicle or comfort or convenience of passengers.
- 8.4. Proprietors of vehicles which fail to attend any notified inspection, or whose vehicles are refused an inspection due to the condition of the vehicle shall be liable to pay a fee for a re-inspection.

- 8.5. Proprietors of vehicles, which fail to attend for an inspection, during the life of the vehicle licence, may be suspended immediately until such time as they attend and pass an inspection.

9. General Conditions

- 9.1. Vehicles must be kept clean, tidy, free from damage, well maintained and in every way fit for public service both inside and out.
- 9.2. Vehicles without alloy wheels should be fitted with all 4 matching hubcaps.
- 9.3. During the period of the licence the proprietor shall be in direct control of the day-to-day running of the vehicle.
- 9.4. The vehicle shall not be used to convey a greater number of passengers than shown on the plate and licence, irrespective of the age of the passenger.
- 9.5. No passenger under the age of 16 shall be permitted to use any side facing seat at any time.
- 9.6. On vehicles with side facing seats, notices must be displayed inside the vehicle in a prominent position advising that persons under the age of 16 must not be seated in a side facing seat.
- 9.7. Whilst a vehicle is licensed as a Private Hire vehicle and at all times, shall not be driven by any person other than a driver properly licensed by Thurrock Council.
- 9.8. If the proprietor permits or employs another person to drive the vehicle, that person must be licensed by Thurrock Council. The proprietor must have a copy of his/her Hackney Carriage / Private Hire driver's licence before he/she commences to drive the vehicle. The proprietor will record the details of the licence in a register for that purpose. The copy of the licence will be retained until such a time as the driver ceases to be permitted or employed to drive the vehicle. It is the responsibility of the driver to notify the proprietor of the vehicle if he/she ceases to be permitted to drive.
- 9.9. A Private Hire proprietor who makes provisions for the acceptance of bookings for a Private Hire vehicle, by advertising a private telephone number and/or mobile number and accepts pre-booked fares, whether or not on a Private Hire circuit, requires a Private Hire Operators Licence. This does not preclude a proprietor carrying the business cards of a properly licensed operator for whom he/she is working.

10. Taximeter

- 10.1. Where a Private Hire vehicle is fitted with a taximeter:

10.1.1. The operation of the taximeter shall accord with any Pre Licensing Standards and Conditions made by the Council.

10.1.2. The vehicle shall be fitted with an efficient taximeter that is capable of visibly recording fares by measuring distance and time and calculating fares for all lengths and duration of journeys equivalent to the maximum fare tariff set by the Private Hire Operator. The taximeter shall be calibrated to only allow the use of the aforementioned tariff for the calculation of fares and no others.

NB: Nothing in this condition prevents a driver from charging the customer less than the metered fare.

10.1.3. The taximeter shall be maintained at all times so that the fare displayed can readily be seen by the passenger(s). There shall be recorded on the face of the taximeter in figures, clearly legible and free from ambiguity a fare not exceeding the scale of fares prescribed by the Private Hire Operator.

10.1.4. The taximeter and all the fittings shall be so affixed to the vehicle 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 seal or other appliance.

11. Animals and the Carriage of Assistance Dogs

11.1. The proprietor shall not allow any driver to convey in a licensed vehicle any animal belonging to or in the custody of himself or the proprietor or operator of the vehicle.

11.2. Any animal belonging or in the custody of a passenger may be conveyed at the driver's discretion, however it shall only be conveyed in the rear of the vehicle.

11.3. The proprietor shall ensure the driver of the vehicle complies with the requirement to carry guide dogs, Hearing dogs, other assistant dogs, dogs for the disabled, support dogs and canine partners for independence.

11.4. A driver of a licensed vehicle is required to carry the following assistant dogs free of charge, unless the driver has a proven medical condition that would preclude such actions:

- 11.4.1. Guide dogs for the blind
- 11.4.2. Hearing dogs
- 11.4.3. Dogs for the disabled
- 11.4.4. Support dogs (e.g. epilepsy)

- 11.5. All assistant dogs can be identified usually by their harness or identification coat. The dog owner should carry an identification card, in the case of those registered as blind, this will include a passport sized photograph and in addition they may also hold an Institute of Environmental Health card confirming no hygiene risk to vehicles or premises.
- 11.6. All assistance dogs should travel at their owner's feet in the front of the vehicle where possible, unless the driver has a dog phobia or religious belief, then the dog may travel in the rear of the vehicle with the passenger, but only with consent of the passenger.

12. Documentation

- 12.1. A proprietor shall at all times hold a current certificate or cover note of motor insurance and vehicle MOT certificate and ensure copies of the original documents are supplied to the Licensing Department upon first licence and at the time of renewal of the licence and at any other time as may be required. Certificates must run concurrent, without any breaks in date or time and new or replacement copy documentation must be submitted to the Council within 7 days of the expiry of the preceding certificate / cover note.

- 12.1.1. Failure to provide copies of a valid insurance certificate or cover note and or MOT test certificate will lead to immediate suspension for a minimum of 24 hours or until the production of the required documents is made in person to a Licensing Officer, at which time the suspension will be immediately lifted.

- 12.2. A proprietor shall produce vehicle registration documents and any other evidence of proprietorship of the vehicle to the Council at the request of the Licensing Department, within a reasonable period of time or a maximum of 7 days from such a request.
- 12.3. The Council must be notified in writing or by electronic means within 7 days of any change of address. Official documents such as vehicle registration document, insurance certificate and driving licence must be presented to the Licensing Department as soon as reasonably practicable, showing proof of change of address.

13. Accidents / Vehicle Damage / Theft

- 13.1. The proprietor of any Private Hire vehicle shall report to the Licensing Department as soon as reasonably practicable and in any case, within one working day of the occurrence, thereof any accident causing damage to the said vehicle.
- 13.2. The proprietor shall report to the Licensing Department in writing, by telephone or by electronic means any vehicle body damage i.e.

vandalism. Notification must be reported within 72 hours of such damage.

- 13.3. The proprietor shall report to the Licensing Department in writing, by telephone or by electronic means any theft of vehicle or licence plate. Notification must be reported as soon as practicable and within 72 hours of such theft.

14. Regulations

- 14.1. The proprietor shall ensure that any driver complies with the Council's Pre Licensing Standards and Conditions of Licence.
- 14.2. The proprietor should make themselves familiar with statutory requirements in relation to Private Hire Vehicle Licensing. These are available at a public library or via the internet.

15. Surrender of Licence

- 15.1. If the proprietor ceases to use the vehicle for the purpose for which it is licensed they shall surrender the licence and return the licence plate, which remains the property of Thurrock Council.
- 15.2. Thurrock Council may, at any time during the period of the licence, revoke the licence should a breach be detected of any terms and conditions of the licence.

16. Appeals

- 16.1. Statutory rights for appeal against the decisions made by the Licensing Authority in respect of the grant or renewal of a Private Hire vehicle licence are to be found in the Local Government (Miscellaneous Provisions) Act 1976:
 - 16.1.1. Appeal against conditions imposed on a Private Hire Proprietor's licence (to the Magistrates Court); and
 - 16.1.2. Appeal against refusal to grant a Private Hire Proprietor's licence (to the Crown Court)

**PRIVATE HIRE
DRIVER
CONDITIONS**

PRIVATE HIRE DRIVER CONDITIONS

1. A licence holder, on changing his address, shall notify the Council of such change within seven days.
2. The licence holder shall notify the Council of any conviction against him/her immediately in writing after the conviction has been imposed.
 - (a) Following any conviction or the issue of a fixed penalty notice which results in penalty points being endorsed on the licence holder's DVLA licence, that DVLA licence must be produced to the Licensing Authority within seven days of its return from the DVLA, court or fixed penalty office following the endorsement of the offence.
 - (b) In the event that the licence holder is charged or summonsed for any alleged criminal offence, then within seven days of being charged or of receipt of the summons, he shall report the fact in writing to the Licensing Authority giving the particulars of each alleged offence and in which court the proceedings are pending.
3. Medical Fitness:
 - (a) Up to the age of 70 years, private hire drivers will be required to undergo a medical examination to DVLA Group 2 standards as to their fitness to drive, every three years, or any lesser period that the examining doctor may decide.
 - (b) Those drivers suffering from known and notified medical disorders and those over 70 years of age, will be required to undergo a medical examination to Group 2 standards annually, or any lesser period that the examining doctor may decide.
 - (c) Drivers over the age of 70 years are required to produce documentary evidence of an additional eyesight test, such evidence to be dated six months prior to the date of application.
 - (d) All medical examinations will be at the expense of the individual driver. Thurrock Council reserves the right in accordance with the Local Government (Miscellaneous Provisions) Act 1976 to require an applicant or driver to undertake an independent medical examination to DVLA Group 2 standards at such clinic or hospital as the Council may direct.
4. A driver shall at all times when working, wear their badge on their person so that it is clearly visible.
5. No driver, licensed or not, shall act as a private hire driver without consent of the proprietor.
6. No person shall, being the driver of a private hire vehicle, without reasonable excuse:

- (a) Refuse to attend the needs of, or refuse assistance to any person with a disability, whether or not they are the user of a wheelchair.
 - (b) Refuse to permit the carriage of a dog used as a guide dog for a blind or partially sighted person, a hearing dog for those otherwise impaired, or an assistance dog.
 - (c) No person shall, being the driver of a private hire vehicle, charge for carrying a guide dog, hearing dog or assistance dog, or for the carriage of a wheelchair.
7. A driver shall not refuse to carry fewer persons than the number marked on the plate.
8. If a driver carries a hirer to a certain place and the hirer asks the driver to wait, the driver may ask for his fare for driving there and ask also for a deposit against the waiting time. After accepting such a deposit, the driver shall not drive away without the consent of the hirer.
9. The driver of a private hire vehicle who shall have agreed or shall have been hired to be in attendance with the vehicle at an appointed time and place shall:
- (a) Unless delayed or prevented by some sufficient cause, punctually attend with such vehicle at the appointed time and place.
 - (b) When picking up the hirer, make his presence known in person and shall not attract the hirer's attention by sounding their horn, shouting or making any other disturbing noise.
10. A driver shall:
- (a) Convey a reasonable quantity of luggage;
 - (b) Afford reasonable assistance in loading and unloading such luggage;
 - (c) When requested by the hirer, afford reasonable assistance in removing such luggage to or from the entrance of any building, station or place at which he may pick up or set down such person.
11. If the private hire vehicle is fitted with a meter, the driver shall, at the commencement of the journey, activate the meter so that the word "HIRED" is clearly visible and shall keep the meter operating until the termination of the hiring. "Commencement of the journey" means:
- (a) When the hirer enters the vehicle;
 - (b) When the driver has attended at an appointed place and has made their presence known to the hirer.
 - (c) When the driver has presented themselves at an appointed place at a specified time.
12. The driver of a private hire vehicle shall at all times when the vehicle is hired:

- (a) Take all reasonable precautions to ensure the safety of persons travelling in, entering or alighting from their vehicle;
- (b) Be clean, respectable, of smart appearance and act with civility towards all persons and shall comply with the reasonable requirements of the hirer(s).
- (c) The wearing of vests or singlets and sports gear, such as football shirts and tracksuits is prohibited. Shorts may be worn in hot weather only if properly tailored and of sufficient length when the driver is seated as not to offend against decency. Brightly coloured or highly decorated shorts of a style more appropriate as beach/holiday wear are also prohibited.

13. The driver of a 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.
14. Once a private hire vehicle has been hired, a driver shall not carry anyone else during that hire, without the explicit consent of the first hirer.
15. The driver shall not demand from any hirer of a private hire vehicle a fare greater than that agreed with the operator or, if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare, the fare shown on the face of the taximeter.
16. The driver of a private hire vehicle shall, immediately after the termination of the hiring, search the vehicle for any property, which may have been accidentally left therein. On finding any property left in his vehicle, a driver shall carry it as soon as possible and in any case within 72 hours, to the Civic Offices, New Road, Grays, and deposit it there against receipt from the Officer in charge.

DUAL BADGE DRIVER CONDITIONS

DUAL BADGE DRIVER CONDITIONS

1. A licence holder, on changing his address, shall notify the Council of such change within seven days.
2. The licence holder shall notify the Council of any conviction against him/her immediately in writing after the conviction has been imposed.
 - (a) Following any conviction or the issue of a fixed penalty notice which results in penalty points being endorsed on the licence holder's DVLA licence, that DVLA licence must be produced to the Licensing Authority within seven days of its return from the DVLA, court or fixed penalty office following the endorsement of the offence.
 - (b) In the event that the licence holder is charged or summonsed for any alleged criminal offence, then within seven days of being charged or of receipt of the summons, he shall report the fact in writing to the Licensing Authority giving the particulars of each alleged offence and in which court the proceedings are pending.
3. Medical Fitness:
 - (a) Up to the age of 70 years, hackney carriage drivers will be required to undergo a medical examination to DVLA Group 2 standards as to their fitness to drive, every three years, or any lesser period that the examining doctor may decide.
 - (b) Those drivers suffering from known and notified medical disorders and those over 70 years of age, will be required to undergo a medical examination to Group 2 standards annually, or any lesser period that the examining doctor may decide.
 - (c) Drivers over the age of 70 years are required to produce documentary evidence of an additional eyesight test, such evidence to be dated six months prior to the date of application.
 - (d) All medical examinations will be at the expense of the individual driver. Thurrock Council reserves the right in accordance with the Local Government (Miscellaneous Provisions) Act 1976 to require an applicant or driver to undertake an independent medical examination to DVLA Group 2 standards at such clinic or hospital as the Council may direct.
4. A driver shall at all times when standing or plying for hire and when hired, wear their badge on their person so that it is clearly visible.
5. A driver shall not obstruct or hinder another hackney carriage driver in any way. A driver may be charged for this offence as well as being charged for offences under the Road Traffic Acts.
6. A driver shall not leave his hackney carriage unattended in a public place, the police being authorised to tow it away if it is unattended.

7. No driver, licensed or not, shall act as a hackney carriage driver without consent of the proprietor.
8. The mechanism of a taxi meter shall not be tampered with or altered without lawful excuse.
9. A driver, when standing for hire, must drive a hirer or would be hirer to any place within the district. A driver may only refuse to do so if he has reasonable cause.
10. No person shall, being the driver of a hackney carriage, without reasonable excuse:
 - (a) Refuse to attend the needs of, or refuse assistance to any person with a disability, whether or not they are the user of a wheelchair.
 - (b) Refuse to permit the carriage of a dog used as a guide dog for a blind or partially sighted person, a hearing dog for those otherwise impaired, or an assistance dog.
 - (c) No person shall, being the driver of a hackney carriage, charge for carrying a guide dog, hearing dog or assistance dog, or for the carriage of a wheelchair.
11. A driver shall not refuse to carry fewer persons than the number marked on the plate.
12. If a driver agrees beforehand to carry a person for less than the fare fixed by the Council, he shall not, at the end of the journey, demand more than the agreed sum.
13. No agreement shall be made to charge more than a properly metered fare. Even if the taxi is being driven on private hire business, it is still an offence to agree to charge more than a properly metered fare.
14. If a driver carries a hirer to a certain place and the hirer asks the driver to wait, the driver may ask for his fare for driving there and ask also for a deposit against the waiting time. After accepting such a deposit, the driver shall not drive away without the consent of the hirer.
15. The driver of a hackney carriage who shall have agreed or shall have been hired to be in attendance with the vehicle at an appointed time and place shall:
 - (a) Unless delayed or prevented by some sufficient cause, punctually attend with such vehicle at the appointed time and place.
 - (b) When picking up the hirer, make his presence known in person and shall not attract the hirer's attention by sounding their horn, shouting or making any other disturbing noise.
16. A driver shall:
 - (a) Convey a reasonable quantity of luggage;

- (b) Afford reasonable assistance in loading and unloading such luggage;
 - (c) When requested by the hirer, afford reasonable assistance in removing such luggage to or from the entrance of any building, station or place at which he may pick up or set down such person.
17. The driver of a hackney carriage shall, at the commencement of the journey, activate the meter so that the word "HIRED" is clearly visible and shall keep the meter operating until the termination of the hiring. "Commencement of the journey" means:
- (a) When the hirer enters the vehicle;
 - (b) When the driver has attended at an appointed place and has made their presence known to the hirer.
 - (c) When the driver has presented themselves at an appointed place at a specified time.
18. The driver of a hackney carriage shall at all times when the vehicle is hired:
- (a) Take all reasonable precautions to ensure the safety of persons travelling in, entering or alighting from their vehicle;
 - (b) Be clean, respectable, of smart appearance and act with civility towards all persons and shall comply with the reasonable requirements of the hirer(s).
 - (c) The wearing of vests or singlets and sports gear, such as football shirts and tracksuits is prohibited. Shorts may be worn in hot weather only if properly tailored and of sufficient length when the driver is seated as not to offend against decency. Brightly coloured or highly decorated shorts of a style more appropriate as beach/holiday wear are also prohibited.
19. The driver of a hackney carriage, 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.
20. Once a hackney carriage has been hired, a driver shall not carry anyone else during that hire, without the explicit consent of the first hirer.
21. A driver shall not overcharge. Not only can a driver face prosecution for overcharging, but an order may also be made against him for repayment of the amount overcharged.
22. The driver of a hackney carriage shall, immediately after the termination of the hiring, search the vehicle for any property, which may have been accidentally left therein. On finding any property left in his vehicle, a driver shall carry it as soon as possible and in any case within 72 hours, to the Civic Offices, New Road, Grays, and deposit it there against receipt from the Officer in charge.

Appendix A

CCTV Installation in Private Hire and Hackney Carriage Vehicles

Appendix A

CCTV Installation in Private Hire and Hackney Carriage Vehicles

Introduction

These guidelines set out to ensure that CCTV systems in Thurrock Council licensed Hackney Carriages and Private Hire Vehicles (both referred to in this document as Taxis) are used to prevent and detect crime, reduce the fear of crime and enhance the health and safety of Taxi drivers and passengers.

For the purposes of these guidelines the term "CCTV system" will include any electronic recording device attached to the inside or outside of the vehicle having the technical capability of capturing and retaining either or both visual images or audio recording from inside or external to the vehicle. In addition to the standard CCTV camera system these may include for example, such devices as events/incident/accident data recording devices.

The purpose of CCTV

The purpose of the CCTV system shall be to provide a safer environment for the benefit of the Taxi driver and passengers by:

1. Deterring and preventing the occurrence of crime;
2. Reducing the fear of crime;
3. Assisting the Police in investigating incidents of crime.
4. Assisting insurance companies in investigating motor vehicle accidents

General Requirements

Any CCTV system to be fitted must, as a minimum, meet the requirements set out in this document. Only CCTV systems meeting these requirements can be installed into licensed Taxis.

CCTV systems installed in Taxis will be inspected as part of the annual licensing inspection to ensure they do not pose a risk to the safety of the passengers or the driver and are fitted safely and securely.

The installation and operation of CCTV shall comply with the requirements of the Information Commissioner's CCTV Code of Practice, which is available via - http://www.ico.gov.uk/upload/documents/library/data_protection/detailed_specialist_guides/ico_cctvfinal_2301.pdf

All equipment must comply with any legislative requirements in respect of Motor Vehicle Construction and Use Regulations.

All equipment must meet all requirements as regards safety, technical acceptability and operational/data integrity.

All equipment must be designed, constructed and installed in such a way and in such materials as to present no danger to passengers or driver, including impact with the equipment in the event of a collision or danger from the electrical integrity being breached through vandalism, misuse, or wear and tear.

Automotive Electromagnetic Compatibility Requirements (EMC)

CCTV equipment must not interfere with any other safety, control, electrical, computer, navigation, satellite, or radio system in the vehicle.

Any electrical equipment such as an in-vehicle CCTV system fitted after the vehicle has been manufactured and registered, is deemed to be an Electronic Sub Assembly (ESA) under the European Community Automotive Electromagnetic Compatibility Directive and therefore must meet with requirements specified in that Directive.

CCTV equipment should be e-marked or CE-marked. If CE marked confirmation by the equipment manufacturer as being non-immunity related and suitable for use in motor vehicles is required.

Camera Design Requirements

The camera(s) must be fitted safely and securely, should not adversely encroach into the passenger area and must not impact on the safety of the driver, passenger or other road users.

Installation

All equipment must be installed as prescribed by the equipment and/or vehicle manufacturer installation instructions.

The installed CCTV system must not weaken the structure or any component part of the vehicle or interfere with the integrity of the manufacturer's original equipment. All equipment must be installed in such a manner so as not to increase the risk of injury and/or discomfort to the driver and/or passengers. For example, temporary fixing methods such as suction cups will not be permitted, or lighting, such as infra-red, which emits at such a level that may cause distraction or nuisance to the driver and/or passengers.

All equipment must be protected from the elements, secure from tampering and located such as to have the minimum intrusion into any passenger or driver area or impact on the luggage carrying capacity of the vehicle.

It is contrary to the Motor Vehicle (Construction and Use) Regulations, 1986, for equipment to obscure the view of the road through the windscreen.

Equipment must not obscure or interfere with the operation of any of the vehicle's standard and/or mandatory equipment, i.e. not mounted on or adjacent to air bags/air curtains or within proximity of other supplementary safety systems which may cause degradation in performance or functionality of such safety systems.

Viewing screens within the vehicle for the purposes of viewing captured images will not be permitted.

All wiring must be fused as set out in the manufacture's technical specification and be appropriately routed.

If more than one camera is being installed their location within the vehicle must be specific for purpose i.e. to provide a safer environment for the benefit of the Taxi or PHV driver and passengers.

All equipment must be checked regularly and maintained to operational standards, including any repairs after damage.

All system components requiring calibration in situ should be easily accessible.

Camera Activation Methods

Activation of the equipment may be via a number and combination of options, such as - door switches, time delay, drivers' panic button or in the case of incident/event recorder, predetermined G-Force parameters set on one or more axis (i.e. braking, acceleration, lateral forces) and configured to record for a short period of time before the event, during the event and a short period following the event. A direct wired link to the vehicle's taximeter, in the case of a Taxi, will not be acceptable.

Audio Recording

CCTV systems must not be used to record conversations between members of the public as this is highly intrusive and unlikely to be justified except in very exceptional circumstances. You must choose a system without this facility wherever possible; however, if the system comes equipped with sound recording facility then this functionality should be disabled.

There is a limited circumstance in which audio recording may be justified, subject to the sufficient safeguard below:-

- Where recording is triggered due to a specific threat, e.g. a 'panic button' is utilised. Where this audio recording facility is utilised a reset function must be installed which automatically disables audio recording and returns the system to normal default operation after a specified time period has elapsed. The time period that audio recording may be active should be the minimum possible and should be declared at the time of submission for approval of the equipment.

In the limited circumstance where audio recording is justified, signs must make it very clear that audio recording is being or may be carried out.

Image Security

Images captured must remain secure at all times.

The captured images must be protected using approved encryption software which is designed to guard against the compromise of the stored data, for example, in the event of the vehicle or equipment being stolen. It is recommended by the Information Commissioner's Office (ICO) that "data controllers" ensure any encryption software used meets or exceeds the current FIPS 140-2 standard or equivalent. System protection access codes will also be required to ensure permanent security.

Retention of CCTV images

The CCTV equipment selected for installation must have the capability of retaining images either:

- within its own hard drive;
- using a fully secured and appropriately encrypted detachable mass storage device, for example, a compact flash solid state card;
- or where a service provider is providing storage facilities, transferred in real time using fully secured and appropriately encrypted GPRS (GSM telephone) signalling to a secure server within the service provider's monitoring centre.

Images must not be downloaded onto any kind of portable media device (e.g. CDs or memory sticks) for the purpose of general storage outside the vehicle.

CCTV equipment selected for installation must include an automatic overwriting function, so that images are only retained within the installed system storage device for a maximum period of 31 days from the date of capture. Where a service provider is used to store images on a secure server, the specified retention period must also only be for a maximum period of 31 days from the date of capture.

Where applicable, these provisions shall also apply to audio recordings.

Notification to the Information Commissioner's Office

The Information Commissioner's Office (ICO) is the official regulator for all matters relating to the use of personal data.

The ICO defines a "data controller" as the body which has legal responsibility under the Data Protection Act (DPA) 1998 for all matters concerning the use of personal data. For the purpose of the installation and operation of in-vehicle CCTV, **the "data controller" is the specified company, organisation or individual which has decided to have CCTV installed.** The data controller has the final decision on how the images are stored and used and determines in what circumstances the images should be disclosed.

Notification is the process by which a data controller informs the ICO of certain details about their processing of personal information. These details are used to make an entry in the public register of data controllers.

This means that any specified company, organisation or individual vehicle owner who has a CCTV system installed in a licensed taxi must register with the ICO (Notification) and obtain documented evidence of that registration.

This documentary evidence will be required to be presented to a Licensing Officer at any time during the term of the vehicle licence.

The Notification requires renewal on an annual basis, and payment of the appropriate fee.

Using a third party service provider (data processor)

Where a service provider is used for the remote storage of CCTV data they will act as a 'data processor'.

A data processor, in relation to personal data, means any person (other than an employee of the data controller) who processes data on behalf of the data controller, in response to specific instructions. The data controller retains full responsibility for the actions of the data processor.

There must be a formal written contract between the data controller and data processor (service provider). The contract must contain provisions covering security arrangements, retention/deletion instructions, access requests and termination arrangements. Documentary evidence of the contractual arrangements may be required to be presented to a Licensing Officer at any time during the term of the vehicle licence.

Use of information recorded using CCTV

The data controller is responsible for complying with all relevant data protection legislation.

The data controller is legally responsible for the use of all images including breaches of legislation.

Any images and audio recording should only be used for the purposes described earlier in these guidelines.

Requests may be made by the Police, Thurrock Council's Licensing Department or other statutory law enforcement agencies, insurance companies/brokers/loss adjusters or appropriate bodies, to the "data controller" to view captured images. The data controller is responsible for responding to these requests.

All requests should only be accepted where they are in writing, and specify the reasons why disclosure is required.

Under the DPA, members of the public may also make a request for the disclosure of images, but only where they have been the subject of a recording. This is known as a 'subject access request'. Such requests must only be accepted where they are in writing and include sufficient proofs of identity (which may include a photograph to confirm they are in fact the person in the recording). Data Controllers are also entitled to charge a fee for a subject access request (currently a maximum of £10) as published in the ICO CCTV Code of Practice.

Signage

All Taxis with CCTV must display appropriate signage. The driver may also verbally bring to the attention of the passengers that CCTV equipment is in operation within the vehicle, if it is felt appropriate.

The signage must be displayed in such positions so as to minimise obstruction of vision and to make it as visible as possible to passengers, before and after entering the vehicle

In the limited circumstance where audio recording is justified, signs must make it very clear that audio recording is being or may be carried out.

Contact Details

The name and the contact telephone number of the Data Controller must be included on the sign.

Signage for external facing CCTV systems

Where a CCTV system is installed in order to record incidents *outside* the vehicle, it will not be practical to display a sign. Instead, when the CCTV is activated in response to an incident, the driver of the vehicle must inform the person(s) recorded that their personal data was captured - as soon as practicable after the incident. They should also be informed the purpose for which the device has been installed, for example to facilitate their insurance company's investigation of insurance claims.

Note

Reference to 'Data Controller', 'Data Processor', 'Sound Recording' and 'Encryption Software' information made in this guideline complies with the current Information Commissioner's Office (ICO) CCTV Code of Practice 2008.

Appendix B

Trailers used with Private Hire vehicles or Hackney Carriage Vehicles

Appendix B.

Trailers used with Private Hire vehicles or Hackney Carriage Vehicles

Private Hire vehicles or Hackney Carriage vehicles licensed by the Thurrock Council are permitted to tow trailers providing the following conditions are complied with at all times:-

1. The licensed towing vehicle's insurance must cover the towing of a trailer.
2. Trailers must not be left unattended anywhere on the highway.
3. The speed restrictions applicable to trailers must be observed at all times.
4. A spare wheel for the trailer and adequate tools to change a wheel must be carried at all times by a licensed vehicle whilst towing a trailer.
5. The tow bar must meet with the type approval regulations in respect of all tow bars fitted to cars after August 1998.
6. The towing of a trailer by a licensed vehicle shall only permit conveyance of luggage and belongings owned by a passenger whilst the vehicle is hired by a passenger within the vehicle.
7. Drivers of vehicles towing trailers must ensure that they have the correct driving licence group to permit them to tow the relevant trailer.
8. Only those trailers that comply with the following conditions will be permitted to be towed by a licensed vehicle.
 - a. Trailers must have been manufactured by a recognised manufacturer and have not been structurally altered since manufacture.
 - b. A licensed vehicle trailer application form must have been completed and the trailer must receive initial approval by a Licensing Officer.
 - c. When initial approval is granted (unless brand new), and then annually when the towing vehicle undergoes its council test, an authorised Department of Transport Tester/Inspector must inspect the trailer at any of Thurrock Council Approved Garages.

The tester/inspector must certify that the trailer meets the equivalent standards that would normally be required to pass a Ministry of Transport (MOT) test.

- d. A trailer may be used by more than one licensed towing vehicle but each licensed vehicle used to tow the trailer must be separately approved.
- e. An additional licence plate will be issued for each licensed private hire vehicle licensed to tow trailers and the relevant plate must be affixed to the rear of the trailer near the number plate whenever an approved trailer is towed by the licensed vehicle.
- f. Un-braked trailers shall be less than 750 kilograms gross weight.
- g. Trailers over 750 kilograms gross weight shall be braked acting on at least two road wheels.
- h. The towing vehicle must have a sufficient maximum train weight, this is shown on the VIN plate, Any vehicle that does not display a train weight on the VIN should not be used for towing.
- i. A suitable lid or other approved means of enclosure shall be fitted to secure the contents within the trailer when in use and to keep it watertight, this should be made available when the vehicle is inspected at an Authorised Garage.
- j. The maximum permissible length of the trailer shall be 7 metres including the drawbar and coupling.
- k. The width of the trailer shall not be greater than the towing vehicle subject to no trailer being wider than 2.55 metres.
- l. The trailer must at all times comply with all Road Traffic legislation requirements in particular those as laid down in the Road Vehicles (Construction and Use) Regulations 1986.
- m. The trailer's body must be constructed of either glass-reinforced plywood/fibreglass or fully galvanised steel.
- n. The trailer's full frame must be made of galvanised steel with a straight drawbar.
- o. The trailer shall not display any form of sign or advertisement not required or approved by the Licensing Department and Road Traffic legislation.