PRIVATE HIRE VEHICLES
CONDITIONS OF LICENCE

INTRODUCTION

The Private Hire Vehicle Licence is granted to you subject to you complying with the following conditions of licence. Failure to comply with any of the conditions could lead to a prosecution and/or your licence being suspended, revoked or not renewed by a Licensing Sub Committee.

CONDITIONS

FEES

1. The licence is granted on condition that all fees due to the Licensing Office in respect of its grant are payable, in full, prior to the commencement of the licence.

DETAILS TO BE REPORTED

2. If you are cautioned or convicted for any offence or you receive an endorsement for a motoring offence, including an endorseable fixed penalty, you must report the details, in writing, to the Licensing Office within 7 days. In the case of a motoring endorsement you do not need to wait for your licence to be returned from the DVLA.

3) If you apply for or hold any hackney carriage or private hire operator, vehicle or driver licence(s) with any other council you must inform the Licensing Office, in writing and within 7 days, of any application being refused or licence(s) being suspended or revoked and provide the following information:
   i. The name of the council.
   ii. The licence number(s) of the licence(s) suspended or revoked.
   iii. The date of the decision.
   iv. A copy of the decision notice issued by the other council giving the grounds for the action taken.

4. If your private hire vehicle is damaged in an accident or otherwise you must report the details of any damage to the vehicle, in writing, to the Licensing Office within 3 days of the damage occurring.

5. If you change your address at any time or keep the vehicle when it is not in use at an address that is not specified on your licence you must inform the Licensing Office, in writing, within 7 days.

6. If you transfer your interest in the private hire vehicle in respect of this licence then you must notify the Licensing Office, in writing, and within 14 days after the transfer, specifying the name and address of the person to whom the vehicle has been transferred.

7. If any of your vehicles identity plates are lost or stolen you must inform the Police and obtain a Police report number which must be reported to the Licensing Office within 3 days.
8. The only plates and signs to be displayed on or in your vehicle are:
   
a) The private hire front and rear identity plates, the “Advance Bookings Only” sign and the Private Hire semi permanent rear door signs, which are issued by the Licensing Office.

b) The Operator identification door signs, call signs and Fare Table issued by your operating company.

c) The “No Smoking” signs.

With the exception to the Conditions relating to “ADVERTISEMENTS”, no other plates or signs other than those referred to above may be exhibited or displayed on or in the vehicle without the written approval of the Licensing Office.

9. Your Private hire vehicle must display the identity plates and signage in accordance with these Conditions and in the locations specified (as illustrated in Appendix A). These plates and signs may only be displayed on private hire vehicles licensed by Birmingham City Council. You must not cause or permit the plates or signs to be placed on any other vehicle.

10. The private hire vehicle front and rear identification plates remain the property of Birmingham City Council and a proprietor must not retain, sell, transfer or otherwise dispose of them separately from the vehicle in respect of which they have been issued.

11. You must not drive a private hire vehicle unless it is displaying, in the manner prescribed, the vehicle identification plates. (These being items 1 & 2 on Appendix A), which must remain continuously attached throughout the duration of the licence unless the licence is surrendered, suspended or revoked.

12. Should your Private Hire Vehicles Licence expire, be suspended, revoked or not renewed, you must return your vehicle identity plates and all other signage issued by the Licensing Office within 7 days.

13. Vehicles granted exemption not to display an identification plate or sign must carry and be able to produce the letter issued by the Licensing Office confirming the exemption.

14. All the plates and signs to be displayed on the vehicle must be kept clear, unobstructed and must not be altered or tampered with in anyway.

Exterior – The plates and signs to be placed on the exterior of the vehicle are:

15. The rear identity plate (Item 2 on Appendix A), must be fitted externally on the rear of the vehicle in such a place and manner to ensure that all of the information displayed on the identity plate is clearly visible at all times.

16. The rear identity plate (Item 2 on Appendix A) must be securely attached to the vehicle in such a manner so that it cannot be removed without the use of tools. It must not be affixed using string, cable ties or any other similar material. If a securing bracket is not used the identity plate must be fixed to the vehicle using bolts, rivets or screws.
17. The operator identification door signs (Item 3 on Appendix A) must be displayed on the two front doors of the vehicle.

18. The Private Hire semi permanent door signs (Item 4 on Appendix A) must be affixed centrally on the rear passenger doors. (Please refer to the current application instructions).

**Interior** – The plates and signs to be placed inside the vehicle are:

19. The front identity plate (Item 1 on Appendix A) must be fixed in the front windscreen of the vehicle in such a position that it is clear from obstruction and that all the information is visible both internally and externally. The luminous side of the identity plate must be visible from the exterior of the vehicle.

20. The private hire vehicle must display the driver’s call sign (Item 5 on Appendix A), issued by the private hire operator, in a prominent position in the front and rear windscreens of the vehicle.

21. The “ADVANCE BOOKINGS ONLY” sign (Item 6 on Appendix A) must be displayed along the top of the front windscreen of the vehicle, clearly visible from the outside.

22. The “No-smoking” signs (Item 7 on Appendix A), which display the international no-smoking symbol at least 70mm in diameter, must be displayed in a prominent position at each point of access to the vehicle.

23. Your private hire vehicle must display the Fare Table issued by the private hire operator in a prominent position inside the vehicle so as to be clearly visible to any passenger.

**MAINTENANCE OF VEHICLES**

24. The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition. In particular all data boxes, radios, PDA’s or any other equipment installed in the vehicle must be affixed to the vehicle by use of secure fittings so they cannot be easily removed, to prevent injury or harm to the driver or passengers.

25. The interior of the vehicle shall be kept clean and tidy at all times when the vehicle is in use or available for hire. The exterior of the vehicle to be clean at all such times, having due regard to the weather conditions on the day.

26. Once a vehicle has been inspected by one of the Licensing Office’s approved MOT stations and a licence has been granted it must be maintained in that form and condition. No change in the specification, design or appearance of the vehicle or addition of any body work accessories shall be made within the duration of the licence without the prior written approval from the Licensing Office.

27. Only tinted and anti-glare windows fitted by the vehicles manufacturer are acceptable.
28. Mobile phones are not allowed to be used, installed, fitted to or carried in any private hire vehicle for the purpose of inviting or accepting bookings for that vehicle.

29. No private hire vehicle licensed by this authority may be licensed in any other authority as a private hire or hackney carriage vehicle.

DOCUMENTATION TO BE MAINTAINED FOR VEHICLE & DRIVER(S)

30. Only a licensed private hire driver can drive a licensed private hire vehicle. If you propose to allow someone else to drive your vehicle at any time, before doing so you must obtain from the driver the following documents:
   a) A copy of their current Birmingham City Council Private Hire Driver's Licence, and
   b) A copy of their insurance documentation covering them to use the vehicle for the purpose of private hire.

You must ensure that the driver's Private Hire Driver's Licence and insurance remain current for the duration of the period they have your vehicle.

31. Should the details of the driver(s) allowed to use your private hire vehicle change at any time from the details supplied at the time of application or you allow any other driver(s) to drive your vehicle, then you must inform the Licensing Office in writing with their names, addresses and private hire driver's badge numbers within 72 hours of it occurring.

32. You must retain, at all times during the term of the licence, the following documents for your vehicle:-
   a) A current Mot Certificate (issued by a testing centre approved by the Licensing Office).
   b) A current insurance certificate, policy of insurance or cover note covering the vehicle for the purpose of private hire.

33. You must ensure that there is a current certificate or policy of insurance or cover note in force for the vehicle throughout the duration of the licence, whether it is being used for the purpose of private hire or not at the time.

34. If there are exceptional reasons which prevent you from maintaining or ensuring continuous insurance cover, for whatever reason, throughout the duration of the licence you must attend and notify the Licensing Office, in writing, within 72 hours following the insurance cover expiring or lapsing. At the same time you must return the vehicle identification plates as the vehicle will be liable to suspension until insurance cover is produced.

35. You must retain the above documents for a period of 12 months following their expiry and these documents must be available for inspection at any time to an authorised officer.

PASSENGERS & LOST PROPERTY

36. The Private Hire Vehicle Licence and identity plate specifies the maximum number of passengers allowed to be carried at any one time. You must not
allow more than the stated number of passengers to be carried at any one time.

37. The proprietor or driver of a private hire vehicle must immediately after the termination of any hiring, or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left therein.

38. Any property accidentally left in a private hire vehicle must be handed in to a West Midlands Police Station as soon as possible, and in any event, within 72 hours of the property being found and a receipt for such property obtained. A copy of the receipt must be provided to the Licensing Office within 3 days of its issue.

METERS

39. Should a meter be fitted to your private hire vehicle, it must be first tested, sealed and certified by an authorised officer before it can be used for calculating fares for passengers.

40. You must not tamper with or permit any other person to tamper with the meter, its fittings, connections or seal without the written approval of the Licensing Office.

REPLACEMENT/TRANSFER OF VEHICLES

41. Should you wish to replace your licensed vehicle or transfer the licence to another vehicle you must comply with the Council's policy on age and construction and the procedure must be completed and the appropriate fee paid prior to any such vehicle being used as a private hire vehicle. For guidance on the procedures please refer to the Vehicle Application form. Failure to do so may result in your application being refused.

MULTI-PURPOSE VEHICLES OR PEOPLE CARRIERS

42. Any multi-purpose vehicle or people carrier licensed as a private hire vehicle cannot be black in colour or black in appearance.

ADVERTISING

43. No advertisement may be placed upon a private hire vehicle unless installed by an agent authorised by the Licensing Office.

44. Advertisements may only be placed within the rear windscreen and must not involve or promote any of the following: - drugs, alcohol, smoking, sex, nudity, politics or any private hire company.

45. You must maintain any advertisement in a clean and tidy condition and shall remove any advertisement which is damaged, defaced or outdated.

46. If in any doubt regarding the appropriateness of the advertisement or whether the agent is authorised, the proprietor of the vehicle should seek advice from the Licensing Office prior to its display.
GUIDANCE NOTES

If you have any difficulty in understanding the implications of any of the above conditions, please let the Licensing Office know immediately so that arrangements can be made to assist you in that respect.

If you are aggrieved by any of the conditions attached to this licence you may make an application for exemption from them and attend a hearing before the Licensing Sub Committee, alternatively you can appeal to a Magistrates Court within 21 days of the service of this licence on you.
ADVISORY

The Equality Act 2010 brings together a number of existing laws into one place so that it is easier to use. It sets out the personal characteristics that are protected by the law and the behaviour that is unlawful. Under the Act people are not allowed to discriminate, harass or victimise another person because they have any of the protected characteristics including disability. The act gives examples of unacceptable behaviour whilst the Equality Commission website (www.equalityhumanrights.com) gives examples of best practice.

Smoke Free Legislation
Private Hire Vehicles and ‘Taxis’ are smoke free vehicles and nobody may smoke within these vehicles. Appropriate ‘No Smoking’ signage must be displayed in the vehicle. Furthermore, any enclosed premises that are used as a workplace or is used by the public, for example, making bookings, must be smoke-free. Failing to prevent smoking in a smoke-free place can lead to prosecution and a maximum fine of £2,500 being imposed on whoever manages or controls the smoke-free premises or vehicle. For further advice and guidance on this matter please go to www.smokefreeengland.co.uk.
APPENDIX A
PRIVATE HIRE VEHICLE PLATES & SIGNS

FRONT

(1) FRONT IDENTITY PLATE
(2) REAR IDENTITY PLATE
(3) OPERATOR DOOR SIGNS
(4) PH SEMI-PERMANENT DOOR SIGNS
(5) CALL SIGNS
(6) ADVANCE BOOKING ONLY SIGN
(7) NO SMOKING SIGNS

REAR

KEY

1 OCTOBER 2010 (Feb 2015 Equality)