

## ANNEX N

### HACKNEY CARRIAGE SPECIFICATION A-

#### WHEELCHAIR Accessible Taxis

**N.1 IMPORTANT: All new or replacement hackney carriage vehicles will form part of the East Riding of Yorkshire Council's taxi livery.** The livery will consist of a white base vehicle with green markings wrapped to the design as specified by the East Riding of Yorkshire Council and professionally provided by a Council approved supplier. Some funding will be made available for wrapping purposes.

All existing licensed hackney carriage vehicles will become part of the livery by 1 January 2023 as vehicles are replaced or by full wrapping of the vehicle after 1 January 2023.

This specification applies to all vehicles being licensed for the first time within the East Riding of Yorkshire as a *Wheelchair Accessible Hackney Carriage Vehicle*.

**Type A: Wheelchair Accessible Hackney Carriage:** Accessible vehicle capable of carrying the majority of passengers whilst seated in their wheelchair/s as well as people with other disabilities. This will include purpose built wheelchair access hackney carriage vehicles (WPV's) designed to enable a vehicle passenger to access a vehicle and travel whilst seated in the wheelchair and mini buses and other vehicles where approved conversions have been carried out and they are considered to be wheelchair accessible vehicles (WAV's). These WAV vehicles provide wheelchair access by means of a ramp or lift at the side or rear of the vehicle. Space must be provided for the wheelchair and mechanisms for securing the wheelchair in place. A seat belt must be provided for the wheelchair passenger.

Licences will not be renewed once the vehicle reaches the age of **11 years 364 days**, unless granted under the exception condition. (12 years plus). This will be determined by the Licensing Authority each case being treated **on its own merits**. Purpose built wheelchair accessible hackney vehicles may be licensed until they reach the age of 12 years 364 days subject to 6 monthly satisfactory testing.

All vehicles must comply with the relevant type approval for such vehicles.

- European Whole Vehicle Type approval;
- British National Type approval; or
- British Single Vehicle Approval.
- Full European Type Approval for a special purpose wheelchair accessible vehicle

Vehicles with Euro NCAP star ratings of **five or more** are required when purchasing a new vehicle.

## **SPECIFICATION A- WHEELCHAIR ACCESSIBLE HACKNEY CARRIAGE**

- Is **six years 364 days of age or less** upon its first licensing as a hackney carriage with this Authority from date of first registration.
- Is of **white base colour with green markings** as specified in the Taxi livery.

### **Wheelchair requirements**

- **Wheelchair access-** A nearside or rear door may be used for wheelchair access. There should be sufficient space within the vehicle for a wheelchair to turn or a designated wheelchair area. The requirements listed in this specification are to accommodate a wheelchair measuring 1200mm front to rear and 700mm wide.
- The vehicle must be capable of carrying as a minimum an individual in their **‘reference wheelchair’** The reference wheelchair has:
  - total length of 1200mm, including extra-long footplates
  - total width of 700mm
  - sitting height (from ground to top of head) of 1350mm
  - height of footrest above floor of 150mm

The reference wheelchair is bigger than most wheelchairs to ensure that enough room is provided for most wheelchair users. **However, many mobility scooters and some powered wheelchairs are bigger than the reference wheelchair and may not necessarily fit or be safely carried. If this is the case customers must be made aware of this restriction and that the passenger cannot be carried safely.**

- and the driver must give assistance to the passenger in their wheelchair unless an exemption under section 166 of the Equality Act 2010 applies. This exemption would only be on medical grounds, or on the ground that the person’s physical condition makes it impossible or unreasonably difficult for the person to comply with the duties at section 165 of the EA Act 2010.
- There must be at least one doorway through which a wheelchair and occupant can enter. This doorway must be located at the rear or nearside of the vehicle.
- An approved and suitable ramp or ramps for the loading of a wheelchair and occupant must be available at all times for use at the rear of the vehicle or nearside passenger door.
- There must be a slip –resistant surface on the ramp/ramps and a safety guard fitted and used at all times.

- Anchorages must be provided for the wheelchair and chair bound passenger and used.
- Restraints for wheelchair and occupant must be independent of each other. Belts attached to a wheelchair in order to assist a person to remain in it whilst travelling will not be acceptable.
- Vehicles must be capable of transporting a folded wheelchair as luggage. Anchorages should also be provided for the safe storage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment.
- All anchorages and restraints must be so designed that they do not cause any danger to other passengers.

**Note :** Whilst operating, if a vehicle is not being used to carry a passenger in a wheelchair, only an occasional (fold away) seat may be used to substitute for the wheelchair space, which have to be bolted or locked into place will not be accepted since these present problems with storage.

### **Vehicle specification**

- Must have an engine size of not less than 1100cc or an engine described by the manufacturer as being a 1.2.
- Has a manufacturer's stated width of not less than 5ft 7ins (1.701m) excluding door mirrors.
- Has a manufacturer's stated length of not less than 14ft (4.266m)
- Has at least **four passenger doors** including the driver's door, which may be opened from the inside and the outside. These can be hinged or sliding doors. Doors must be capable of being opened outwards from the near and offside of the vehicle to an angle of at least 60 degrees, or slide open to their fullest extent
- Has seat belts fitted to all forward facing seats
- The window glass fitted to all front side or window screen in the vehicle is not treated so that less than 70% of light is transmitted through it. All other windows must allow a minimum of 30% light through.
- Steering wheel- Right hand drive only.
- Normally have four wheels unless novelty vehicle or rickshaw/horse landau

### **Additional requirements for minibus and MPV type vehicles**

Must meet all the above requirements and have at least four doors, hinged or sliding and/or a rear tail-gate that must open to their fullest extent. There must be at least one door on either side of the vehicle for passenger loading

## **Vehicles must also meet the following requirements**

- Be equipped with an illuminated roof sign and 'for hire' light of a type specified by the Council
- The Council regulates advertising on licensed hackney carriage vehicles and application must be made through the Health, Safety & Licensing Manager before any advertising is carried out- the policy specifies the advertising requirements and will be considered on a case by case basis.
- Oval Stickers provided by the Licensing Authority must be applied to the front doors of the vehicle, the content of the ovals to be agreed with the Licensing Authority prior to display.
- Vehicles must be capable of transporting a folded wheelchair as luggage.
- The vehicle must not show evidence of patched repairs to the chassis or structural body parts of the vehicle including the outriggers unless the repair is of the original gauge metal and continuously welded. The vehicle **must not have been written off for insurance purposes at any time.**
- **A clean and smart appearance** both externally and internally.
- Nearside and offside exterior **rear view mirrors.**
- Sufficient means by which a passenger can communicate with the driver
- **Lighting** shall be fitted to illuminate the interior and exterior of the vehicle sufficient to allow passengers to board and alight the vehicle in safety.

## **Seating**

- Seating should be for at least four passengers one of which must be specifically for a wheelchair passenger, but not more than eight passengers in addition to the driver;
- All seats used by disabled passengers must be forward or rear facing.
- Rearward facing seats over or rearward of the rear wheels and axle(s) having normal access only through a rear door will not be permitted;
- Sideway mounted seats and bench type seating will not be permitted.
- Access to every seat must be unobstructed and be easily accessible to passengers and **without the need for more than one passenger to move** when the vehicle is fully occupied.
- Passenger seats must be at **least 16 inches**, (approx 40cm), wide per passenger with no significant intrusion by wheel arches, armrests or other parts of the vehicle.

There must be a **minimum of 34 inches** headroom for all passenger seats measured from the rear of the seat cushion to the roof lining.

### **Boarding Device**

- A boarding device must be provided at the doorway through which a wheelchair and its occupant would enter.
- Power operated boarding devices must be capable of manual operation in the event of power failure.
- The vehicle must not be driven from rest unless the boarding device is in the normal position for vehicle travel.
- A boarding device must have a minimum safe working load of 300kg and operate under normal loading conditions without undue deflection.
- Boarding devices must be stowed in a way which does not obstruct any handle or other opening device for any exit and such that in the event of an accident it could not cause injury to either passengers or the driver. If the boarding device obstructs an exit it must also be capable of being pushed or pulled out of the way from the inside and outside when the door is open so as to leave the doorway clear for use in an emergency.
- Any controls for the operation of a power operated boarding device must be inhibited while the vehicle is in motion and may only be operated at the point where the boarding device is fitted either by the driver or by an individual under their supervision.
- Any manually operated boarding device must be easy to operate.
- No device other than a ramp or lift is permitted without authorisation from the Department of the Environment, Transport and the Regions.

### **Steps**

These requirements are at doorways used by disabled passengers.

- Any steps, either fixed or retractable must be permanently secured at the point of entry.
- There must be no more than three steps into the vehicle.

- The height of the first step from the ground at all entrance and exit doors must not exceed 250mm.
- All other steps must be within the vehicle and be between 120mm and 200mm high, consistent to within 10mm.
- All steps must be at least 400mm wide and 280mm deep and must not have open risers.
- The surface of all steps must be slip resistant. Step nosing must be designed to minimise risk of tripping and must be in a contrasting tone and colour(s).

### **Ramps**

- The ramp should provide a surface of at least 750mm wide available for a wheelchair.
- A ramp must not exceed 1700mm in length.
- When the ramp is deployed onto the road the ramp slope must not exceed 1 in 4 (25%). In all cases it must be possible to deploy the ramp onto both a level road and a 125mm high kerb.

Where this gradient cannot be met then the Licensing Manager is authorised to grant an exemption in exceptional cases if safety standards are complied with and the ramp is part of the manufacturer's specification for the vehicle.

- When in use the ramp must be securely located at the point of wheelchair entry.
- The surface of all ramps must have a slip resistant finish. All outer edges must be clearly marked in a contrasting tone and colour.
- When deployed the ramp must be in one piece.

**Manufacturers gross vehicle weight** for the tyres and suspension actually fitted to the vehicle must be sufficient for a minimum payload equal to a full fuel tank, the driver and the number of passengers for which a licence is requested (at 70 kg per person) and luggage (at 20 kg per passenger); and where propane or Liquid Petroleum Gas is used as the vehicle fuel, the weight of extra equipment must be within the gross weight limit.

### **Wheels and Tyres**

- Four road wheels fitted with the manufacturers recommended size tyres.
- A spare tyre of the same type as fitted to the road wheels. NB All tyres must be cross ply or radials (**remould tyres are NOT allowed**) and must be new (**ie not previously used on another vehicle**)

- Tyre tread must have at least 2.0mm tread depth throughout a continuous band in the centre  $\frac{3}{4}$  of the tread and around the entire circumference of the tyre,
- Tyres must be correctly inflated at all times to the vehicle/tyre manufacturers recommended pressure

### **Taximeter**

There shall be provided a taximeter so constructed, attached and maintained as to comply with the licensing policy and bye laws. The meter will be calendar controlled.

### **Fare Table**

A fare table of a size and design approved by the Council must be permanently affixed in a conspicuous position inside the vehicle so that it is clearly and conveniently visible to any passenger being conveyed in the vehicle.

### **Roof and Signs**

A permanent roof, which is watertight - a standard sun roof (i.e. a sun roof fitted when new vehicle by manufacturer).

### **Signage**

- There must be fitted externally to the roof in a position and of a size and type approved by the Council a sign showing to the front the word 'TAXI'; additionally the proprietors trading name may be shown if approved by the Licensing Authority.
- Oval stickers on front doors with name of taxi business: shape, colour, content and size as determined appropriate by the Licensing Authority.
- The rear of the roof sign may be left blank or have the word "TAXI" showing.
- Alternatively, the proprietor's trading name may be shown if approved by the Licensing Authority.

### **Fittings**

No fittings other than those approved by the Council shall be attached to or carried upon the inside or outside of the vehicle.

### **Rear seat belts** (irrespective of age).

All vehicles must be fitted with fully operational rear seat belts, one for each passenger to be carried, fully compliant with British Standards except where the law specifically provides an exemption.

### **Equipment to be carried in the vehicle**

- A **fully serviceable fire extinguisher**, fitted in such a position to be readily available for use and a capacity of not less than 1.0 litre A.F.F.F. or 1 kg dry powder.
- First Aid- this should be carried and maintained in such a position as to be readily available for use and prominently marked adequate and suitable first aid equipment. (Please note that a driver should not render aid to any other person other than basic assistance unless he holds a current First Aid Certificate - Health and Safety).
- Spare wheel and tyre – correctly stored to protect passengers' luggage or running wheel/repair kit.
- Jack.
- Wheelbrace.
- A reflective warning triangle and a set of replacement bulbs for all front and rear lights.

### **Luggage**

The vehicle must be able to carry a reasonable amount of luggage. Luggage should be safely secured and not stored in such a way to hinder access to a door

A **separate locking luggage area**, or a permanent grille fitted sufficient to prevent luggage carried in the rear compartment from coming into contact with persons using the rear seat. (Roof racks and top boxes will not be permitted).

NB The luggage area should have a minimum capacity of .43 cu metres/15 cu feet (hand luggage).

### **Radio Equipment**

If two-way radio equipment is provided in the vehicle, it must be in a position approved by the Council and maintained in a sound condition.

### **Identification Plates**

(1) The authorised hackney carriage identification plates issued by the Council and bearing the number of the licence granted in respect of that carriage must be affixed to the vehicle as follows:-

(a) To the rear of the carriage in a position above the bumper and directly adjacent to the vehicle registration number plate.

(b) The small identification plate shall be securely fixed to the inside of the vehicle in a conspicuous position and in a manner to be approved by the Council;

(2) No vehicle may ply for hire with any such plate concealed from view, nor wilfully or negligently cause or suffer any such number to be concealed from public view while the

carriage is standing or plying for hire and not cause or permit the carriage to stand or ply for hire with the plate so defaced that any figure or material particular is illegible.

### **Miscellaneous**

- The flooring of the passenger compartment or any surface over which a passenger is required to walk shall have a non-slip resistant finish, which can be easily cleaned.
- Grab handles or handholds must be placed at door entrances to assist the elderly and disabled. Grab handles should be highly visible. There must be a minimum clearance between handrails or handhold and the adjacent part of the vehicle body or walls of at least 45mm. The surface of every handrail or handhold must contrast in colour and tone with the surrounding surfaces and be of a slip resistant finish.
- All entrances and exits must be sufficiently illuminated at night
- The provision of a step for assisted entry is recommended. The step must be covered with a slip-resistant surface. In the case of vehicles with a high floor height, a step will be required.

### **PLEASE SEEK ADVICE FROM THE LICENSING TEAM PRIOR TO PURCHASING ANY VEHICLE WHICH YOU WISH TO LICENCE.**

The plate will be issued in a colour and type which readily identifies it as a wheelchair accessible hackney carriage vehicle.

### **Hackney Carriage Specification B**

Standard Accessible Taxis- Priority swivel seats

**IMPORTANT: all new or replacement hackney carriage vehicles now form part of the East Riding of Yorkshire Council's taxi livery. The livery consists of a white vehicle with pantone green markings wrapped to the design as specified by the East Riding of Yorkshire Council and professionally provided by a Council approved supplier. Some full or part funding will be made available for wrapping purposes. In the first year any rewrapping of vehicles due to damage will be covered by the Council where not covered on the vehicle insurance.**

**All existing licensed hackney carriage vehicles will become part of the livery by 1 January 2023 as vehicles are replaced or by full wrapping of the existing vehicle after 1 January 2023.**

This specification applies to **all vehicles being licensed for the first time** within the East Riding of Yorkshire as a **Standard Accessible Hackney Carriage Vehicle.**

Licences will not be renewed once the vehicle reaches the age of **11 years 364 days**, unless granted under the exception condition. This will be determined by the Licensing Authority each case being treated on its own merits.

**Type B: Standard Accessible Hackney Carriage:** vehicles with features designed to make use by disabled people easier but which would only be able to carry a wheelchair user who can transfer to a Hackney carriage seat. This will include some saloon vehicles, estate cars and MPVs with at least one **new** priority rotating or swivel seat and **new base** fitted by a Council approved manufacturer/installer.

In replacement vehicles of the same type where the seat is already owned by the proprietor and the seat/base is less than three ages of age, permission may be granted to transfer the seat/base. This will be considered on a case by case basis. A full inspection will be required and proof of fitting by an expert and qualified fitter (approved by the Licensing Authority).

All vehicles must comply with the relevant type approval for such vehicles:-

- i) European Whole Vehicle Type approval;
- ii) British National Type approval; or
- iii) British Single Vehicle Approval.

**Vehicles with EU emissions rating of six or more should be considered when purchasing a new vehicle from 1 April 2022.**

#### **SPECIFICATION B- STANDARD ACCESSIBLE HACKNEY CARRIAGE**

East Riding of Yorkshire Council has adopted a policy of not licensing a saloon/hatchback/estate or people carrier vehicle **for the first time** unless it **meets either the wheelchair accessible hackney carriage vehicle specification, OR**

- Is less than **six years 364 days of age** upon its first licensing as a hackney carriage with this Authority- from date of first registration and
- Has at least one **new priority rotating or swivel seat and new base** fitted which is of a type approved by the Licensing Team. To promote the aims of the policy in relation to public safety- **second hand seats are not acceptable**. Proof of purchase /warranty will be required to determine the suitability of the seat.
- Vehicles must be capable of transporting a folded wheelchair as luggage.
- Be equipped with an illuminated roof sign and 'for hire' light of a type specified by the Council
- Is of **white base colour with green markings** as specified in the Council's Taxi livery.

- The Council regulates advertising on hackney carriage vehicles and application must be made through the Licensing Manager for authorisation before any advertising is carried out- the policy specifies the advertising requirements and will be considered on a case by case basis.
- Has an engine size of not less than 1100 cc or an engine described by the manufacturer as being a 1.2.
- Has a manufacturer's stated width of not less than 5ft 7ins (1.701m) excluding door mirrors.
- Has a manufacturer's stated length of not less than 14ft (4.266m)
- Has at least **four passenger doors** including the driver's door, which may be opened from the inside and the outside. These can be hinged or sliding doors. Doors must be capable of being opened outwards from the near and offside of the vehicle to an angle of at least 60 degrees, or slide open to their fullest extent
- Has seat belts fitted to all forward facing seats
- The window glass fitted to all front side or windscreen in the vehicle is not treated so that less than 70% of light is transmitted through it. All other windows must allow a minimum of 30% light through.
- Steering wheel- Right hand drive only.
- Normally have four wheels unless novelty vehicle or rickshaw/horse landau

### **Additional requirements for minibus and MPV type vehicles**

Must meet the above requirements and have at least four doors, hinged or sliding and/or a rear tail-gate that must open to their fullest extent. There must be at least one door on either side of the vehicle for passenger loading

### **Vehicles must also meet the following requirements: -**

- Vehicles must be capable of transporting a folded wheelchair as luggage.
- The vehicle must not show evidence of patched repairs to the chassis or structural body parts of the vehicle including the outriggers unless the repair is of the original gauge metal and continuously welded. The vehicle **must not have been written off for insurance purposes at any time.**
- A **clean and smart appearance** both externally and internally.
- Nearside and offside exterior **rear view mirrors.**

- Sufficient means by which a passenger can communicate with the driver.
- **Lighting** shall be fitted to illuminate the interior and exterior of the vehicle sufficient to allow passengers to board and alight the vehicle in safety.

## Seating

- Must have a **new priority swivel seat and new base** fitted which is **not second hand** and of a type **specifically approved by the Licensing Team. Full 12 month warranty and sale of purchase must be provided.**
- In replacement vehicles of the same type/specification where the seat is already owned by the vehicle proprietor and the seat/base is less than three years 364 days of age at the time of re-fitting, permission may be granted to transfer the seat/base into the replacement vehicle. **This will be considered on a case by case basis.** A full inspection will be required and proof of fitting by an expert and qualified fitter (approved by the Licensing Authority) including 12 month warranty. **Please note: It may not be possible to transfer the seat/base into some vehicles due to inconsistency in the vehicle type specifications.**
- Seating should be for at **least four passengers** but **not more than eight passengers** in addition to the driver;
- Rearward facing seats over or rearward of the rear wheels and axle(s) having normal access only through a rear door will not be permitted;
- Sideway mounted seats and bench type seating will not be permitted.
- Access to every seat must be unobstructed and be easily accessible to passengers and **without the need for more than one passenger to move** when the vehicle is fully occupied.
- Passenger seats must be at **least 16 inches**, (approx 40cm), wide per passenger with no significant intrusion by wheel arches, armrests or other parts of the vehicle. There must be a **minimum of 34 inches** headroom for all passenger seats measured from the rear of the seat cushion to the roof lining.

## Manufacturers gross vehicle weight

For the tyres and suspension actually fitted to the vehicle must be sufficient for a minimum payload equal to a full fuel tank, the driver and the number of passengers for which a licence is requested (at 70 kg per person) and luggage (at 20 kg per passenger); and where propane or Liquid Petroleum Gas is used as the vehicle fuel, the weight of extra equipment must be within the gross weight limit.

## Wheels and Tyres

- Four road wheels fitted with the manufacturers recommended size tyres.
- A spare tyre of the same type as fitted to the road wheels. NB All tyres must be cross ply or radials (**remould tyres are NOT acceptable**)

## **Taximeter**

There shall be provided a taximeter so constructed, attached and maintained as to comply with the licensing policy and by laws. The meter will be calendar controlled.

## **Fare Table**

A fare table of a size and design approved by the Council must be permanently affixed in a conspicuous position inside the vehicle so that it is clearly and conveniently visible to any passenger being conveyed in the vehicle.

## **Roof and Signs**

A permanent roof, which is watertight - a standard sun roof (i.e. a sun roof fitted when new by manufacturer).

- There must be fitted externally to the roof in a position and of a size and type approved by the Council a sign showing to the front the word 'TAXI'; additionally the proprietors trading name may be shown if approved by the Licensing Authority.
- Oval stickers on front doors with name of business shape, colour , content and size as determined appropriate by Licensing Authority
- The rear of the roof sign may be left blank or have the word "TAXI" showing.
- Alternatively, the proprietor's trading name may be shown if approved by the Licensing Authority
- The sign shall be so arranged that it is illuminated during the hours of darkness when the vehicle is available for hire but that when the machinery of the taximeter is in action the illumination of the sign shall be extinguished.

## **Fittings**

No fittings other than those approved by the Council shall be attached to or carried upon the inside or outside of the vehicle.

## **Rear seat belts (irrespective of age)**

All vehicles must be fitted with fully operational rear seat belts, one for each passenger to be carried, fully compliant with British Standards except where the law specifically provides an exemption.

## **Equipment to be carried in the vehicle**

- A **fully serviceable fire extinguisher**, fitted in such a position to be readily available for use and a capacity of not less than 1.0 litre A.F.F.F. or 1 kg dry powder.
- First Aid- this should be carried and maintained in such a position as to be readily available for use and prominently marked adequate and suitable first aid equipment. (lease note that a driver should not render aid to any other person unless he holds a current First Aid Certificate - Health and Safety).
- Spare wheel and tyre – correctly stored to protect passengers' luggage.
- Jack.
- Wheelbrace.
- A reflective warning triangle and a set of replacement bulbs for all front and rear lights.

### **Luggage**

The vehicle must be able to carry a reasonable amount of luggage. Luggage should be safely secured and not stored in such a way to hinder access to a door.

A **separate locking luggage area**, or a permanent grille fitted sufficient to prevent luggage carried in the rear compartment from coming into contact with persons using the rear seat. (Roof racks, and top boxes will not be permitted).

NB The luggage area should have a minimum capacity of .43 cu metres/15 cu feet (hand luggage).

### **Radio Equipment**

If two-way radio equipment is provided in the vehicle, it must be in a position approved by the Council and maintained in a sound condition.

### **Identification Plates**

(1) The authorised hackney carriage identification plates issued by the Council and bearing the number of the licence granted in respect of that carriage must be affixed to the vehicle as follows:-

(a) To the rear of the carriage in a position above the bumper and directly adjacent to the vehicle registration number plate.

(b) The small identification sticker shall be securely fixed to the inside of the vehicle in a conspicuous position and in a manner to be approved by the Council;

(2) No vehicle may ply for hire with any such plate concealed from view, nor wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire and not cause or permit the carriage to stand or ply for hire with the plate so defaced that any figure or material particular is illegible.

### **Miscellaneous**

- The flooring of the passenger compartment or any surface over which a passenger is required to walk shall have a non slip resistant finish, which can be easily cleaned.

- Grab handles must be placed at door entrances to assist the elderly and disabled. Grab handles should be highly visible.
- All entrances and exits must be sufficiently illuminated at night
- The provision of a step for assisted entry is recommended. The step must be covered with a slip-resistant surface. In the case of vehicles with a high floor height, a step will be required.

### **Alteration of Vehicle**

(a) No material alteration or change in the specification, design, condition or appearance of any vehicle shall be made without the approval of the Council at any time while a licence is in force in respect of that vehicle.

### **Maintenance of Vehicle**

- 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 and all relevant statutory requirements (including in particular those contained in the Road Vehicles (Construction and Use) Regulations) in force from time to time shall be fully complied with.
- Any corroded or damaged body panels or other parts must be properly repaired or renewed, all splits or cracks must be properly welded and all paintwork properly finished off.
- All vehicles must be statutory tested at intervals as determined by the Council's licensing policy.
- Vehicles are liable to be examined at any time by a licensing officer, the Vehicle Inspectorate or the police at any reasonable time.
- The plate will be issued in a colour and type which readily identifies it as a standard accessible hackney carriage vehicle.

## **Annex O**

### **Hackney Carriage Vehicle licence conditions**

- O1: Livery:** The vehicle must be maintained in the Council's approved Livery (this is a white base, with green markings as specified in the Livery)
- O2. Wheelchair access**

- 02.1** A nearside or rear door may be used for wheelchair access. There should be sufficient space within the vehicle for a wheelchair to turn or a designated wheelchair area.
- 02.2** The driver must give assistance to the passenger in their wheelchair unless an exemption under section 166 of the Equality Act 2010 applies. This exemption would only be on medical grounds, or on the ground that the person's physical condition makes it impossible or unreasonably difficult for the person to comply with the duties at section 165 of the EA Act 2010.
- 02.3** No additional charge can be made by the driver for carrying a passenger in their wheelchair in the hackney carriage vehicle. It is an offence to do so.
- 02.4** An approved and suitable ramp or ramps for the loading of a wheelchair and occupant must be available at all times for use at the rear of the vehicle or nearside passenger door.
- 02.5** A ramp must be suitable for the vehicle it is specifically being used for. A full risk assessment must be carried out by the vehicle owner and licensed driver and recorded before using the vehicle and ramp and for all drivers using the ramp.
- 02.6** There must be a slip –resistant surface on the ramp/ramps and a safety guard fitted and used at all times. All outer edges must be clearly marked in a contrasting tone and colour.
- 02.7** When in use the ramp must be securely located at the point of wheelchair entry.
- 02.8** There must be at least one doorway through which a wheelchair and occupant can enter. This doorway must be located at the rear or nearside of the vehicle.
- 02.9** Anchorages must be provided for the wheelchair and chair bound passenger and used.
- 02.10** All anchorages and restraints must be so designed that they do not cause any danger to other passengers
- 02.11** Restraints for wheelchair and occupant must be independent of each other. Belts attached to a wheelchair in order to assist a person to remain in it whilst travelling will not be acceptable.

**02.12** Vehicles must be capable of transporting a folded wheelchair as luggage. Anchorages should also be provided for the safe storage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment.

**02.13** When deployed the ramp must be in one piece.

### **03. Boarding Devices**

**03.1** A boarding device must be provided at the doorway through which a wheelchair and its occupant would enter.

**03.2** Power operated boarding devices must be capable of manual operation in the event of power failure.

**03.3** The vehicle must not be driven from rest unless the boarding device is in the normal position for vehicle travel.

**03.4** Boarding devices must be stowed in a way which does not obstruct any handle or other opening device for any exit and such that in the event of an accident it could not cause injury to either passengers or the driver. If the boarding device obstructs an exit it must also be capable of being pushed or pulled out of the way from the inside and outside when the door is open so as to leave the doorway clear for use in an emergency.

**03.5** Any controls for the operation of a power operated boarding device must be inhibited while the vehicle is in motion and may only be operated at the point where the boarding device is fitted either by the driver or by an individual under their supervision.

**03.6** No device other than a ramp or lift is permitted without authorisation from the Department of the Environment, Transport and the Regions.

### **04 Signs**

**04.1** Be equipped with an illuminated roof sign and 'for hire' light of a type specified by the Council

**04.2** There must be fitted externally to the roof in a position and of a size and type approved by the Council a sign showing to the front the word 'TAXI'; additionally the proprietors trading name may be shown if approved by the Licensing Authority.

**04.3** A permanent roof, which is watertight - a standard sun roof (i.e. a sun roof fitted when new vehicle by manufacturer).

- 04.4** The rear of the roof sign may be left blank or have the word "TAXI" showing. Alternatively, the proprietor's trading name may be shown if approved by the Licensing Authority.
- 04.5** The sign shall be so arranged that it is illuminated during the hours of darkness when the vehicle is available for hire but that when the machinery of the taximeter is in action the illumination of the sign shall be extinguished.
- 04.6** The roof sign may be removed while the vehicle is being used in connection with a funeral or a wedding.
- 04.7** The Council regulates advertising on licensed hackney carriage vehicles and application must be made through the Health, Safety & Licensing Manager before any advertising is carried out- the policy specifies the advertising requirements and will be considered on a case by case basis.
- 04.8** Oval Stickers provided by the Licensing Authority must be applied to the front doors of the vehicle, the content of the ovals to be agreed with the Licensing Authority prior to display.
- 04.9** Oval stickers on front doors with name of taxi business: shape, colour, content and size as determined appropriate by the Licensing Authority.
- 04.10** All hackney carriage vehicles must display ERYC complaint procedure stickers, inwardly on the front and rear passenger door windows at all times the vehicle is licensed. These must not be tampered with in any way, and replacements must be sought should they become damaged.

## **05 Identification Plates**

- 05.1** (1) The authorised hackney carriage identification plates issued by the Council and bearing the number of the licence granted in respect of that carriage must be affixed to the vehicle as follows:-
  - (a) To the rear of the carriage in a position above the bumper and directly adjacent to the vehicle registration number plate.
  - (b) The small identification plate shall be securely fixed to the inside of the vehicle in a conspicuous position and in a manner to be approved by the Council;
- (2) No vehicle may ply for hire with any such plate concealed from view, nor wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire and not cause or permit the carriage to stand or ply for hire with the plate so defaced that any figure or material particular is illegible

## **06 Appearance**

- O6.1** The vehicle must not show evidence of patched repairs to the chassis or structural body parts of the vehicle including the outriggers unless the repair is of the original gauge metal and continuously welded.
- O6.2** The vehicle must be maintained in a **clean and smart appearance** both externally and internally
- O6.3** **Lighting** shall be fitted to illuminate the interior and exterior of the vehicle sufficient to allow passengers to board and alight the vehicle in safety.

## **O7 Communication**

- O7.1** There must be sufficient means by which a passenger can communicate with the driver.

## **O8 Seats**

- O8.1** Access to every seat must be unobstructed and be easily accessible to passengers and **without the need for more than one passenger to move** when the vehicle is fully occupied.
- O8.2** The surface of all steps must be slip resistant. Step nosing must be designed to minimise risk of tripping and must be in a contrasting tone and colour(s).

## **O9 Tyres**

- O9.1** Tyre tread must have at least 2.0mm tread depth throughout a continuous band in the centre  $\frac{3}{4}$  of the tread and around the entire circumference of the tyre,
- O9.2** Tyres must be correctly inflated at all times to the vehicle/tyre manufacturers recommended pressure

## **O10 Taximeter**

- O10.1** There shall be provided a taximeter so constructed, attached and maintained as to comply with the licensing policy and bye laws. The meter will be calendar controlled.

## **O11 Fare Table**

- O11.1** A fare table of a size and design approved by the Council must be permanently affixed in a conspicuous position inside the vehicle so that it is clearly and conveniently visible to any passenger being conveyed in the vehicle.

## **O12 Fittings**

- O12.1** No fittings other than those approved by the Council shall be attached to or carried upon the inside or outside of the vehicle.

## **O13 Equipment to be carried in the vehicle**

The vehicle must carry the following equipment at all times

- A **fully serviceable fire extinguisher**, fitted in such a position to be readily available for use and a capacity of not less than 1.0 litre A.F.F.F. or 1 kg dry powder.
- First Aid- this should be carried and maintained in such a position as to be readily available for use and prominently marked adequate and suitable first aid equipment. (Please note that a driver should not render aid to any other person other than basic assistance unless he holds a current First Aid Certificate - Health and Safety).
- Spare wheel and tyre – correctly stored to protect passengers' luggage or running wheel/repair kit.
- Jack.
- Wheelbrace.
- A reflective warning triangle and a set of replacement bulbs for all front and rear lights.

#### **O14 Luggage**

- O14.1** Luggage should be safely secured and not stored in such a way to hinder access to a door
- O14.2** There must be a **separate locking luggage area**, or a permanent grille fitted sufficient to prevent luggage carried in the rear compartment from coming into contact with persons using the rear seat.

#### **O15 Alteration of Vehicle**

No material alteration or change in the specification, design, condition or appearance of any vehicle shall be made without the approval of the Council at any time while a licence is in force in respect of that vehicle.

#### **O16 Maintenance of Vehicle**

- O16.1** 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 and all relevant statutory requirements (including in particular those contained in the Road Vehicles (Construction and Use Regulations) in force from time to time shall be fully complied with.
- O16.2** Any corroded or damaged body panels or other parts must be properly repaired or renewed, all splits or cracks must be properly welded and all paintwork properly finished off.
- O16.3** All vehicles must be statutory tested at intervals as determined by the Council's licensing policy.

**O16.4** Vehicles are liable to be examined at any time by a licensing officer, the Vehicle Inspectorate or the police at any reasonable time.

**O17 Seatbelts**

**O17.1** All vehicles must be fitted with fully operational rear seat belts, one for each passenger to be carried, fully compliant with British Standards except where the law specifically provides an exemption

**O18 Radio Equipment**

**O18.1** If two-way radio equipment is provided in the vehicle, it must be in a position approved by the Council and maintained in a sound condition.

## **ANNEX P- Intended use of hackney carriage vehicles**

A person applying to the Authority for a licence for a hackney carriage vehicle should do so with the full intention of using the licensed vehicle in the administrative area of the East Riding of Yorkshire and as a hackney carriage vehicle.

Where the intention of the proprietor is to use a hackney carriage licensed vehicle in another council's area primarily for pre-booked private hire purposes, then it is the view of this Council that the applicant should apply to that council for an appropriate licence to do so.

In accordance with section 57 of the Local Government (Miscellaneous Provisions) Act 1976, a person applying for a hackney carriage licence will be required to indicate in writing whether the vehicle will be used primarily within the administrative area of East Riding of Yorkshire Council or outside of the area. Details will be required as to the proportion of business that will be carried out both within and out of East Riding of Yorkshire Council's administrative area and how much time is carried out on the taxi rank and plying for hire.

In addition, details of the location of business carried on outside the Council's area will be required. Applications received where the primary use of the vehicle is or is likely to be outside the Council's area will be refused for reasons of public safety.

### **Reasons for Intended Use Policy**

The Council wishes to ensure that applications for the grant of hackney carriage licences are determined in accordance with the guidance given by the High Court in its judgment, and the declaration made in the case of Newcastle City Council v Berwick upon Tweed Council [2008].

### **Applications for the grant of a new hackney carriage licence**

Applicants for new and renewal licences will be expected to demonstrate a **bona fide intention to ply for hire within the administrative area of East Riding of**

**Yorkshire Council** under the terms of the licence for which application is being made.

There will be a presumption that applicants who do not intend to a material extent to ply for hire within the administrative area of East Riding of Yorkshire Council may not be granted a hackney carriage licence authorising them to do so. Each application will be decided on its individual merits looking at the circumstances of each case.

Even where the applicant intends to ply for hire to a material extent in the administrative area of East Riding of Yorkshire Council, if the intention is to trade in another authority's area also for a substantial amount of time (and it appears that the purpose of the legislation and public safety will be at risk) then, subject to the merits of the particular application, there will be a presumption that the application will be refused.

### **Applications for the renewal of a hackney carriage licence**

Applicants for renewals of licences will be required to inform the Council whether they have a **bona fide intention to ply for hire within the administrative area of East Riding of Yorkshire Council on the taxi ranks** and confirm that they work primarily on the rank or by plying for hire under the terms of the licence for which application is being made.

There will be a presumption that applicants who do not intend to a material extent to **ply for hire within** the administrative area of East Riding of Yorkshire Council will not be granted a hackney carriage licence authorising them to do so. Section 60 of Local Government Miscellaneous Provisions Act 1976 gives the Council a broad discretion to refuse to renew a licence for **any reasonable cause**. Each application will be decided on its merits.

Evidence of the use of the hackney carriage vehicle in the 12 month licence period will be required at point of renewal.