

APPENDIX B

Proposed Changes to Single Status Drivers Licences conditions and Hackney Carriage and Private Hire Vehicle conditions

Proposal	Mischiefs being addressed	Arguments in favour of change	Arguments against change	Proportionality	Grandfather rights issues	Proposed Wording of condition
<p>Consider the use of run-flat tyres for use as an alternative to the requirement of a licensed vehicle to carry a spare/space-saver wheel</p>	<p>Current policy never considered the use of run-flat tyres as an alternative. The current policy has the possibility of restricting a number of popular vehicles from being licensed due to manufacturers removing the space in the boot area originally designed for spare wheels and space-savers</p>	<p>Allows for a greater choice of vehicles to be licensed where the boot space is not large enough to comply with current requirements AND carry a spare wheel/space saver</p>	<p>In the event of an immediate total loss of pressure (a blow-out) and where the tyre becomes detached from the wheel there is no way to continue a journey</p>	<p>The proposal places no additional burden on the licence-holder but provides a further option for being able to deal with a puncture. The proposal also provides further choice of vehicles being made available for licensing</p>	<p>Not applicable</p>	<p>Vehicle Condition</p> <p>Insert the following text in to HCV condition 3.5 and PHV condition 3.4 as follows:</p> <p>(except where condition 3.5/3.6 are met)</p> <p>Add new HCV condition 3.6 and new PHV condition 3.5 as follows:</p> <p>There is no requirement for a full size spare tyre or a space saver to be carried where the vehicle is fitted with 4 approved run-flat tyres and is equipped with a tyre pressure monitoring system. In the case of a</p>

						run-flat tyre getting a puncture, the tyre must be replaced (or repaired in accordance with the manufacturers guidelines) prior to carrying any further clients or before the maximum number of miles recommended by the manufacturer is travelled.
Adding a requirement to the Spare Tyre / Space Saver Tyre condition to ensure suitable tools are also carried to enable them to be changed in the case of a puncture	The purpose of the spare wheel policy is to minimise the possibility of drivers not being able to complete a hiring due to a puncture. Currently, licensed vehicles can meet the policy requirements without meeting the policy objective by not purchasing a wheel jack and brace	This change would remove the assumption that the relevant tools would be carried	No arguments against have been submitted	There is no question of proportionality relating to this proposal as it relates to all vehicles	To apply to all vehicles on adoption of the policy	<p>Vehicle Condition</p> <p>Amend HCV condition 3.5 and PHV condition 3.4 as follows:</p> <p>The vehicle must be equipped with a full spare tyre or a space saver tyre with the necessary tools for their use as a minimum requirement.</p>

<p>Consider removing the use of taximeters in private hire vehicles unless the operator wishes to charge the same tariff as set by the Council for hackney carriages</p>	<p>Drivers using a taximeter that has not been set and verified to the private hire operator's current tariff</p>	<p>The mischief could be minimised by removing all taximeters that are not part of the operators business model</p>	<p>4 separate submissions were made from the trade relating to the use of taximeters. All of these stated they would like all licensed vehicles in Halton to use taximeters charging the same tariff. No representations were made in respect of the proposed issue</p>	<p>Private hire vehicles must only use the method of charging as set out by their operator. As each private hire operator may use a different method then a driver may choose an operator based on their fare model</p>	<p>Not applicable</p>	<p>Private Hire Vehicle Condition</p> <p>Amend condition</p> <p>“A taximeter cannot be fitted in a private hire vehicle unless the private hire operator from where jobs are dispatched uses the hackney carriage tariff set by Halton Borough as its fare structure. When a taximeter is allowed to be fitted in a private hire vehicle then it must be tested and approved by the Council and shall be fitted in a position approved by the Council.”</p>
<p>Consider reviewing the use of Operator door signs on hackney carriage vehicles</p>	<p>Drivers/vehicle licence-holders who remove or badly position the door signs on the vehicle (where required by any operator) could hinder identification</p>	<p>The proposed amendments give clear instruction of how and where the signs are to be fitted in the most prominent location on the vehicle to aid</p>	<p>No submission have been made in respect of operator signs on hackney carriage vehicles</p>	<p>There is no perceived question of proportionality relating to this proposal as it is merely clarification of the current policy</p>	<p>Not applicable</p>	<p>Hackney Carriage Vehicle Condition</p> <p>Insert paragraph</p> <p>Hackney carriage proprietors may attach a sign advertising the operator from who they receive bookings. If they</p>

	of vehicle/driver	identification.				<p>wish to do so, the following points must be adhered to:</p> <ol style="list-style-type: none"> 1. Only the design that has been submitted by the operator and approved as a hackney carriage vehicle door sign by the Council may be used 2. The door sign must be attached to the vehicle by appropriate adhesive. The use of magnets is not allowed. 3. The sign must be fitted to the upper half of both the nearside and offside front door panels only.
Consider introducing a door sign code of practice for private hire operators	Without a written agreement there could be anomalies whereby some private hire vehicles working for an operator would	If an operator opts in to have door signs then the Council is aware that all vehicles for that operator should have door signs. This will	Feedback has been received from the trade stating that the introduction of operator door signs on private hire vehicles makes	This change would be optional to the operator and not a requirement	Not applicable	<p>Private Hire Operator Condition</p> <p>New condition</p> <p>Should an operator wish to advertise their business on the side of private hire vehicles operated by them</p>

	<p>display the door signs and some wouldn't. Possibly to hinder identification if not following licensing regulations</p>	<p>also allow enforcement of the conditions on private hire vehicles owners where they do not comply</p>	<p>them look like hackney carriages and will lead to private hire vehicles picking up passengers without being pre-booked</p>			<p>they must complete the appropriate form agreeing to the following:</p> <p>All private hire vehicles operated by this company will only display the door sign approved by Halton Borough Council.</p> <p>The door signs must be fitted to the upper half of both the nearside and offside rear door panels only with appropriate adhesive and not magnetised.</p> <p>The design of each door sign must not be altered in any way from the approved version.</p> <p>The operator will insure all private hire vehicles display the approved door sign at all times.</p> <p>Reasonable assistance will be provided by the private hire operator to Officers of Halton Borough Council's Licensing Section to</p>
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ensure these rules are complied with.

Where the operator wishes for all hackney carriage vehicles to advertise the company, only door signs approved for hackney carriages by Halton Borough Council will be permitted.

The above rules will apply until such time that written confirmation to opt out has been received in writing by the Licensing Section.

Design of private hire operator door signs:
The name of the operator and how the vehicle can be booked must be clear and legible.
The words **IF NOT PRE-BOOKED - NOT INSURED** must be printed clearly and legible at the top of the sign with the lettering being no less than 2cm in size
Must not be too similar to any other operator door

						<p>sign approved by Halton Borough Council</p> <p>Design of operator door signs where fitted to hackney carriage vehicles: The name of the operator and how the vehicle can be booked must be clear and legible. The design must differ in colour and or design from the approved private hire vehicle door sign (where applicable) in order to further differentiate between both types of vehicle The design will not make any reference to not being pre-booked then no insurance will apply Must not be too similar to any other operator door sign approved by Halton Borough Council</p>
Consider reviewing the use of Operator door signs on private hire	There is a perceived discrimination that operators in Halton are not able to advertise to the	At present, private hire operators are disadvantaged by being unable to advertise their	Feedback has been received from the trade stating that the introduction of operator door signs	The choice to provide the services of the driver and vehicle to a specific	Not applicable	<p>Private Hire Vehicle Condition</p> <p>Insert paragraph into condition 13</p>

<p>vehicles</p>	<p>extent of their rivals who are licensed outside of the area but still work within Halton.</p>	<p>business on vehicles within (and outside) the Halton area even though companies licensed outside of Halton can. Operator door signs can provide clear identification within a busy collection area to the customer as well as to persons who feel it necessary to report the vehicle/driver for good or bad reasons.</p>	<p>on private hire vehicles makes them look like hackney carriages and will lead to private hire vehicles picking up passengers without being pre-booked</p>	<p>operator remain outside the control of the Council. Should the vehicle licence-holder not wish to attach door signs to the vehicle they may choose to work for a company that does not use door signs.</p>		<p>Where the private hire operator requires a door sign to be fitted to the upper section of the nearside and offside rear door panels which has been approved by the Licensing Section. The door signs must be attached by appropriate adhesive and not by magnet. Under these circumstances it becomes a condition of licence and failure to display the signs correctly may result in action being taken against the vehicle licence-holder and/or driver.</p>
<p>Consider new conditions specifying the minimum requirements for a fully wheelchair accessible vehicle</p>	<p>No current definition of what is a fully wheelchair accessible vehicle other than it can only be side-loading and not rear-loading.</p>	<p>Provide clear definition to licence-holders when considering purchasing a new vehicle. Provides clear and simple rules to aid enforcement where a ramp/wheelchair restraint is not carried in the vehicle.</p>	<p>Vehicles holding a European Community Small Series Type Approval or a National Small Series Type Approval will not be automatically allowed to be licensed as at present, however should a request to licence a vehicle of</p>	<p>The types of vehicle referred to in this section are an expensive consideration for a licence-holder. The Authority wishes to assist with ensuring the vehicle is fit for purpose for both the licence-holder and the service user.</p>	<p>There is no evidence that any existing licence-holders will be affected by any proposed changes.</p>	<p>Vehicle condition New condition Must have European Community Whole Vehicle Type Approval. If a vehicle holds a European Community Small Series Type Approval or a National Small Series Type Approval then permission must be obtained before a</p>

			<p>this nature be made reasonable enquiries will be made to decide on the suitability.</p>			<p>licence may be granted.</p> <p>A ramp for the loading of a wheelchair and occupant via the nearside passenger door must be carried in the vehicle at all times. The ramp must be of a design that is able to be effectively secured to the vehicle when being used.</p> <p>The vehicle must be fitted with a suitable independent restraint system for both wheelchair and passenger.</p> <p>Doorways which are to be used by passengers in wheelchairs (nearside only) must be constructed as to permit an unrestricted opening across the doorway of at least 75cm. The height of the doorway must be at least 120cm. Where a hinged door is fitted, it must open to a minimum angle of 90 degrees.</p>
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