

The Equality Act 2010 brings together in one Act a number of different pieces of legislation about discrimination, - including disability discrimination. The new Act includes many of the taxi and private hire (PHV) provisions which were in the Disability Discrimination Act 1995, but also includes some important changes.

The Authority considers it important that people with disabilities have access to all forms of public transportation.

2.3.4 In addition to the general conditions, accessibility for people with disabilities (including, but not only people, who need to travel in a wheelchair) is, therefore, an important consideration in respect of vehicles licensed as hackney carriages/private hire vehicles.

2.3.5 A good practice guide, "Making private hire services more accessible to disabled people" has been produced by the Disabled Persons Transport Advisory Committee and can be obtained from [www.dptac.independent.gov.uk/pubs/phv](http://www.dptac.independent.gov.uk/pubs/phv).

## **2.4 Maximum Age of Vehicles**

2.4.1 The *Taxi and Private Hire Vehicle Licensing: Best Practice Guidance* asks Licensing authorities to "support any local environmental policies that the local authority may have adopted". This would include any local vehicle emission standard.

2.4.2 The Authority will support any local environmental initiatives such as setting vehicle emissions standards or promoting cleaner fuels.

2.4.3 A further Government report suggests that, by adopting targeted air quality policies for road transport, significant reductions can be achieved for atmospheric pollutants. It highlights the impact that European-wide emission limits are having on improving air quality.

2.4.4 It is therefore considered that efforts should be made to improve, as far as is reasonable, the efficiency of vehicles licensed by the Authority, particularly in the emission of pollutants. Newer vehicles have improved fuel efficiency and will emit fewer pollutants, if they are properly maintained, than older vehicles. Vehicles manufactured prior to 1994 did not have to meet emission limits (Euro1 Technology).

2.4.5 In order to minimize the emission of atmospheric pollutants, an application for a new hackney carriage or private hire vehicle licence will not be accepted if it is seven years or older. The vehicle will continue to be licensed until it reaches the age of 10 years (12 years for purpose built vehicles) as long as the vehicle passes the compliance tests at the required times.

2.4.6 In exceptional circumstances, applications for the licensing of older vehicles i.e. which have undergone engine modification to current emission standard, will be referred to the Licensing Committee for consideration.

## APPENDIX A

### VEHICLE SPECIFICATION AND CONDITIONS OF LICENCE FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

#### New Applications

Only those vehicles which comply with the specification detailed below can be granted a hackney carriage or private hire vehicle licence by South Kesteven District Council.

#### Existing Licensed Vehicles

Vehicles which are 10 years (12 years for purpose built) and older at the time of the implementation of the policy and are currently licensed as Hackney Carriage or Private Hire Vehicles by the Authority, will continue to be licensed on renewal, subject to a Compliance Certificate being in place and providing the application is made before the expiry of the existing licence for a maximum period of two years.

#### Vehicle Age

An application for a hackney carriage or private hire vehicle licence (other than a limousine or a prestige vehicle) will not be accepted if the vehicle is seven years or older. The age of the vehicle will be taken from the date of first registration on the log book and therefore this must be submitted with all applications.

The vehicle will continue to be licensed until it reaches 10 years of age or 12 years of age for a purpose built taxi provided it passes the compliance tests.

### THE SPECIFICATION

#### 1 General

1.1 Where vehicles have not been manufactured in the UK or imported by the manufacturer, they shall have an appropriate "Type Approval" which is either an EC Whole Vehicle Type Approval (ECWVTA) or British National Type approval. Vehicles shall not have been altered since that approval was granted. An Individual Vehicle Approval (IVA) may be accepted for wheelchair accessible vehicles. Vehicles presented for approval, and while in use, shall comply with the Road Vehicles (Construction and Use) Regulations 1986 and any subsequent amendment or re-enactment thereof.

1.2 No fittings, other than those approved in this policy or required in the twice yearly examination and test by the authorised testing station, may be attached to or carried on the inside or outside of the vehicle.

#### 2 Dimensions

2.1 The vehicle shall be of such a size as to enable easy access to the interior of the vehicle by an adult.

#### 3 Body

3.1 The vehicle shall have no signs of previous significant accident damage.

4.	Tinted Glass	Be no restriction to the level of tint for the glass windows in the passenger compartment. However, tinted glass in the windscreen and front doors shall be restricted to the requirements of the SVA Standards.	It is recognised that the privacy provided by tinted glass in the passenger compartment is a central characteristic of a limousine.
5.	Fare Table/Taximeter	<b>Limousines are not required to display a fare table or contain a taximeter. Any taximeter fitted must be in accordance with the Authority's private hire requirements detailed at item 31 of the policy.</b>	Stretched limousines often do not operate under a fare system as journeys are generally pre-paid in advance based on the length of time they are hired for.
6.	Roadworthiness	Shall hold a valid Single Vehicle Approval (SVA) Certificate or equivalent.	SVA test comprises of a visual examination of a vehicle and certifies its safety and roadworthiness.
7.	Insurance	An appropriate insurance policy must be in place, which covers use of the vehicle for hire and reward.	Some limousines may be operating under insurance policies which do not cover use for hire and reward and take into account that the vehicle has been stretched.
8.	Tyres	The limousine must be fitted with tyres that meet the size, rating and weight specification.	Given the increased weight of the vehicle - tyres of the correct weight and size rating must be used at all times.
9.	Vehicle Testing	The limousine shall be examined twice a year to the appropriate Class MOT standard.	To ensure that limousines licensed by the Authority are maintained to high standards and remain safe.

2.3 Applicants will be required to complete an application form and pay the appropriate fee for a disclosure from the Criminal Records Bureau (CRB) on first application and every 3 years thereafter. Three forms of personal identification are required as well as a utility bill showing the applicant's current address. Applicants will also need to provide their national insurance number. Details of acceptable identification are detailed on the Government website: <http://www.direct.gov.uk/en/index.htm> (enter "CRB" into 'Search this site').

2.4 Where an applicant has resided in the UK for less than 5 years, or has spent a period of 3 months or more within the last 5 years as a non-resident, the Authority will require a certificate of good conduct authenticated by the relevant embassy of that country of residence, provided at the applicant's own expense, in addition to the enhanced CRB check.

**2.5 Applicants shall make a declaration that they have a statutory right to work in the UK and any applicant that has a limited right to work shall not be issued a driver licence for a period longer than that limited period.**

2.6 Applicants are required to pass a medical examination of Group II standards and shall provide the completed medical examination form supplied by the Authority and completed by their own General Practitioner, or a General Practitioner with access to the applicant's medical record, on first application and every 3 years thereafter until aged 65 years, or annually with a medical condition when annual examinations are required. The medical practice is likely to make a charge for this service.

2.7 The application will not be accepted unless it is complete and with all the relevant documentation.

2.8 All applications will have to be submitted **IN PERSON** at one of the Authority's offices - Stamford, Bourne, The Deepings and Grantham - in order for photographs to be taken by digital camera.

### **3. New Driver Qualifications**

#### **3.1 Introduction**

3.1.1 In order to maintain the high standards that the Authority expects of its drivers operating within the district - a basic numeracy, literacy and knowledge of locations is assessed by the Authority through a knowledge test.

#### **3.2 Local Knowledge Test**

3.2.1 All new drivers are required to undertake a basic numeracy, literacy and knowledge of locations within the Authority's area test.

3.2.2 One knowledge test is included in the cost of the initial fee on application. If further tests are required these will be arranged and an additional administrative fee will be charged, to be paid prior to the test. Subsequent tests must be a minimum of one week apart. The tests must be held within two months of the first failed test date or the application will be returned and deemed not duly made.

39	Misleading use of the words 'Taxi' or 'Cab' on advertising materials.	3		✓
40	Failure to issue receipt on request.	3	✓	
41	Failure to return vehicle licence plate within 7 days after due notice following expiry, revocation or suspension of such licence.	4		✓
42	Unsatisfactory behaviour or conduct of driver.	4	✓	
43	Failure to notify the Authority, in writing, of any motoring or criminal convictions within 7 days of said conviction or cautions during period of current licence.	6	✓	✓
44	Failure to behave in a civil and orderly manner.	4	✓	✓
45	Failure to give assistance with loading/unloading luggage to or from any building or place.	3	✓	✓
46	Failure to display table of fares.	4	✓	✓
47	Failure to carry legal spare wheel or authorised suitable alternative and tools.	4	✓	✓
48	Failure to attend punctually at appointed time and place without sufficient cause.	4	✓	✓
49	Using a licensed vehicle with bald tyre(s).	4 per tyre	✓	✓
50	Failure to submit Certificate of Compliance to the Authority following the intermediate 6 monthly inspection.	6		✓
51	Failure to display a current licence plate.	4		✓
52	Waiting or stopping on a double yellow line area, bus stop or private land (without the owner's permission) and double parking unless requested by a paying customer present in the vehicle.	3	✓	
53	Failure to comply with any other condition not detailed in the table.	3	✓	✓
54	Failure to renew driver's licence before expiry.	4	✓	
55	Appeal of points by way of Licensing Committee.	4 - 12	✓	✓

Ticks indicate potential recipients of penalty points for infringements.

N.B. Certain infringements may result in drivers, proprietors or operators receiving penalty points. Points may be awarded to one or several persons depending upon the nature of the infringement, however each case must be determined on its own merits.

Certain matters are specific to hackney carriages, private hire drivers or private hire operators.

If the matter is referred to the Licensing Committee, the Committee may impose up to 12 points.