
Taxi licensing – Vehicle conditions of fitness

Licensing & Public Safety Committee

Date of meeting: 14 March 2023

Lead director/officer: Sean Atterbury, Director of
Neighbourhood & Environmental Services

Useful information

- Ward(s) affected: All
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- Report version number: 1

1. Summary

- 1.1 The council is responsible for licensing vehicles for use as hackney carriages and private hire vehicles. To help fulfil this obligation the council has put in place a set of standard requirements that all vehicles must satisfy before being licensed.
- 1.2 These conditions of fitness have been reviewed to ensure they are relevant and appropriate.

2. Recommended actions/decision

- 2.1 The Licensing and Public Safety Committee is asked to approve changes to the conditions of fitness for hackney carriages and private hire vehicles.

3. Scrutiny / stakeholder engagement

- 3.1 Consultations carried out before the taxi strategy was implemented included some updates to the conditions of fitness for both hackney carriages and private hire vehicles.

4. Background and options with supporting evidence

- 4.1 Existing conditions of fitness for hackney carriages and private hire vehicles have been in place for a number of years. Officers have reviewed the conditions and now propose changes to bring them up to date.
- 4.2 The taxi strategy includes a commitment to review the conditions of fitness.
- 4.3 Under the council's constitution non-executive policy developments of strategic significance on taxi licensing matters are reserved to the Licensing & Public Safety Committee.
- 4.4 Options available to the committee are to:
 - i) Accept the proposed changes
 - ii) Suggest additional / alternative changes
 - iii) Reject the proposed changes

5. Detailed report

- 5.1 The council is responsible for licensing vehicles for use as hackney carriages and private hire vehicles. In fulfilling this obligation, the council must be satisfied that each vehicle is safe and suitable for use as a licensed vehicle.
- 5.2 The council has separate sets of conditions of fitness for hackney carriages and private hire vehicles. These set out minimum requirements that must be met before a vehicle will be licensed and for the duration of the licence.
- 5.3 The taxi strategy includes a commitment to review the conditions of fitness to ensure they remain appropriate. Consultation took place as part of the preliminary work for the taxi strategy.
- 5.4 Some changes are straightforward, such as removing items that have been superseded or which have now become standard, such as the requirement for a fuel

cut off system. Other changes are needed to clarify existing requirements, for example the positioning of door signs on private hire vehicles. Some new items have been added to drive forward improvements in the taxi fleet and provide a better service for customers, eg, the provision of card payment devices in hackney carriages.

5.5 The proposed new conditions of fitness for hackney carriages are attached at **Appendix A**.

5.6 The proposed new conditions of fitness for private hire vehicles are attached at **Appendix B**.

5.7 The proposed revision for the minimum standards and guidance relating to CCTV used in vehicles licensed by this authority is attached at **Appendix C**.

5.8 Further changes are to be brought forward at a later date, including a revised age / emissions policy. These changes are more detailed and require additional work that would unnecessarily delay the updates currently being proposed.

6. Financial, legal, equalities, climate emergency and other implications

6.1 Financial implications

There are no financial implications for the Council arising from the recommendations within this report.

Stuart McAvoy – Head of Finance, 37 4004

6.2 Legal implications

The Council may in accordance with sections 47 and 48 of the Local Government (Miscellaneous Provisions) Act 1976 attach conditions it considers to be reasonably necessary to the grant of a hackney carriage vehicle licence and a private hire vehicle licence. A person aggrieved by any of the conditions may appeal to the Magistrates' Court.

John Moss, Legal Services, 373010

6.3 Equalities implications

When making decisions, the Council must comply with the Public Sector Equality Duty (PSED) (Equality Act 2010) by paying due regard, when carrying out their functions, to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people who share a 'protected characteristic' and those who do not. In doing so, the council must consider the possible impact on those who are likely to be affected by the recommendation and their protected characteristics.

Protected groups under the Equality Act 2010 are age, disability, gender re-assignment, pregnancy/maternity, marriage and civil partnership, race, religion or belief, sex and sexual orientation.

The proposal is to approve changes to the conditions of fitness for hackney carriages and private hire vehicles. It is important to note that taxis and Private Hire Vehicles are vital to people from across all communities, it is important to ensure the public travel safely and receive a good level of service, the proposed conditions of fitness replace existing conditions that are out of date. These will apply equally to all licence holders. The purpose of the proposed these changes is to deliver an appropriate standard of service to the

travelling public, including customers who are less able to travel by other forms of transport. There are no direct equality implications arising from the report. Taxi strategy is a strategic overarching document setting out the role of the licensing authority and how the council will apply its taxi policies. The taxi strategy includes a commitment to review the conditions of fitness.

Elderly and disabled users also rely heavily on the door-to-door service taxis and PHVs provide, as it is often the only way for many residents to access local services. Any changes need to be communicated effectively to relevant stakeholders in an accessible, fair and proportionate way this includes meeting any language and access needs as appropriate.

Where aspects of taxi licensing will require further consultation before they are taken forward, such as the possible introduction of CCTV in licensed vehicles, it is recommended that Equality Impact Assessments (EIAs) are carried out as appropriate.

Surinder Singh, Equalities Officer, 454 4148

6.4 Climate Emergency implications

The recommended changes to the conditions will only have a very small positive impact in reducing greenhouse emissions from taxis licensed in the city, because only three Hackney Carriages and one Private Hire Vehicle are currently Euro 4. Additionally, the Euro standards do not cover carbon dioxide, which is the main greenhouse gas in vehicle exhaust, so the main impact on greenhouse gas emissions will be through the replacement vehicles being more fuel efficient, or being electric or plug-in hybrids – depending on the purchasing choice made by the owners.

Duncan Bell, Climate Change Manager, 37 2249

6.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None

7. Background information and other papers:

None

8. Summary of appendices:

Appendix A – Proposed conditions of fitness for hackney carriages

Appendix B – Proposed conditions of fitness for private hire vehicles

Appendix C – Proposed minimum standards for CCTV for licensed vehicle

9. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

No

10. Is this a “key decision”? If so, why?

No

APPENDIX A – PROPOSED REVISION OF HACKNEY CARRIAGES – CONDITIONS OF FITNESS AND DIRECTIONS

PURPOSE

1. These conditions set out the requirements that the City Council expects all hackney carriages to meet.
2. The decision on whether to licence a particular type of vehicle will be made by the Licensing & Public Safety Committee on this basis. However, each case will be decided on its own merits and, if justifiable reasons exist, the Licensing & Public Safety Committee may decide to licence a type of vehicle that does not completely comply with the conditions or not to licence a type of vehicle that does meet the conditions.

GENERAL CONSTRUCTION

3. Every cab must comply in all respects with the requirements of any Acts and Regulations relating to motor vehicles in force at the time of licensing including the Motor Vehicle (Type Approval) Regulations 1980 and 1980, and the Motor Vehicles (Construction and Use) Regulations 1984. It must also comply fully with all other test requirements and conditions imposed by Leicester City Council and in force at the time of licensing.
4. Every cab must be type approved to the requirements of the M or M1 category¹ of European Whole Type Approval 70/156/EEC as amended. Those cabs (e.g., van conversions) which have not been type approved must be presented with approved certification that the specific vehicle meets the requirements of one of those categories.

VEHICLE AGE

5. At the time a vehicle is first presented for licensing by Leicester City Council, it must be no more than five years old, based on the date it was first registered,
6. The maximum age for re-licensing a currently licensed vehicle is eleven years.

STEERING

7. The steering wheel must be on the offside of the vehicle.

BRAKING SYSTEMS

8. All vehicles must be fitted with an ABS braking system.

ENGINE EMISSIONS

9. Engine emissions must meet a minimum of Euro 5 standard.

INTERIOR LIGHTING

8. Adequate lighting must be provided for the driver and passengers. Separate lighting controls for both passengers and driver must be provided. In the case of the

¹ Category M: Motor vehicles with at least four wheels designed and constructed for the carriage of passengers.

•Category M1: Vehicles designed and constructed for the carriage of passengers and comprising no more than eight seats in addition to the driver's seat.

•Category M2: Vehicles designed and constructed for the carriage of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum mass not exceeding 5 tonnes.

•Category M3: Vehicles designed and constructed for the carriage of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum mass exceeding 5 tonnes.

passengers compartment an illuminated control switch must be fitted in an approved position. Lighting must also be provided at floor level to every passenger door and be actuated by the opening of those doors.

ELECTRICAL EQUIPMENT

10. Any additional electrical installation to the original equipment must be adequately insulated and be protected by suitable fuses.

FIRE APPLIANCES

11. The vehicle must be provided with a dry powder type fire extinguisher, minimum capacity 1 kilo (1 litre), meeting current British Standards. The extinguisher must be fixed in the vehicle in such a position so as to be readily accessible for immediate use.

BODY DESIGN

12. The body must be of the fixed head type with a partially glazed partition glazed partition separating the passenger from the driver.

13. a) Outside dimensions:

(i) The overall width of the vehicle exclusive of driving mirrors must not exceed 1.845 metres.

(ii) The overall length must not exceed 5 metres.

b) Inside dimensions of passengers compartment:

(i) The vertical distance between the point of maximum deflection of the seat cushion when a passenger is seated to the roof immediately above the point must not be less than 96.5 centimetres.

(ii) The width across the rear seat cushion must not be less than 1.07 metres.

14. Any curvature of the floor of the passenger's compartment must be continuous and must not exceed 2 centimetres at the partition and 5 centimetres at the base of the rear seat when measured between the centre line and sills.

15. The door and doorway must be so construction as to permit of an unrestricted opening across the doorway of at least 0.75 metres. The minimum angle of the door when opened must be 90 degrees.

16. The clear height of the doorway must not be less than 1.195 metres.

17. Grab handles must be placed at door entrances to assist the elderly and disabled.

STEPS

18. The top of the tread for any entrance must be at the level of the floor of the passenger compartment and must not exceed 0.53 metres above ground level when the vehicle is unladen.

19. The outer edge of the floor at each entrance must be fitted with non-slip treads. If a colour contrast is used to aid a partially sighted person it must be of an approved type.

WHEELCHAIR FACILITIES

20. Approved anchorages must be provided for the wheelchair. These anchorages must be either chassis or floor linked and capable of withstanding approved dynamic or static tests. Restraints for wheelchair and occupant must be independent of each

other. Anchorages must also be provided for the safe stowage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment.

21. A ramp or ramps for the loading of a wheelchair and occupant must be available at all times for use at the nearside passenger's door. An adequate locating device must be fitted to ensure that the ramp/ramps do not slip or tilt when in use. The ramp/ramps must be capable of being stowed safely when not in use.

PASSENGER SEATS

22. The measurements from the upholstery at the back to the front edge of the back seat must be at least 0.40 metres and for each adult person carried a minimum of 0.40 metres must be available when measured along the front parallel edge of the seat cushion.

23. The width of each front seat must not be less than 0.40 metres and such seats must be at least 0.355 metres when measured from the back to the front of the upholstery.

24. The vertical distance between the highest point of the undeflected seat cushion and the top of the floor covering must not be less than 0.355 metres.

25. Where seats are placed facing each other there must be a clear space of 0.48 metres between any part of the front of a seat and any part of any other seat which faces it. This measurement may be reduced to 0.435 metres provided adequate foot room is maintained at floor level. Where all seats are placed facing to the front of the vehicle there must be a clear space of at least 0.66 metres in front of every part of each seat squab.

26. Rear facing seats in the passenger compartment must be so arranged as to rise automatically when not in use. They must be symmetrically placed and at least 0.04 metres apart. When not in use these seats must not obstruct doorways.

27. All forward and rearward facing seats must be fitted with suitable head restraints.

28. Approved seatbelts must be fitted to all passenger seats.

29. Suitable means must be provided to assist persons to rise from the rear seat with particular attention to the needs of the elderly and disabled.

30. Vehicles with sliding passenger doors must have an approved visible warning system at the rear of the vehicle to indicate to other vehicles that a door is open and that a passenger may be alighting.

PASSENGER COMPARTMENT

31. Every cab must be provided with an approved means of communication between the passenger and the driver. When a sliding window is fitted at the rear of the driver's compartment, the maximum width of the opening must not exceed 11.5 centimetres.

32. Windows must be provided at the sides and at the rear.

33. Passenger door windows must be capable of being opened easily by passengers when seated. The control for opening a door window must be easily identified so as not to be mistaken for any other control.

34. An adequate heating and ventilation system must be fitted for the driver and passengers and means provided for independent control by the driver and passengers.

35. The flooring of the passengers' compartment must be covered with non-slip material which can be easily cleaned.

36. The windscreen must be of a laminated construction and not be tinted. All other windows and glass must be of an approved safety type.

37. An approved type of automatic door locking device must be fitted to passenger doors. When the vehicle is stationary, the passenger doors must be capable of being readily opened from the inside and outside the vehicle by one operation of the latch mechanism. The interior door handle must be easily identified so as not to be mistaken for any other control.

DISPLAY OF LICENCE

38. The vehicle must be capable of displaying licence details that shall be provided by the Council and fixed to the vehicle as follows:

- i) an external licence plate shall be permanently fixed to the rear of the vehicle in a location approved by the Licensing Team Manager;
- ii) an internal licence shall be permanently fixed in the passenger side of the windscreen so that it is visible from outside and inside the vehicle;
- iii) the driver's licence supplied by Leicester City Council shall be displayed within the vehicle in a location where it can reasonably be viewed by a passenger.

INTERNAL FARE TABLE, LICENCE PLATE AND ADVERTISING

39. A frame must be provided for the fare table, interior number plate and driver's licence details. The frame may also include space for advertising and must be fitted in an approved position.

TAXIMETER

40. A taximeter of an approved type must be fitted in an approved position. Details of approved taximeter suppliers and fitters are available on the council's website.

"TAXI" SIGNS

41. A "Taxi" sign of approved pattern, clearly visible both by day and by night when the cab is not hired, must be fitted.

RADIO APPARATUS

42. Where apparatus for the operation of a two-way radio system is fitted to a cab, no part of the apparatus may be fixed in the passenger's compartment or in the rear boot compartment if LPG tanks or equipment are situated therein.

43. Any other radio equipment either in the passenger or driver compartment, must be approved.

44. It is illegal to hold and use any mobile phone, sat nav, tablet or device that can send or receive data, while driving. Hands-free use is permitted as long as the device is not held at any time during usage. The device must not block the driver's view of the road and traffic ahead.

FITTINGS

44. No fittings other than those approved may be attached to or carried upon the inside or outside of the cab

PAINTWORK AND BODY FINISHES

45. Only the manufacturers colour range may be used on exterior or interior body finishes.

LIVERY

46. All hackney carriages must have an all black livery and, in addition, the Council's Crest and the words "Hackney Carriage" must be permanently affixed to the front nearside and offside doors and the bonnet.

ADVERTISEMENTS

47. Suitable advertisements may be allowed on the inside and outside of the cab subject to the approval of the Council.

48. Inside advertisements and public safety information may be displayed so as to be visible to travelling passengers inside the passenger compartment subject to approval from the Council. All such adverts must be encapsulated in clear non-flammable plastic.

48. Except as provided for below, outside advertisements may be displayed only on the lower panels of the rear doors and must be of an approved size. All advertisements must be correctly affixed to a continuous flat surface. There must be no conflict between the livery and Leicester City Council crest and any external advertisement.

49. Advertisements must be of such a form as not to become easily soiled or detached.

50. All materials and adhesives used in the manufacture of and for the purpose of affixing advertised displays to cabs must be approved.

51. Applications for approval of advertisements must be made in writing to the Licensing Manager of the Leicester City Council.

BADGES/EMBLEMS

52. In addition to advertisements displayed in accordance with the above requirements, the official badge or emblem of a motoring organisation which provides genuine round the clock emergency vehicle and recovery services on a country wide basis may be affixed to the radiator grille. Only one such badge or emblem may be so displayed.

CCTV

53. Please see the separate policy setting out minimum standards for CCTV in licensed vehicles

54. Please note that in the longer term it is the council's intention to consider whether or not CCTV should be mandatory in all licensed vehicles.

WINDOWS

55. The minimum light transmission through the windows shall be as follows:

- The front windscreen must allow 75% of light through
- The front side windows must allow 70% of light through
- The rear windows must allow 65% of light through.

APPENDIX B – PROPOSED REVISION OF PRIVATE HIRE VEHICLES – CONDITIONS OF FITNESS AND DIRECTIONS

PURPOSE

1. This document sets out the minimum requirements for vehicles being presented for licensing as private hire vehicles.

2. A private hire vehicle is a motor vehicle constructed or adapted to seat fewer than nine passengers, (other than hackney carriage or public service vehicle), which is provided for hire, with the services of a driver for the purpose of carrying passengers. Such a vehicle may not ply for hire from a stand or in a street, but must be pre-booked.

GENERAL CONSTRUCTION

3. Every cab must comply in all respects with the requirements of any Acts and Regulations relating to motor vehicles in force at the time of licensing including the Motor Vehicle (Type Approval) Regulations 1980 and 1980, and the Motor Vehicles (Construction and Use) Regulations 1984. It must also comply fully with all other test requirements and conditions imposed by Leicester City Council and in force at the time of licensing.

4. The vehicle must have no fewer than four doors.

VEHICLE AGE

5. At the time a vehicle is first presented for licensing by Leicester City Council, it must be no more than five years old, based on the date it was first registered

6. The maximum age for re-licensing a currently licensed vehicle is eleven years.

STEERING

7. The steering wheel must be on the offside of the vehicle.

BRAKING SYSTEM

8. All vehicles must be fitted with an ABS braking system.

FUEL

9. The vehicle must use diesel, unleaded fuel, LP Gas or hydrogen. The vehicle may be wholly or partially powered by electricity.

10. LP Gas conversions must be carried out in accordance with “Code of Practice 11, Autogas Installations” and by an installer approved by the LP Gas Association.

ENGINE CAPACITY

11. The engine capacity must not be less than 1290cc or in the case of hydrogen, electric / hybrid engines not below 80hp.

ENGINE EMISSIONS

12. Engine emissions must meet a minimum of Euro 5 standard.

PASSENGER COMPARTMENT

13. The vehicle must be suitable to seat at least four adult passengers. Any continuous rear seat must be a minimum length of 122 centimetres (48 inches).

LUGGAGE

14. The vehicle must have adequate capacity for luggage.

FIRE APPLIANCES

15. The vehicle must be provided with a dry powder type fire extinguisher, minimum capacity 1 kilo (1 litre), meeting current British Standards. The extinguisher must be fixed in the vehicle in such a position so as to be readily accessible for immediate use.

COMMUNICATION DEVICES

16. Where apparatus for the operation of a two-way radio system is fitted, no part of the apparatus may be fixed in the boot if LPG tanks or equipment are situated therein.

17. Any other radio equipment must be approved.

18. It is illegal to hold and use any mobile phone, sat nav, tablet or device that can send or receive data, while driving. Hands-free use is permitted as long as the device is not held at any time during usage. The device must not block the driver's view of the road and traffic ahead.

LIVERY, PAINTWORK AND BODY FINISHES

19. Vehicles cannot be wholly or substantially black in colour, or be so dark as to be apparently black.

ADVERTISING

20. Suitable advertisements may be allowed on the inside and outside of the vehicle subject to the approval of the Council. These must not detract from the overall livery of the vehicle or the door signs that identify the vehicle as a private hire vehicle licensed by Leicester City Council.

21. Inside advertisements must be encapsulated in clear non-flammable plastic.

22. Advertisements must be of such a form as not to become easily soiled or detached.

23. All materials and adhesives used in the manufacture of and for the purpose of affixing advertised displays to cabs must be approved.

24. Applications for approval of advertisements must be made in writing to the Licensing Officer of the Leicester City Council.

CCTV

25. Please see the separate policy setting out minimum standards for CCTV in licensed vehicles.

26. Please note that in the longer term it is the council's intention to consider whether or not CCTV should be mandatory in all licensed vehicles.

WINDOWS

27. The minimum light transmission through the windows shall be as follows:

- The front windscreen must allow 75% of light through
- The front side windows must allow 70% of light through
- The rear windows must allow 65% of light through.

WHEELCHAIR FACILITIES (WHERE RELEVANT)

28. Approved anchorages must be provided for the wheelchair. These anchorages must be either chassis or floor linked and capable of withstanding approved dynamic or static tests. Restraints for the wheelchair and the occupant must be independent of each other. Anchorages must also be provided for the safe stowage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment.

29. A ramp or ramps for the loading of a wheelchair and occupant must be available at all times for use at the nearside passenger's door. An adequate locating device must be fitted to ensure that the ramp/ramps do not slip or tilt when in use. The ramp/ramps must be capable of being stowed safely when not in use.

30. It must be noted that the total number of passengers that a vehicle can carry safely may be reduced when one or more of the passengers are transported in a wheelchair.

MAINTENANCE

31. Private hire vehicles, including all fittings, advertisements, etc., must be well maintained and kept clean and in good working order. The vehicle will at all times be subject to test and inspection and should it be found that a vehicle is not being properly maintained or that any part or fitting is not in good working order, a notice will be served on the owner prohibiting him from using the vehicle until the defect has been remedied.

DISPLAY OF LICENCE

32. The vehicle must be capable of displaying licence details that shall be provided by the Council and fixed to the vehicle as follows:

- iv) an external licence plate shall be permanently fixed to the rear of the vehicle in a location approved by the Licensing Team Manager;
- v) Leicester City Council door signs shall be permanently fixed to the centre of both front doors of the vehicle;
- vi) an internal licence shall be permanently fixed in the passenger side of the windscreen so that it is visible from outside and inside the vehicle;
- vii) the driver's licence supplied by Leicester City Council shall be displayed within the vehicle in a location where it can reasonably be viewed by a passenger.

33. Individual requests for discreet plating will be determined according to the council's specific policy, which is available on request.