

BRIDGEND COUNTY BOROUGH COUNCIL

CONDITIONS OF LICENCE IN RESPECT OF MINIBUSES

1. Application forms should be returned to the Assistant Chief Executive of Legal and Regulatory Services (L.A.R.S.) Legal and Regulatory Services, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend, CF31 4WB.

The Council must be satisfied that the applicant is a fit and proper person to hold a Hackney Carriage or Private Hire Minibus Proprietor's Licence.

The vehicle for which application is made must be registered under the Vehicles (Excise) Act 1949 or the Vehicles (Excise) Act 1971. A policy of insurance on a minimum of a third party basis or such security as complying with the requirements of Part VI of the Road Traffic Act 1988 must be obtained in respect of the vehicle concerned. The Certificate of Registration and insurance together with a Motor Vehicle Test Certificate (where appropriate) must be available for examination by the Council.

2. CURRENT VEHICLE POLICIES

The following policy relates to the age limits on the first licensing of hackney carriage and private hire vehicles which was approved by the Licensing Committee on 10 March 2008.

- 2.1 Applications for the first licensing of a hackney carriage or private hire vehicle should be submitted to the Council within 14 days of the first registration of the vehicle at the DVLA. The mileage at the time of application should be no greater than 500 miles. The applicant may be the second or a subsequent registered keeper but the applicant must demonstrate that there is no more than 14 days between the first registration and transfer to the applicant's name. Applications will normally be dealt with under the Scheme of Delegation to Officers.
- 2.2 Applications for the first licensing of vehicles falling outside the above policy guidelines will normally be refused but a relaxation of the policy may be considered in exceptional circumstances. The general guidelines for relaxation of the policy are as follows but each case will be dealt with on its merits:
 - 2.2.1 A relaxation of the policy in respect of hackney carriages is likely to relate only to evidenced delay in the DVLA registration process or minor variations in delivery mileage. Applications will normally be dealt with under the Scheme of Delegation to Officers.
 - 2.2.2 In recognition of the exceptional nature of vehicles which are classed as "stretch limousines" or prestige limousine marques no age limit will apply on first licensing as a private hire vehicle provided that a full service history and appropriate safety certification is provided with the application and the vehicle is fit for purpose as a private hire vehicle. Applications of this type will normally be dealt with under the Scheme of Delegation to Officers.
 - 2.2.3 In order to ensure that customers can hire taxis with the minimum delay and inconvenience, the policy may be relaxed to allow the licensing of wheelchair accessible hackney carriage or private hire vehicles up to three years old on application, provided that a full service history and

safety certification, including a satisfactory conversion certification is provided with the application and the vehicle can satisfy the general licensing requirements. Applications of this type will normally be dealt with under the Scheme of Delegation to Officers.

2.2.4 A relaxation of the policy will also be considered in exceptional circumstances for applications relating to the first licensing of private hire vehicles. The Council does not seek to limit or define a particular vehicle which is suitable but will adhere to the minimum standards for the size of seats and legroom etc which are available on request. Irrespective of the age of the vehicle it must be capable of satisfying the general licensing conditions and be fit for purpose as a private hire vehicle in terms of passenger safety and comfort. Each application will be reported to the Licensing Sub-Committee for determination on its merits having regard to the following criteria:

- That the vehicle presented is in an exceptional condition in relation to its exterior and interior appearance with no evidence of defects, chips, marks or other evidence of unreasonable wear and tear or damage.
- That the vehicle presented offers an exceptional standard of safety and comfort for passengers in terms of features offered for example ABS, passenger airbags and ability to meet current requirements on emissions testing.
- That the application includes evidence that the vehicle has been serviced at the intervals recommended by the manufacturer and at an approved garage. Other relevant documentations such as an MOT certificate should also be provided.

2.3 These provisions are not intended to affect the special policy adopted by the Licensing Committee on 16 November 2007 in respect of private hire vehicles affected by the repeal of Section 75 of the Local Government (Miscellaneous Provisions) Act 1976 by the Road Safety Act 2006. (Contract exemption vehicles). This special policy only applies to a specific type of application and is not affected by the proposals contained within this report.

2.4 All applicants should be satisfied that they can meet all current policy requirements before submitting an application and are advised that they submit an application which falls outside the above policy guidelines at their own risk. Acceptance of an application does not infer that it will be granted. Applicants are strongly advised not to purchase a vehicle or make any other financial commitment until the application is determined.

2.5 Applicants are reminded that if they fail to make application to renew an existing licence before the expiry date any subsequent application must be treated as one of grant. Any relaxation of current policies will only be granted in very exceptional circumstances. The responsibility for making an application rests solely with the licence holder. All applications of this type will normally be reported to the Licensing Sub-Committee for determination.

3. TESTING OF VEHICLES

- (a) A vehicle which has failed the vehicle inspection test must be submitted for re-test, if the application has not been withdrawn, within 14 days from the date of the test or such further period as may be agreed with the Council.
- (b) The part of the licence fee relating to the cost of the vehicle inspection test carried out by the Council is not refundable in the event that the application is not granted by the Council.
- (c) As from 21 February 2002, any applicant whose vehicle is five or more years old (from date of first registration) is required to present the vehicle for testing **THREE** times a year. In all other cases the number of inspections per year will be **TWO**.

4. VEHICLE SPECIFICATIONS

All mini-buses licensed from 1 March 1999 **must** have seat belts fitted to all seats and where fitted **must** comply with the technical and installation requirements of Regulations 46-48 of the Road Vehicles (Construction and Use) Regulations 1986 (as amended).

The vehicle may be fitted with or have use of an ordinary domestic or car wireless receiving set subject to such set not causing any annoyance to other persons for reason of loud continuous or repeated use.

All remould/retread tyres, as from 3 February 1999, **must** be marked and comply with the current BS number.

No signs or advertisements shall be displayed in, on or from the vehicle unless first approved by the Council in writing.

5. METER AND EQUIPMENT

The proprietor of a hackney carriage shall cause the same to be provided with a taxi meter 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 turning of which will bring the machinery of the taxi meter into action and cause the word "HIRED" to appear on the face of the taximeter;
- (b) such key, flag or other device 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 of fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance on pursuance of the bylaw in that behalf;
- (d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as to clearly 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.
- (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.

The hackney carriage must be fitted with an illuminated roof sign, so constructed to bear the word "TAXI" in plain letters at least two inches in height, with a further fluorescent sign of similar dimensions bearing the words "FOR HIRE" such sign being affixed to the front windscreen of the vehicle and wired to the taximeter so as to enable it to be extinguished during the carrying of a fare, for which the meter is in operation. The design of these signs is to be approved by the Council.

6. EXHAUST PIPES

- (a) The outlet of every exhaust pipe fitted to a minibus shall be either at the rear or on the off side of the vehicle.

7. DOORS – NUMBERS AND POSITION

Every minibus shall be fitted with at least:-

- (a) one service door on the near side of the vehicle, and
- (b) one emergency door at the rear, or an emergency door or emergency exit window on the off side of the vehicle, so that any emergency door, or emergency exit window, fitted on the off side of the vehicle, shall be in addition to the driver's door and there shall be no requirement for an emergency door on a mini bus if it has a service door at the rear, in addition to the service door on the near side.

No minibus shall be fitted with any door on its off side other than a driver's door and an emergency door.

8. EMERGENCY DOORS AND EMERGENCY EXIT WINDOWS

Every emergency door or emergency exit window fitted to a minibus whether or not required pursuant to these Regulations shall :-

- (c) be clearly marked in letters not less than 25mm high on both the inside and the outside, "EMERGENCY DOOR" or "FOR EMERGENCY USE ONLY", and the means of its operation shall be clearly indicated on or near the door,
- (d) if hinged, open outwards,
- (e) be capable of being operated manually, and
- (f) (Doors only) when fully opened, give an aperture in the body of the vehicle not less than 1210mm high nor less than 530mm wide.

9. POWER-OPERATED DOORS

Every power-operated door fitted to a minibus shall :-

- a. incorporate transparent panels so as to enable a person immediately inside the door to see any person immediately outside the door
- b. capable of being operated by a mechanism controlled by the driver of the vehicle, when in the driving seat,
- c. be capable, in the event of an emergency or a failure of the supply of power for the operation of the door, of being opened from both inside and outside the vehicle by controls which:-
 - (i) over-ride all other controls,
 - (ii) are placed on, or adjacent to, the door,
 - (iii) are accompanied by markings which clearly indicate their position and method of operation and state that they may not be used by passengers except in an emergency,
- d. have a soft edge so that a trapped finger is unlikely to be injured and,
- e. be controlled by a mechanism by virtue of which if the door, when closing, meets a resistance exceeding 150 Newtons, either
 - the door will cease to close and begin to open, or
 - the closing force will cease and the door will become capable of being opened manually

No mini bus shall be equipped with a system for the storage or transmission of energy in respect of the opening or closing of any door which, either in normal operation or if the system fails, is capable of adversely affecting the operation of the vehicle's braking system.

10. LOCK, HANDLES AND HINGES OF DOORS

No minibus shall be fitted with: -

- a. a door which can be locked from the outside unless, when so locked, it is capable of being opened from inside the vehicle when stationary,
- b. a handle or other device for opening any door, other than the driver's door, from inside the vehicle unless the handle or other device is designed so as to prevent, so far as is reasonably practicable, the accidental opening of the door, and is fitted with a guard or transparent cover or so designed that it must be raised to open the door,
- c. a door which is not capable of being opened, when not locked, from inside and outside the vehicle by a single movement of the handle or other device for opening the door,
- d. a door in respect of which there is not a device capable of holding the door closed so as to prevent any passenger falling through the doorway,
- e. a side door which opens outwards and is hinged at the edge nearest the rear of the vehicle except in the case of a door having more than one rigid panel,
- f. a door, other than a power-operated door, in respect of which there is not either:-
 - (i) a slam lock of the two-stage type, or
 - (ii) a device by means of which the driver, when occupying the driver's seat is informed if the door is not securely closed, such device being operated by movement of the handle or other device for opening the door or, in the case of a handle or other

device with a spring-return mechanism, by movement of the door as well as of the handle or other device.

Provided that the provisions of sub-paragraphs (a), (c) and (d) and (f) of this paragraph shall not apply in respect of a near side rear door forming part of a pair of doors fitted at the rear of a vehicle if that door is capable of being held securely closed by the other door of that pair.

11. VIEW OF DOORS

- a. Save as provided in sub paragraph (b), every minibus shall be fitted with mirrors, or other means so that the driver, when occupying the driver's seat, can see clearly the area immediately inside and outside every service door of the vehicle.
- b. The provisions of sub paragraph (a) shall be deemed to be satisfied in respect of a rear service door, if a person 1.3 metres tall, standing one metre behind the vehicle, is visible to the driver when occupying the driver's seat (rear view scope)

12. ACCESS TO DOORS

- a. Save as provided in sub-paragraph (b), there shall be unobstructed access from every passenger seat in a minibus, to at least two doors, one of which must be on the nearside of the vehicle, and one of which must be either, at the rear, or on the offside of the vehicle.
- b. If seats are fitted alongside the driver's seat, a separate entrance has to be provided in addition to the side entrance referred to in (a) above.

13. GRAB HANDLES AND HAND RAILS

Every machine shall be fitted as respects every side service door with a grab handle on a hand rail to assist passengers to get on or off the vehicle.

14. SEATS

- a. No seat shall be fitted to any door of a mini bus.
- b. Every seat and every wheelchair anchorage fitted to a minibus shall be fixed to the vehicle.
- c. No seat other than a wheelchair, fitted to a minibus shall be less than 400 mm wide, and in ascertaining the width of a seat no account shall be taken of any arm-rests, whether or not they are folded back or otherwise put out of use.
- d. No minibus shall be fitted with an anchorage for a wheelchair in such a manner that a wheelchair secured to anchorage would face either side of the vehicle.
- e. No minibus shall be fitted with a seat: -
 - (i) facing either side of the vehicle, or
 - (ii) so placed that a passenger on it would, without protection, be liable to be thrown through any doorway which is provided with a power-operated door or down any steps, unless the vehicle is fitted with a screen or guard which affords adequate protection against that occurrence.

15. ELECTRICAL EQUIPMENT AND WIRING

- a. Save as provided in sub paragraph (b) no minibus shall be fitted with any:
- (i) electrical circuit which is liable to carry a current exceeding that for which it was designed.
- b. cable for the conduct of electricity unless it is suitably insulated and protected from damage,
- c. electrical circuit, other than a charging circuit, which includes any equipment other than:-
- (i) a starter motor
 - (ii) a glow plug,
 - (iii) an ignition circuit, and
 - (iv) a device to stop the vehicles engine
- unless it includes a fuse or circuit breaker so, however, that one fuse or circuit breaker may serve more than one circuit, or
- d. electrical circuit with a voltage exceeding 1090 volts, unless there is connected in each pole, of the main supply of electricity which is not connected to earth a manually – operated switch is:-
- (i) capable of disconnecting the circuit, or, if there is more than one, every circuit, from the main supply;
 - (ii) not capable of disconnecting any circuit supplying any lamp which the vehicle is required to be fitted; and
 - (iii) located inside the vehicle in a position readily accessible to the driver.
- e. The provisions of sub-paragraph (a) do not apply in respect of a high tension ignition circuit or a circuit within a unit of equipment.

16. FUEL TANKS, CARBURETTORS, ETC.

- a. No minibus shall be fitted with a fuel tank, or any apparatus for the supply of fuel, which is in the compartments or other spaces, provided for the accommodation of the driver or passengers.
- b. A device shall be provided on every minibus by means of which the supply of fuel to any carburettor or, in the case of fuel injection pump, to the injection nozzles, can be readily cut off, the following requirements shall be complied with in respect thereof, that is to say:-
- (1) in the case of a vehicle not fitted with an engine having a fuel injection system:-
 - (i) the means of operation shall at all times be readily accessible from the outside of the vehicle,
 - (ii) the means of operation shall at all times be readily visible from the outside of the vehicle,
 - (iii) the “off” position of the mans of operation shall at all times be clearly marked on the outside of the vehicle, and
 - (2) in the case of a vehicle fitted with an engine having a fuel injection system:-
 - (i) the position of the means of operation shall at all times be clearly marked on the outside of the vehicle, and
 - (ii) the means of operation shall at all times be:-

- (a) readily accessible from the outside of the vehicle, and
- (b) clearly indicated.

17. LIGHTING OF STEPS

Every minibus shall be provided with lamps to illuminate every step at a passenger exit or in a gangway.

18. GENERAL CONSTRUCTION AND MAINTENANCE

Every minibus, including all body work and fittings, shall be soundly and properly constructed of suitable materials and maintained, in a good and serviceable condition, and shall be of such design as to be capable of withstanding the loads and stresses, likely to be met, in the normal operation of the vehicle.

An appliance for extinguishing fire must be carried in such a position as to be readily available for use and maintained in good working order at all times. It must be a minimum of 2.0 kg dry powder meeting the requirements of European Standards BS EN3:1996. Any previously approved appliance may continue to be carried until its expiry date has elapsed, or is found to be in an unserviceable condition.

The proprietor of a hackney carriage or Private Hire vehicle shall cause to be carried within the vehicle, a first aid kit of no less a standard than the "Industrial Size No. 1 Kit" required under the Office, Shops and Railways Premises Act 1963.

**YOU ARE ADVISED TO CHECK THE VEHICLE CONFORMS TO THE ABOVE
CONDITIONS BEFORE PURCHASE**

Proprietors should also read a copy of the Council's Byelaws before making an application.

DATED : APRIL 2008

A copy of this leaflet will shortly be available at www.bridgend.gov.uk