

PRIVATE HIRE VEHICLE LICENCE POLICY AND CONDITIONS From 2023

1. APPLICATIONS

- 1.1 Before a licence is granted in respect of a private hire vehicle, a requisition for the same, in such form as the licensing authority from time to time provide for the purpose, shall be made and signed by the licence holder or one of the licence holders of the private hire vehicle and in every such requisition shall be truly stated the name and surname and place of abode of the person(s) applying for such licence, and of every licence holder or part licence holder of such vehicle, or person concerned, either solely or in partnership with any other person, in the keeping, employing or letting to hire of such vehicle. In the case of a Limited Company the requisition shall be signed by the Secretary and all Directors of such Company shall be named.
- 1.2 Each person named in the requisition shall supply either an enhanced or basic DBS check that is dated no more than 6 months old at the time of application.
- 1.3 Each person named in the requisition shall satisfy the council they are a safe and suitable person in accordance with the council's policy for determining the suitability to hold such a licence.
- 1.4 Satisfy the Council that the vehicle complies with the conditions for private hire vehicles licences made by the Council.

2. GENERAL

- 2.1 The licence holder must observe and carry out the requirements of the Local Government (Miscellaneous Provisions) Act 1976, Part II, and any orders or regulations made thereunder and the requirements of any other Act of Parliament or order.

- 2.2 The proprietor must ensure the vehicle is maintained to an acceptable standard at all times.

2.3 Interpretation

In this licence and in this document, unless the subject or context otherwise requires:-

- 2.3.1 "authorised officer" means any officer of the Council authorised in writing in accordance with the Council's scheme of delegation for the purposes of Part II of the Local Government (Miscellaneous Provisions) Act 1976;
- 2.3.2 "the Council" means Southampton City Council;
- 2.3.3 "private hire" has the same meaning as in the Local Government (Miscellaneous Provisions) Act, 1976
- 2.3.4 "licence plate" means the plate issued by the Council for the purpose of identifying the vehicle as a private hire vehicle duly licensed by the Council;
- 2.3.5 "licence holder" includes a part-proprietor and, in relation to a vehicle which is the subject of a hire purchase agreement, means the person in possession of the vehicle.
- 2.3.6 "Hybrid" is a vehicle that is capable using its electric motor only as propulsion. (without the internal combustion engine running). It does not include vehicles that use an electric motor purely as a supplement for performance.

3. TYPE OF VEHICLE

- 3.1 General conditions covering all types of vehicles that are licensable as private hire vehicles are set out in 3.2 and 3.3 below.
- 3.2 The vehicle to be licensed, of whatever type, shall, subject to what is to follow, and other conditions herein, be suitable in size, type and design for use as a private hire vehicle to the satisfaction of the Council.
- 3.3 Without prejudice to the generality of 3.2 above, the vehicle shall:-
- 3.3.1 have an engine producing 50 kW or greater;
- 3.3.2 not be a London type taxi or any other type of vehicle constructed solely or primarily for use as a hackney carriage or be of such design or appearance as to be able to lead any person to reasonably believe that the vehicle is a hackney carriage;
- 3.3.3 have a rear seat with a width of no less than 1220 mm and must be of a bench seat type, without an arm rest, and in the case of individual/folding seats, have a minimum seat width of 407 mm per person;
- 3.3.4 have rear headroom that is adequate for passengers to sit comfortably and in any event, the distance from the squab as measured at its central point (from side to side), at the point where it meets the backrest, and then measured vertically to a point on the headlining, shall be no less than 840 mm;
- 3.3.5 except as provided in condition 23 below, be of right hand drive;
- 3.3.6 be fitted with sufficient and suitable seat belts for every person who may be carried in the licensed vehicle pursuant to conditions 14 and 15;
- 3.3.7 in the case of estate cars, the space between the top edge of the rear seat and the roof of the vehicle must be fitted with a grille to ensure the safety of passengers from displacement of luggage;
- 3.3.8 at all times be maintained to standards that meet the then current requirements of the Council and must be in a clean and comfortable condition for the carriage of passengers.
- 3.4 Without prejudice to 3.2 and 3.3 above, and any other general requirement or condition herein or from time to time made by this Council, any private hire vehicle to be licensed as such must also comply with the requirements within one or the other of the following Categories (according to vehicle type) in order to qualify for licensing. The Categories are as follows:
- 3.4.1 Category A - This Category shall include any vehicle otherwise licensable as a private hire vehicle by this Council, other than Category B vehicles, subject to any other requirement or condition herein, or from time to time made by this Council and would satisfy the Council's reasonable requirement as to suitability, that is
- purpose adapted or converted by manufacturers, or those professionally engaged in adaptation or conversion, that are "M1" certified after adaptation or conversion and are wheelchair accessible to a person who wishes to remain in his or her wheelchair during the journey, including entry and exit from the vehicle.
- or
- a purpose-built full hybrid or plug-in hybrid, with a minimum range of 16km using battery power only or full electric with a minimum range of 112km.

- 3.4.2 Category B - This Category shall include any vehicle otherwise licensable as a hackney carriage (other than a Category A vehicle) under the various conditions imposed by this Council.
- 3.5. No diesel vehicle with an emissions standard of level 5 (Euro 5) or lower will be granted a licence on or after 1st January 2020 other than by way of licence renewal unless the vehicle has been converted with approved CVRAS technology. See 3.5.2
- 3.5.1 No diesel vehicle with an emissions standard of level 5 (Euro 5) or lower will be licensed or relicensed by way of renewal on or after 1st January 2022 unless the vehicle has been converted with approved CVRAS technology. See 3.5.2
- 3.5.2 Any vehicle fitted with approved Clean Vehicle Retrofit Accreditation Scheme (CVRAS) technology (e.g. a CVRAS LPG conversion) may be exempt from condition 3.5 and 3.5.1 subject to the vehicle meeting all other relevant conditions and on production of approved certification.

4. AGE OF VEHICLE

- 4.1 No Category A vehicle will be licensed (or re-licensed by way of renewal) as a private hire vehicle which was first registered under the Vehicles (Excise) Acts of 1949, 1971, or successor legislation, more than twelve years before the date of the commencement of the licence.
- 4.2 Except as provided in condition 23 below, no Category B vehicle will be licensed (or re-licensed by way of renewal) as a private hire vehicle which was first registered under the Vehicles (Excise) Acts of 1949, 1971, or successor legislation, more than nine years before the date of the commencement of the licence.

5. COLOUR OF VEHICLE

- 5.1 Except as provided in condition 23 below, the bodywork of any private hire vehicle shall be any colour except for white.

6. ADVERTISEMENTS AND SIGNS

- 6.1 No advertisement, sign, notice, mark, illumination or other feature, other than as required by law or permitted by these conditions shall be placed on the exterior of or visible from outside of any licensed private hire vehicle including the windows, except as follows:-
- 6.1.1 An unilluminated sign in the upper or lower rear window, but not both, of the licensed vehicle bearing lettering not more than 51 mm in height stating only the name, style or title of the proprietor or operator and their telephone number.
- 6.1.2 Advertising, including third party products and services, etc. shall be permitted (subject to conditions and law) on any part of the body of the licensed vehicle. Advertising on vehicle windows is restricted to the rear and side rear non opening windows and must either be evenly perforated over 50% of the film to allow vision out of the vehicle or comply with 6.1.1
- 6.2 All such advertising as mentioned below may only be displayed following approval by the Service Manager for Licensing
- 6.3 At all stages prior to approval the proprietor or operator will accept the risk involved in not meeting these criteria or requirements.
- 6.4 The power to give approval will be delegated to the Service Manager for Licensing.
- 6.6 All advertising is to be completed to a professional standard and quality.

- 6.7 This advertising may promote the proprietor or operator of the licensed vehicle or a trade, business, goods or services of a third party. Should the advertising promote the operator the vehicle will be restricted to only being able to accept bookings from the advertised operator.
- 6.8 The advertising shall not exceed 35% of the body area, always excluding the area taken up by the City Identity Sticker. The window area shall be excluded from the calculation.

7. ADVERTISEMENT CONTENT

All advertisements must comply with the British Code of Advertising Practice and it is the responsibility of the agency or individual seeking the Licensing Authority's approval to ensure that they do so.

- 7.1 Each proposal is considered on its merits, but the following advertisements WILL NOT BE APPROVED, always subject to the provisions of the Human Rights Act 1998 and any other law.
- 7.1.1 those with political, ethnic, religious, sexual or controversial texts
 - 7.1.2 those for escort agencies, gaming establishments or massage parlours
 - 7.1.3 those displaying nude or semi-nude figures
 - 7.1.4 those likely to offend public taste.
 - 7.1.5 those which seek to advertise more than one company/service or product
 - 7.1.6 those which promote the sale or consumption of tobacco products or cigarettes.
- 7.2 The Service Manager for Licensing will be delegated to give approval of matters in 7.1 above.
- 7.3 It is the proprietor's responsibility, as part of the contract entered into when commissioning any exterior advertising of the foregoing nature, to ensure that, at the completion of the contract, or upon the vehicle ceasing to be a licensed private hire vehicle, a re-spray to the vehicles original manufacturer's colour is included.
- 7.4 Provided always that no advertisement permitted by these conditions shall consist of or include the words "taxi" or "cab" whether in the singular or plural or "hire" or any word of similar meaning or appearance of any other feature which may suggest that the vehicle is a hackney carriage, and no advertisement, sign, notice, mark, illumination or other feature shall be placed on the licensed private hire vehicle without the prior approval of the Service Manager for Licensing.
- 7.5 No combination of letters or numbers must be used in the registration number of the vehicle to indicate or imply the words "taxi" or "cab" or any related idea which could lead a member of the public to take the view that the vehicle is a hackney carriage.

8. IDENTIFICATION

- 8.1 Other than as permitted by these conditions, no other advertisement, sign, notice, mark, illumination or other feature will be permitted.
- 8.2 Except as provided in condition 21 below, all private hire vehicles shall display two "City Identity Stickers" of the prescribed type for private hire vehicles. One sticker shall be placed on each front door, in a central position and as high as practicable under the window. The positioning of the sign shall not obstruct the opening of the door.
- 8.3 The City Identity Sticker shall be to the satisfaction of the City Council and shall be 240 mm in height by 450 mm in width on a white background. The upper portion of the display will show the words "PRE-BOOKED ONLY" in black capital letters, 24 mm high with a total length of 400 mm.

- 8.4 To the left under the above words the sticker will show the words "LICENSED BY" in white capital letters with a letter height of 10 mm, on a black background 110 mm wide and 21 mm high
- 8.5 Immediately below will be the City "Bargate" logo in blue, 90 mm at its widest point and 83 mm in height. Immediately below as part of the logo, in black, shall be the word "Southampton", below which shall be the words "City Council" in letters 14 mm high and text width 90 mm.
- 8.6 In the remaining space to the right of the Bargate logo will be four individual boxes measuring 30mm wide and 50mm high, outlined in black with the background of the box white in colour. The boxes will contain the licence plate number of the vehicle. .
- 8.7 The sticker may be screen printed on a white background and must be supplied with adhesive backing, or some other similar method meeting the requirements of the Council, to enable it to be fixed in the correct position. Magnetic signs will not be permitted. For the avoidance of doubt, no roof mounted box or other structure or sign will be permitted.

9. LICENCE PLATES

- 9.1 Except as provided in condition 23 below, one licence plate shall be securely fixed in a position at the rear of the private hire vehicle to the satisfaction of the Service Manager for Licensing.
- 9.2 A second licence plate shall be securely fixed in a position on the front of the private hire vehicle to the satisfaction of the Head of Legal and Democratic Services.

10. RETURN OF LICENCE PLATES

- 10.1 Licence plates remain the property of the Council and, on revocation, expiry or suspension of the licence, must be returned within seven days after the service on the licence holder by the Council of a notice requiring its return

11. INSPECTION OF VEHICLE

- 11.1 The licence holder shall present the vehicle for inspection at the time and place notified by the Council, the private hire vehicle shall be submitted for inspection at least once, but not more than three times, in a year. In addition the Council may arrange for the vehicle to be tested at any reasonable time and require further inspection and testing if it proves unsatisfactory. Licence holders will be notified by letter of time and date that vehicle is to be presented for inspection.
- 11.2 Without prejudice to the foregoing, where more than two years has elapsed since the first registration of the private hire vehicle under the Vehicles (Excise) Acts of 1949, 1971, or successor legislation, the vehicle shall undergo a DVSA "MOT" test in the period of one week either side of the date six months prior to the expiry date of the vehicle licence (the "due date").

12. DAMAGE TO VEHICLE

- 12.1 If a private hire vehicle is involved in a road traffic accident and either mechanical or bodily damage is sustained, a report must be made by the proprietor to the Service Manager for Licensing within three days and, after repair, which must be completed within one month of the damage being sustained, may be required to pass a mechanical inspection at a place to be determined by the Council, subject to payment of an appropriate fee. The private hire licence plate is liable to be removed from any vehicle which, in the opinion of an appropriate Officer or agent of the Council in any way constitutes a danger to the public, is in breach of any road traffic enactment or the Construction and Use Regulations, or is unfit for use as a

private hire vehicle. On completion of the repairs, to the satisfaction of the Service Manager for Licensing, the licence plate may be restored.

- 12.2 The removal of the private hire licence plate will constitute suspension of the vehicle licence.

13. INSURANCE

- 13.1 At all times during the currency of the licence the licence holder shall keep in force in relation to the use of the vehicle as a private hire vehicle a policy of insurance complying with the requirements of Part VI of the Road Traffic Act 1972.

14. PRODUCTION OF DOCUMENTS

- 14.1 The proprietor shall on being so required by an authorised officer, produce for inspection the licence and/or the certificate of insurance in relation to the use of the vehicle as a private hire vehicle. Provided that, if the proprietor fails to produce such licence and/or certificate of insurance on request, he shall produce it within five days of such request to an authorised officer at the office of the Service Manager for Licensing.

15. SEATING CAPACITY

- 15.1 Every private hire vehicle with an internal combustion engine shall have sufficient seating capacity to carry not less than four nor more than eight passengers in comfort in addition to the driver.

Every private hire vehicle that is powered solely by an electric motor and is capable of 112 kilometres between charges shall have sufficient seating capacity to carry not less than three nor more than eight passengers in comfort in addition to the driver.

16. NUMBER OF PASSENGERS

- 16.1 The licensee shall not convey, or cause or permit to be conveyed in the vehicle a greater number of persons, exclusive of the driver, than specified in the licence. In addition, children under three years will not be conveyed in the front seat of a vehicle whether restrained or unrestrained. For the avoidance of doubt babies in arms are included in this number.

17. TAXIMETER

- 17.1 Should a taximeter be installed in a private hire vehicle, it must be electronically designed and of the type and model approved by the Council. It must be fitted in a position satisfactory to the Council.
- 17.2 No operator, proprietor or driver may tamper with the mechanism of the Taximeter or its seals provided that, should the meter become defective it may be replaced by a service meter.
- 17.3 Any tariff set in the meter must correspond to the tariff approved by the operator the vehicle is licensed with.

18. TRANSFER OF LICENCE

- 18.1 If the proprietor of a private hire vehicle transfers the licence and vehicle, he shall within fourteen days give notice to the Service Manager for Licensing details of the name and address of the person to whom he has transferred the licence.

19. CHANGE OF ADDRESS

- 19.1 The licensee shall notify the Council in writing within seven days of any change of address.

19. ADHERENCE TO BOOKINGS

19.1 The holder of a licence who has agreed, or whose vehicle has been hired to be in attendance at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such vehicle at such appointed time and place.

20. **WEDDINGS AND FUNERALS**

20.1 Private hire vehicles being used to carry passengers to, from or in connection with any wedding ceremony or funeral will not be required to display a private hire vehicle plate during such journeys.

21. **SPECIALIST VEHICLES**

21.1 In exceptional circumstances, the Service Manager for Licensing may determine that a vehicle is a specialist vehicle, such as, but not exclusively, stretched limousines, classic cars and other unusual vehicles to be used for private hire.

21.3 Where the Service Manager for Licensing determines that a vehicle is a specialist vehicle, and that it is intended to be used in the circumstances described in section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976, a notice may be issued of the suspending the requirement for the display of the rear licence plate in those circumstances, as required by condition 9.1 above.

21.4 Additionally, in the case of a specialist vehicle, the Service Manager for Licensing may, at his or her absolute discretion, suspend or amend all or some of the provisions of the following conditions:

- 3.3.5 (right hand drive);
- 4.2 (age of vehicle);
- 5.1 (colour of vehicle);
- 8.2 (city identity stickers)
- 23.1 Taxi cameras

22. **ORIGINAL VEHICLE SPECIFICATION**

22.1 All licensed private hire vehicles shall be maintained to their original specification whilst the licence remains in force.

23. **DIGITAL TAXI CAMERAS**

23.1 A secure digital taxi camera system approved by the Council shall be fitted to the vehicle prior to the grant of the licence and maintained in the vehicle thereafter for the duration of the licence to the satisfaction of the Council.

23.2 The above requirement will be effective immediately on the grant of a new licence (other than by way of renewal) or on the replacement of a licensed vehicle.

24. **CONVICTIONS**

24.1 Any person who has an interest in the licence must notify the Licensing team at the Council within 2 working days of any arrest or conviction.

25. **SMOKING**

Smoking, including the use of electronic smoking devices, is not permitted in a licensed vehicle. (See additional information)

Note: For the purposes of condition 8 (Identification) and in order to avoid doubt, an example of the identity sticker appears below:

PRE – BOOKED ONLY

LICENSED BY



**LICENSED PRIVATE
HIRE VEHICLE NO:**

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Note For the avoidance of doubt all of the above requirements shall be deemed to form both the Council's policy (i.e. pre requisite to the grant of the licence) as well as conditions subject to which the licence is granted (which will continue to apply throughout the duration of the licence, as appropriate. As a result, any requirement which requires action or implementation prior to the grant of the licence is to be considered the Council's policy and any requirement to be complied with after the grant of the licence is a condition and compliance is required for the duration of the licence.