

# Welwyn Hatfield Borough Council

## Vehicle Application Pack

It is your responsibility to read and ensure that you understand the contents of this pack. Failure to do so may result in a delayed application or renewal and, or prosecution.



**Welwyn Hatfield Borough Council Application Pack for a Hackney Carriage/Private Hire Vehicle Licence**

### **Contents**

In this pack you will find:-

- Application form
- Fees and charges
- Bylaws relating to Hackney Carriages
- Information where:
  - Meters can be calibrated
  - Vehicles can obtain a Certificate of Compliance (CoC)
- Conditions applicable to the licensing of Private Hire vehicles
- Conditions applicable to the licensing of Hackney Carriage vehicles

## Appointments

An appointment with the Hackney Carriage Officer must be booked in advance. To arrange an appointment please ring: 01707 357984. Appointments are held on Tuesdays and Fridays between the hours of 9.30am and 3.30pm. Email TAXI@welhat.gov.uk

## Change of Address

You must notify the Council within 7 days of any change of address. The notification must be in writing.

## Transfers of Ownership - Registered Holder of Licence

You have a legal obligation under Section 49 of the Local Government (Miscellaneous Provisions Act) 1976 to notify the Licensing Authority of a transfer of ownership. The notification must be in writing and in accordance with the terms and conditions **within 14 days** of transfer. Failure to comply may result in the Council taking legal action against you.

## Transfers of Ownership - New Owner

You need to:

- Make an appointment with a Hackney Carriage Officer, Tuesdays to Fridays between the hours of 9.30am and 3.30pm
- At the appointment produce:
  - A CoC obtained within **28 days** of the appointment
  - A completed Application form
  - Insurance certificate
  - Log book (or other proof of ownership)
  - Pay the fee (see fees and charges) (Cheques payable to "Welwyn Hatfield Borough Council") **Transferring a Licence to a New Vehicle**

To transfer the Licence to a new vehicle you must:

- Make an appointment with the Hackney Carriage Officer • At the appointment produce:
  - A valid CoC obtained within **28 days** of the appointment
  - A completed Application form
  - Insurance certificate
  - Log book (or other proof of ownership)
  - Pay the fee (non refundable)

## Authorised Meter Dealers

TSSL  
10 Mitre Way  
London  
W10 6AU

Tel. 01895 234616, Fax 01895 812629, email [sales@remtaximeters.com](mailto:sales@remtaximeters.com)

## Certificate of Compliance (CoC) Garages

Malmech and Mannion  
Burrowfield  
Welwyn Garden City  
Tel (01707) 322668

Fairway Tyres  
4 Bury Road  
Hatfield  
Tel (01707) 268740

Burrowfield Auto  
2 Woodfield Road  
Welwyn Garden City  
Tel (01707) 393017

**The Hackney Carriage Officer** means an Officer of the Council of the Borough of Welwyn Hatfield for the time being authorised in writing by the Council for the purposes of Part II of the Local Government (Miscellaneous Provisions) Act 1976 or the Town Police Clauses Act 1847, The Transport Act 1985 and the bye laws made thereunder.

### **STANDARD CONDITIONS FOR THE LICENSING OF PRIVATE HIRE VEHICLES BY VIRTUE OF SECTION 48(2) OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976.**

Any vehicle presented for licensing must comply with the following conditions:

#### 1 **General**

The vehicle, at all times, when being available for hire, or being used as a Private Hire vehicle must be:

- (a) safe
- (b) tidy
- (c) clean
- (d) and comply with all relevant statutory provisions, requirements and subordinate legislation at all times.

The proprietor and driver of a vehicle will ensure that the vehicle is maintained to a high standard of appearance and cleanliness, both on the exterior and interior. They must also ensure that it is mechanically safe and reliable.

#### 2 **Specification**

2.1 The vehicle engine capacity shall be not less than 1600cc

2.2 The vehicle must have at least four doors, all of which are capable of being opened from the inside.

- 2.3 The vehicle must be capable of carrying not less than four passengers but not more than eight.
- 2.4 The vehicle shall be of right-hand drive manufacture and not converted as so.
- 2.5 Any vehicle that is to be converted to Liquid Petroleum Gas (LPG) must be with the express permission of the Hackney Carriage Office. Only a garage authorised to do so may carry out the conversion. A Certificate of Compliance is to be obtained immediately after any such conversion and presented to the Hackney Carriage Office for inspection.
- 2.6 The width of the rear seat shall be of no less than **51** inches unobstructed width, excluding armrests, window winders, etc.
- 2.7 All vehicles must have adequate leg and foot-room, shoulder-width and head height.
- 2.8 The vehicle shall not be of a design and appearance, including colour or combination of colours, as to lead any person to believe that the vehicle is a Hackney Carriage.
- 2.9 The vehicle glass is to be kept clear of all obstructions.

### **3 Vehicle Licence Plates**

- 3.1 The vehicle licence plate is to be affixed to the vehicle, with the bracket supplied by the Hackney Carriage Office, in a position determined by the Hackney Carriage Officer.
- 3.2 The licence plate shall display the number of passengers that the vehicle may carry the vehicle registration number and date of expiry of the Licence.
- 3.3 No plate shall be removed from any vehicle, under any circumstances, without the prior permission of the Hackney Carriage Office.
- 3.4 Only an "Authorised Officer" or "any Constable" on suspension of a vehicle licence may remove a licence plate from a Private Hire vehicle.
- 3.5 The plate remains the property of the Council at all times. It must be returned to the Council on written request within seven days of being given notice to do so.

### **4 Tyres**

- 4.1 Tyres will be all of either radial or cross-ply manufacture, including the spare wheel.

- 4.2 Where the manufacturer supplies a “space saver” type spare wheel, all guidance to its use is to be adhered to. The "normal" tyre is to be repaired and refitted as soon as is practical, but before the vehicle is "hired" again.
- 4.3 All tyres are to be in a state of good repair and comply with the construction and use regulations in force.
- 4.4 If a spare wheel is not carried, as may be with LPG converted vehicles and with the permission of the Hackney Carriage Officer, the vehicle must be fitted with “Run flat” tyres.

## **5 Age of Vehicles**

- 5.1 All vehicles are to be licensed for a period of 1 year. If in that year they attain the age of eight years from the first date of registration they will only be licensed to that date.
- 5.2 The licence fee will be charged pro-rata to the nearest full month if a vehicle is to be licensed for less than a year.
- 5.3 No vehicle shall be licensed for the first time if it is over four years old.

## **6 General Condition of the Vehicle**

- 6.1 The interior of the vehicle must remain clean and tidy at all times.
- 6.2 The exterior of the vehicle must remain clean and free of any "impact" or other damage at all times.
- 6.3 The luggage compartment must be maintained in a clean and tidy condition with no extraneous items and only essential tools as supplied by the manufacturer may be carried.
- 6.4 The carriage within the luggage compartment of lubricants, washing fluids, or other extraneous items is forbidden.

## **7 Roof and For Hire Signs**

- 7.1 No roof or “For Hire” signs are to be used at any time on any Private Hire vehicle.

## **8 Inspection of Vehicles**

- 8.1 Vehicles aged below one year do not require a certificate of compliance until one year has elapsed since its first date of registration.
- 8.2 Vehicles aged one year to three years from date of first registration will be tested annually at an authorised testing station.

- 8.3 Vehicles aged three years to eight years will be tested every six months at an authorised testing station.
- 8.4 All vehicles must obtain a Certificate of Compliance test at an authorised testing station **28 days** prior to the date of renewing, granting or transferring of a vehicle Licence.
- 8.5 All fees for vehicle inspections are to be paid direct to the authorised garage at the time of inspection or re-inspection.
- 8.6 Fees may be charged for re-inspections at the discretion of the authorised testing station.

## 9 **Taximeters**

- 9.1 Taximeters are to be of a type or model and positioned to the approval of the Hackney Carriage Office.
- 9.2 All taximeters are to be calibrated up to the Council's maximum tariff and a Certificate of Calibration supplied at the time of sealing the taximeter.
- 9.3 The meter is to be used at the request of the "hirer" and in accordance with the current tariff card.
- 9.4 If a quote is given to the "hirer" at the commencement of a journey it must be adhered to and the taximeter is not to be used.
- 9.5 All meters are to be sealed by the Hackney Carriage Office or at the time of calibration.

## 10 **Fare Cards**

- 10.1 If a taximeter is fitted to a Private Hire vehicle, an authorised fare card is to be displayed at all times and is to be produced on request.

## 11 **Accidents**

- 11.1 All accidents involving a Private Hire vehicle must be reported to the Hackney Carriage Office within a maximum of 72 hours from the time of its occurrence. This must be done in writing.

## 12 **Advertising**

- 12.1 No more than two external advertisements are to be displayed on a vehicle.
- 12.2 Advertisements must be confined to the front passenger and driver doors and must be approved by the Hackney Carriage Officer.
- 12.3 No advertisement or other matter whatsoever may be displayed on any windows of the vehicle.

12.4 No advert is to use the word "Taxi" or the phrase "For hire" at any time.

### 13 **Fire Extinguisher**

13.1 A fire extinguisher with a dry powder capacity of not less than 1kg will be provided within the vehicle at all times.

13.2 Any extinguisher shall conform in all respects to the British Standards Institute.

### 14 **Fees**

14.1 Fees, once paid are not refundable and must be paid fully on application for the Licence.

14.2 Fees maybe varied from time to time in accordance with Statute, to meet the reasonable cost of all matters relating to the licensing of Private Hire vehicles.

### 15 **Two Way Radio and Data Heads**

15.1 All two-way radios and data heads are to be fitted to the fabric of the vehicle in a secure manner. They are not to impinge on the safe operation of the vehicle.

15.2 No telecommunication equipment of any kind (excluding "hands free") is to be used whilst the vehicle is being driven.

### 16 **Estate Cars and Vehicles Without Purpose-Built Luggage Compartments**

16.1 All luggage must be safely and securely stowed.

### 17 **Documentation**

17.1 All vehicle proprietors at the time of granting, renewing, transferring ownership or changing vehicles must supply the following documentation:

- (1) Vehicle registration document
- (2) Certificate of Compliance obtained within 28 days of the grant, transfer or renewal of Licence.
- (3) A valid certificate of insurance designated for "Private Hire".
- (4) Proof of sale and authority of transfer.

### **Interpretation**

For the purpose of these conditions:

The "Hackney Carriage Officer" means an officer of the Council of Welwyn Hatfield Borough Council for the time being authorised in writing by the Council for the purpose

of Part II of the Local Government (Miscellaneous Provisions) Act 1976 or the Town Police Clauses Act 1847.

**Note:**

The Council being in possession of a Certificate of Exemption granted by the Secretary of State for Transport is required to issue a Certificate of Compliance in respect of each licensed Private Hire vehicle operating within the Borough.

By virtue of the said Certificate of Exemption, the Council may not accept anything other than a Certificate of Compliance as evidence of the satisfactory condition of the vehicle, which is to be licensed. The test may only be carried out at a testing station appointed by the Council and authorised by the Department of Transport. The test must be at least to MOT standard before the Certificate can be issued. When presenting the vehicle for licensing, re-licensing or transferring, you must ensure that the date of issue of the Certificate of Compliance is not more than **28 days** prior to the date of issue of the Licence.

Authorised Garages:

Malmech and Mannion	Tel: 01707 322668
Fairway Tyres	Tel: 01707 268740
Burrowfield Autos	Tel: 01707 393017

Any person may, in writing, appeal against any or all the conditions relating to the granting, renewing or transferring of a vehicle in accordance with section 77 of the Local Government (Miscellaneous Provisions) Act 1976;

either to the:-	Clerk to the Magistrates Luton Magistrates Court Stuart Street Luton Bedfordshire LU1 5BL	<b>or</b>	The Hackney Carriage Committee Welwyn Hatfield Borough Council Campus East Welwyn Garden City Herts AL8 6AE
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Nothing in this document shall be interpreted as overriding the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976, the Town Police Clauses Act 1847 or the Transport Act 1985 and the byelaws made thereunder.



## **STANDARD CONDITIONS FOR THE LICENSING OF HACKNEY CARRIAGE VEHICLES, AS OF 1 OCTOBER 2020**

Pursuant to section 47 of the Local Government (Miscellaneous Provisions) Act 1976 these standard conditions apply to all hackney carriage vehicles licensed by Welwyn Hatfield Borough Council (“the Council”) under section 37 of the Town and Police Clauses Act 1847

Any vehicle licensed by the Council pursuant to section 37 of the Town and Police Clauses Act 1847 (“Hackney Carriage”) must comply with the following conditions.

### **1 General**

- 1.1 The Hackney Carriage vehicle, must, at all times, be:
  - (a) safe
  - (b) tidy
  - (c) clean; and
  - (d) comply with all relevant statutory provisions, requirements and subordinate legislation at all times.
- 1.2 The proprietor and driver of a Hackney Carriage vehicle shall ensure that the vehicle is maintained to a high standard of appearance and cleanliness, both on the exterior and interior. They must also ensure that it is mechanically safe, reliable and that all ancillary equipment is carried in a serviceable condition.
- 1.3 The proprietor and driver of a Hackney Carriage vehicle must ensure that any driver is fully trained and conversant in regard to all safety features including the loading and unloading of passengers confined to a wheelchair. This training must be completed by a Council approved trainer. The training must be completed by a trainer who is approved by the Council (A list of Council-approved trainers will be provided by the Council)

### **2 Specification**

- 2.1 The Hackney Carriage vehicle shall be a purpose built vehicle in line with European Community Whole Vehicle Type Approval (“ECWVTA”) – M1 type approval. It must be capable of carrying, loading and alighting a person confined in a wheelchair in safety. This specification will also apply to any transfer of a vehicle licence including accidental damage.
- 2.2 The Hackney Carriage vehicle must have a side loading or rear loading door that enables the wheelchair user to be safely loaded into and out of the vehicle.
- 2.3 The Hackney Carriage vehicle shall be fitted with the appropriate access equipment (including but not exclusively ramps and steps) for the Hackney Carriage vehicle make and model and must be kept with the Hackney Carriage vehicle at all times.
- 2.4 Where the internal floor height of the Hackney Carriage vehicle exceeds 12 inches (305mm) Intermediate steps shall be fitted every 9 inches (228mm) from road level up to the internal floor height. All steps must be capable of carrying the weight of an adult and be permanently affixed to the vehicle. All steps must be illuminated.

- 2.5 The Hackney Carriage vehicle shall be of all one standard silver colour and display WHBC Crests on the front driver and front passenger doors. (Crests will be issued initially free of charge, there will be a charge for any replacement crests).
- 2.6 The silver colour, referred to in paragraph 2.5 (above), shall be permanent or permanently affixed.
- 2.7 The Hackney Carriage vehicle must be capable of carrying not less than four passengers plus a person confined to a wheelchair (“four plus one passengers”).
- 2.8 Where the Hackney Carriage vehicle is not carrying a person confined to a wheelchair the maximum number of passengers at any one time shall be eight.
- 2.9 Where the Hackney Carriage vehicle is carrying a person confined to a wheelchair the maximum number referred to in paragraph 2.8 (above) shall be reduced according to the number of seats occupied by the wheelchair.
- 2.10 The vehicle shall be of right-hand drive manufacture and not converted as so.
- 2.11 All vehicles must have adequate leg and foot-room, shoulder-width and head-height for all passengers.
- 2.12 The vehicle shall comply with Euro 6 emission standards.
- 2.13 The vehicle glass is to be kept clear of all obstructions.

### **3 Vehicle Licence Plates**

- 3.1 The vehicle licence plates, including an internal plate, are to be affixed to the vehicle, with the bracket supplied by the Hackney Carriage Office in a position determined by the Authorised Officer.
- 3.2 The licence plates shall display the number of passengers that the vehicle may carry the vehicle registration number and date of expiry of the Licence.
- 3.3 No plate may be removed from any vehicle, under any circumstances, without the prior permission of the Hackney Carriage Office.
- 3.4 Only an Authorised Officer or any Constable may remove a licence plate from a Hackney Carriage in circumstances where the vehicle licence is suspended, or revoked or withdrawn.
- 3.5 The plate remains the property of the council at all times. It must be returned to the Council on written request within seven days of being given notice to do so.

### **4 Tyres and Spare Wheel**

- 4.1 Tyres must all be of either radial or cross-ply manufacture, including the spare wheel.

- 4.2 Where the manufacturer supplies a 'space saver' type spare wheel, all guidance to its use must be adhered to. In circumstances where the 'space saver' spare wheel is fitted, the 'normal' tyre must be repaired and refitted as soon as is practical, but in any event before the vehicle is 'hired' again.
- 4.3 All tyres are to be in a state of good repair and comply at all times with the construction and use regulations in force.
- 4.4 If a spare wheel is not carried, as may be the case with a Liquid Petroleum Gas ("LPG") converted vehicle and with the permission of the Authorised Officer, the vehicle must be fitted with 'Run flat' tyres.

## **5 Age of vehicles**

- 5.1 No Vehicle shall be licensed if it is over four years old from first date of registration.
- 5.2 All vehicles are to be licensed for a period of 1 year. If in that year they attain the age of ten years from first date of registration, they will only be licensed to the date on which the age of 10 years is reached
- 5.3 The Licence fee will be charged pro-rata to the nearest full months if a vehicle is to be licensed less than a year.

## **6 General Condition of the vehicle**

- 6.1 The interior of the vehicle must remain clean and tidy at all times.
- 6.2 The exterior of the vehicle must remain clean and free of any 'impact' or other damage at all times.
- 6.3 The luggage compartment must be maintained in a clean and tidy condition with no extraneous items, only essential tools as supplied by the manufacturer may be carried.
- 6.4 Where a vehicle is utilised for the carriage of passengers in a wheelchair access to and exit from the wheelchair position must not be obstructed in any manner at any time except by wheelchair loading apparatus.
- 6.5 The carriage within the luggage compartment of lubricants, washing fluids, or other extraneous items is forbidden whilst the vehicle is plying for hire.

## **7 Roof and For Hire Signs**

- 7.1 Roof and 'For Hire' signs must meet the approval of the Council and be capable of being illuminated in conjunction with the taximeter. They are to be integral to the vehicle build and not detachable.

## **8 Inspection of Vehicles**

- 8.1 Vehicles aged below one year do not require a certificate of compliance until one year has elapsed since the first date of registration.
- 8.2 Vehicles aged one year to three years from date of first registration must be tested annually at an authorised testing station.
- 8.3 Vehicles aged three years to ten years must be tested every six months at an authorised testing station.
- 8.4 All vehicles must have a Certificate of Compliance test issued by an authorised testing station within 28 days prior to the date of renewing, granting or transferring of a vehicle Licence.
- 8.5 All fees for vehicles inspections are to be paid direct to the authorised garage at the time of inspection or re-inspection.
- 8.6 Fees may be charged for re-inspections at the discretion of the authorised testing station.

## **9 Taximeters**

- 9.1 Taximeters are to be of a type or model and positioned to the approval of the Hackney Carriage Office.
- 9.2 All taximeters are to be calibrated up to the Council's maximum tariff and a certificate of calibration supplied at the time of sealing the taximeter.
- 9.3 The meter must be used at all times when a journey commences and concludes within the Welwyn Hatfield Borough Council.
- 9.4 An authorised fare card is to be displayed at all times whilst a Hackney Carriage vehicle is plying for hire.
- 9.5 The taximeter must be positioned within the vehicle so as to allow passengers a clear unhindered view.

## **10 Accidents**

- 10.1 All accidents involving a Hackney Carriage, whether on hire or not, must be reported to the Hackney Carriage Office within a maximum of 72 hours from the time of its occurrence. This must be done in writing.

## **11 Advertising**

- 11.1 No more than two external advertisements are to be displayed on a vehicle and must be approved by the Authorised Officer prior to display.
- 11.2 Advertisements must be confined to the rear side passenger doors and must be approved by the Authorised Officer.
- 11.3 No advertisement or other matter whatsoever may be displayed on any windows of the vehicle.

## **12 Fire Extinguisher**

- 12.1 A fire extinguisher with a dry powder capacity of not less than 1kg must be provided within the vehicle at all times and must be within date.
- 12.2 Any extinguisher shall conform in all respects to the British Standards Institute.

## **13 Fees**

- 13.1 Fees, once paid are not refundable.
- 13.2 Fees may be varied from time to time in accordance with statute, to meet the reasonable cost of all matters relating to the licensing of Hackney Carriage.

## **14 Two way Radio and Data Heads**

- 14.1 All two-way radios and data heads are to be fitted to the fabric of the vehicle in a secure manner. They must not impinge on the safe operation of the vehicle.
- 14.2 No telecommunication equipment of any kind (excluding 'hands free') is to be used whilst the vehicle is being driven.

## **15 Ramps and Stowage**

- 15.1 All ramps and accessibility equipment must be carried at all times in a manner that is safe and easily accessible for use.
- 15.2 It is the driver's responsibility to ensure all passengers are safe throughout their journey, including loading and unloading. All safety equipment must be used.
- 15.3 All luggage must be safely and securely stowed.

## **16 Documentation**

- 16.1 All vehicle proprietors at the time of applying for a grant, renewal, or transfer of a licence must supply the following documentation;
- (1) Vehicle registration document (VQ5)
  - (2) Certificate of Compliance obtained within 28 days of the grant, transfer or renewal of Licence.
  - (3) A valid certificate of insurance designated for 'public hire'. Spouses or other unlicensed drivers must not be included on the policy.
  - (4) Wheelchair accessible vehicle driver training certificate
  - (5) In the case of a transfer, a letter from the current proprietor of the vehicle, authorising the transfer of the vehicle Licence, must be provided to the Authorised Officer.

## **17 Certificate of Insurance**

- 17.1 All insurance certificates must state 'Public Hire and Reward'.

### **Interpretation**

For the purpose of these conditions:

The '**Authorised Officer**' means an officer of the Council of the Welwyn and Hatfield Borough council for the time being authorised in writing by the Council for the purpose of Part II of the Local Government (Miscellaneous Provisions) Act 1976 or the Town Police Clauses Act 1847.

### **Note:-**

The Council being in possession of a certificate of exemption granted by the Secretary of State for Transport is required to issue a certificate of compliance in respect of each licensed Hackney Carriage operating within the Borough.

By virtue of the said certificate of exemption, the council may not accept anything other than a certificate of compliance as evidence of the satisfactory condition of the vehicle, which is to be licensed.

The test may only be carried out at a testing station appointed by the council and authorised by the Department of Transport. The test must be at least to M.O.T. standard before the certificate can be issued. When presenting the vehicle for licensing, re-licensing or transferring you must ensure that the date of issue of the certificate of compliance is not more than 28 days prior to the date of issue of the Licence.

Authorised Garages:

Malmech and Mannion	Tel: 01707 322668
Fairway Tyres	Tel: 01707 268740
Burrowfield Autos	Tel: 01707 393017

Any person may, in writing, appeal against any or all the conditions relating to the granting, renewing or transferring of a vehicle in accordance with section 77 of the Local Government (Miscellaneous Provisions) Act 1976;

either to the:-	Clerk to the Magistrates Luton Magistrates Court Stuart Street Luton Bedfordshire LU1 5BL	<b>or</b>	The Hackney Carriage Committee Welwyn Hatfield Borough Council Campus East Welwyn Garden City Herts AL8 6AE
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# **[USE BYELAWS IN DRIVER APPLICATION]**

## **HACKNEY CARRIAGE BYELAWS MADE UNDER SECTION 68 OF THE TOWN POLICE CLAUSES ACT 1847, SECTION 171 OF THE PUBLIC HEALTH ACT 1875 BY THE BOROUGH COUNCIL OF WELWYN HATFIELD WITH RESPECT TO HACKNEY CARRIAGES IN THE BOROUGH OF WELWYN HATFIELD**

### **WELWYN HATFIELD BOROUGH COUNCIL**

### **HACKNEY CARRIAGE BYELAWS**

Made under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875 by the Borough Council of Welwyn Hatfield with respect to Hackney Carriages in such part of the Borough of Welwyn Hatfield.

### **INTERPRETATION**

1. Throughout these byelaws "the Council" means the Welwyn Hatfield Borough Council and "the Borough" means the Borough of Welwyn Hatfield.

### **PROVISIONS REGULATING THE MANNER IN WHICH THE NUMBER OF EACH HACKNEY CARRIAGE CORRESPONDING WITH THE NUMBER OF ITS LICENCE, SHALL BE DISPLAYED**

- 2 (a) The proprietor of a Hackney Carriage shall cause the number of the Licence granted to him in respect of the carriage to be legibly displayed on the outside of the carriage on a plate provided by the Council and in the position indicated by the Council.
  - (b) A proprietor or driver of a Hackney Carriage shall:-
    - (i) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire;



- (ii) not cause or permit the carriage to stand or ply for hire with any plate so defaced that any figure or material particular is illegible

**PROVISIONS REGULATING HOW HACKNEY CARRIAGES ARE TO BE FURNISHED OR PROVIDED**

3. The proprietor of a Hackney Carriage shall:-
- (a) provide sufficient means by which any person in the carriage may communicate with the driver;
  - (b) cause the roof or covering to be kept watertight;
  - (c) provide any necessary windows and a means of opening and closing not less than one window on each side;
  - (d) cause the seats to be properly cushioned or covered;
  - (e) cause the floor to be provided with a proper carpet, mat or other suitable covering;
  - (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
  - (g) provide means for securing luggage if the carriage is so constructed as to carry luggage;
  - (h) provide an efficient fire extinguisher with a nominal dry powder capacity of 2.2lbs or 1 kg which shall be carried in such a position as to be readily available for use;
  - (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver; and
  - (j) provide adequate internal lighting within the carriage.

4. The proprietor of a Hackney Carriage shall cause the same to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements, that is to say
  - (a) The taximeter shall be fitted with a key, flag, or other device the operation of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
  - (b) such key, flag, or other devices shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
  - (c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures, a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by time as well as for distance in pursuance of the tariff fixed by the Council;
  - (d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
  - (e) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring; and
  - (f) the taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.
5. The proprietor of a Hackney Carriage shall cause the carriage to be provided with a sign so constructed as to comply with the following requirements, that is to say:-

- (a) the sign shall bear the words "FOR HIRE" in plain letters at least 1 3/8th inches or 3.5cm in height; and
- (b) the sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the carriage whether or not the carriage is for hire.

**PROVISIONS REGULATING THE CONDUCT OF THE PROPRIETORS AND DRIVERS OF HACKNEY CARRIAGES PLYING WITHIN THE BOROUGH IN THEIR SEVERAL EMPLOYMENTS, AND DETERMINING WHETHER SUCH DRIVERS SHALL WEAR ANY AND WHAT BADGES**

6. The driver of a Hackney Carriage provided with a taximeter shall:-

- (a) when standing or plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter and operate the sign provided in pursuance of byelaw 5 so that the words 'FOR HIRE" are clearly and conveniently legible by persons outside the carriage;
- (b) as soon as the carriage is hired whether by distance or by time operate the said sign so that the words 'FOR HIRE" are not conveniently legible by persons outside the carriage;
- (c) before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key, flag or other device, so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring; and
- (d) cause the dial of the taximeter to be kept properly illuminated throughout any part of the hiring which is between half-an-hour after sunset and half-an-hour before sunrise, and also at any other time at the request of the hirer.

7. A proprietor or driver of a Hackney Carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.
8. The driver of a Hackney Carriage shall, when plying for hire in any street and not actually hired:-
  - (a) proceed with reasonable speed to one of the stands appointed by the Council;
  - (b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
  - (c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction; and
  - (d) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.
9. Where a Hackney Carriage is:-
  - (a) the only carriage, or
  - (b) one of the first two carriages,
  - (c) at a stand appointed by the Council, the driver thereof shall be with his carriage and ready to be hired at once by any person.
10. The proprietor or driver of a Hackney Carriage, when standing or plying for hire, shall not make use of the services of any other person for the purpose of importuning any person to hire such carriage.

11. The driver of a Hackney Carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
12. The driver of a Hackney Carriage shall not at any time when conveying a person hiring that carriage, smoke or burn tobacco without the express permission of that person.
13. The proprietor or driver of a Hackney Carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
14. A proprietor or driver of a Hackney Carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage. Provided that for the purpose of this byelaw, two children under the age of 12 years shall be regarded as one person and children under the age of 3 years shall not be reckoned.
15. If a badge has been provided by the Council and delivered to the driver of a Hackney Carriage he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.
16. The driver of a Hackney Carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage,
  - (a) convey a reasonable quantity of luggage;
  - (b) afford reasonable assistance in loading and unloading; and
  - (c) afford reasonable assistance in removing it to or from the entrance of  
any building, station, or place at which he may take up or set down such person.

**PROVISIONS AFFIXING THE RATES OF FARES TO BE PAID FOR HACKNEY CARRIAGES WITHIN THE BOROUGH, AND SECURING THE DUE PUBLICATION OF SUCH FARES**

17. The proprietor or driver of a Hackney Carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the Council, the rate or fare being calculated by distance and time unless the hirer express at the commencement of the hiring his desire to engage by time.

Provided always that where a Hackney Carriage furnished with a taximeter shall be hired by distance and time the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.

18. (a) The proprietor of a Hackney Carriage shall cause a statement of the fares fixed by the Council to be exhibited inside the carriage, in clearly distinguishable letters and figures.
- (b) The proprietor or driver of Hackney Carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

**PROVISIONS SECURING THE SAFE CUSTODY AND RE-DELIVERY OF ANY PROPERTY ACCIDENTALLY LEFT IN HACKNEY CARRIAGES, AND FIXING THE CHARGES TO BE MADE IN RESPECT THEREOF**

19. The proprietor or driver of a Hackney Carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.
20. The proprietor or driver of a Hackney Carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him:-

- (a) carry it as soon as possible and in any event within 48 hours if not sooner claimed by or on behalf of its owner, to the County Police Office, The Campus, Welwyn Garden City or to the County Police Station, St.Albans Road East, Hatfield, and leave it in the custody of the officer in charge of the office on his giving a receipt for it; and
- (b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to 5p in the pound of its estimated value (or the fare for the distance from the place of finding to the County Police Office, The Campus, Welwyn Garden City or St.Albans Road East, Hatfield as the case may be, whichever is the greater) but not more than £5.00.

**PENALTIES**

- 21. Every person who shall offend against any of these byelaws shall be liable on a summary conviction to a fine not exceeding level 2 on the standard scale and in the case of a continuing offence to a further fine not exceeding £2.00 for each day during which the offence continues after conviction therefore.

**REPEAL OF BYELAWS**

- 22. The byelaws relating to Hackney Carriages which were made by the Council on the 8<sup>th</sup> day of April 1994 and which were confirmed by one of her Majesty's Principal Secretaries of State on the 31<sup>st</sup> day of August 1994 are hereby repealed.

The Common Seal of the Welwyn Hatfield Borough Council was hereunto affixed the 12 <sup>th</sup> day of September 2002 in the presence off:	) ) ) ) )	<b>LS</b>	Margaret Scarff Chairman  MJ Davies Solicitor to the Council
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The aforementioned by-laws confirmed by the Secretary of State and shall come into force on the 28<sup>th</sup> day of November 2002.

## Licence Fees

Licence/activity	Duration	Fee
Hackney carriage driver licence	3 year	450.00
Hackney carriage vehicle licence	1 year	290.00
Private hire vehicle licence	1 year	290.00
Private hire driver licence	3 year	450.00
Private hire operator licence	1 year	330.00
Private hire operator licence	3 year	762.00
Private hire operator licence	5 year	1194.00
Disclosure Barring Service check (DBS)		50.00
Knowledge test (per attempt)		60.00
Replacement plate		20.00
Replacement bracket		15.00
Replacement driver's badge		15.00
Extra copy/duplicate of licence		5.00
DVLA check		10.00
Vehicle transfers		100.00
New Driver Application		205.00

## Application/Renewal Checklist

Log book or Proof of ownership	Yes/No
Insurance Certificate or Cover Note (Ensure you have the correct type)	Yes/No
Certificate of Compliance. (Within 28 days of the date of licensing)	Yes/No
Appropriate Fee	Yes/No



# Vehicle Application Form

Please complete this application form before detaching and returning it to the Hackney  
Carriage Office

**WELWYN  
HATFIELD**  
BOROUGH COUNCIL

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**Welwyn Hatfield Borough Council  
Application to Grant/Renew/Transfer a  
Hackney Carriage/Private Hire  
Vehicle Licence**

We may get information about you from certain third parties or give information to them to check the accuracy of information, to prevent or detect crime, or to protect public funds in other ways as permitted by law. These third parties include other Local Authorities and Government departments.

To: The Hackney Carriage Office  
Welwyn Hatfield Borough Council  
Campus East  
WELWYN GARDEN CITY  
Herts  
AL8 6AE

**All questions below must be answered and all tick boxes completed as applicable. Please use BLOCK CAPITAL LETTERS.**

FULL NAME(S):	
ADDRESS:	
TELEPHONE NUMBER(S):	
EMAIL ADDRESS:	

I am applying to :                      RENEW                       GRANT                       TRANSFER

The following vehicle licence: HACKNEY CARRIAGE                       PRIVATE HIRE

Hackney Carriage /Private Hire Licence number: \_\_\_\_\_

VEHICLE MAKE AND MODEL:	
VEHICLE REGISTRATION:	
VEHICLE TYPE:	WAV <input type="checkbox"/> SALOON <input type="checkbox"/> ESTATE <input type="checkbox"/> MPV <input type="checkbox"/>
DATE OF REGISTRATION:	
AGE OF VEHICLE:	
PASSENGER SEAT CAPACITY:	
WHEELCHAIR ACCESSIBLE:	YES <input type="checkbox"/> NO <input type="checkbox"/>

Has the vehicle ever been damaged in any accident or incident, prior or during the period of its licence?

YES                       NO

If Yes please confirm the extent of the damage:

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Has the vehicle ever been written off? YES  NO

Under the Equality Act 2010 the Council must produce a list of wheelchair vehicles available to the public. If you are licensing a wheelchair accessible vehicle do you consent to your telephone being advertised on the Welwyn Hatfield Borough Council Website for these purposes? YES  NO

### **Declaration**

I, the undersigned, hereby apply for a **Hackney Carriage/Private Hire** (delete as applicable), Vehicle Licence within the Borough of Welwyn and Hatfield in respect of the vehicle described overleaf. **I understand that this vehicle is licensed for use only within the Borough of Welwyn Hatfield and no other place. It is my intention to only use the aforementioned vehicle for hire and reward solely within the Borough to which it is licensed.**

I declare that to the best of my knowledge and belief, the statements made herein are true and correct and I give my permission for you to check the information I have given with other sections within the Council and other Councils or Governments. I have read, understood and agree to abide by all relevant legislation contained within the guidance document in regard to being a licensed proprietor within the Borough of Welwyn Hatfield.

I realise that if for obtaining a Hackney Carriage/Private Hire licence for this vehicle, **I make any false statement or omit any material particular, I shall be guilty of an offence and liable to prosecution.**

Enclosed remittance of £ \_\_\_\_\_ being the fee for the licence applied for.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Status: \_\_\_\_\_

(State if you are the owner, company representative or proprietor of the vehicle licence you are applying for).

**NOTE:** This application must be **signed by the owner** of the vehicle for which a Hackney Carriage/Private Hire Licence is sought, or where the vehicle is in joint ownership, by one of the owners. In the case of a limited liability company or other legal entity the Secretary or Manager or other duly authorised agent of the company or firm owning the vehicle must sign the Application on their behalf. In this eventually, they are to sign and state their status within the company.

**Ensure that you have the appropriate fee at the time of application. Once paid, fees will not be refunded. Payments can be made by cheque or cash only. Please note we do not hold any change.**

<b>For Office Use Only</b>			
Application received on	<b>CODE</b>	<b>Amount £</b>	<b>Receipt No.</b>
Licence fee £	6320/82035		
Vehicle Licence <b>issued</b>			
Vehicle Licence <b>expires</b>			
Plate No.			
Plate deposit £20.00			

**DOCUMENTS CHECKED**

Compliance (dated within 28 days)	YES <input type="checkbox"/> NO <input type="checkbox"/>
Insurance	YES <input type="checkbox"/> NO <input type="checkbox"/>
Log Book V5	YES <input type="checkbox"/> NO <input type="checkbox"/>
Meter Calibration Certificate (if applicable)	YES <input type="checkbox"/> NO <input type="checkbox"/>
Wheelchair Vehicle Driver Certificate (if applicable)	YES <input type="checkbox"/> NO <input type="checkbox"/>