

CONDITIONS APPLICABLE TO PRIVATE HIRE CAR LICENCES

1. The number of passengers which the vehicle shall be permitted to carry shall not exceed the number specified in the Licence.
2. The holder of a Private Hire Car Licence shall ensure that the private hire car, including all bodywork, upholstery and fittings is in a safe and serviceable condition and, subject to prevailing road conditions, is in a clean and tidy condition.
3. On receiving the requisite notice in writing from the Licensing Authority, the holder of a Private Hire Car Licence shall produce his or her private hire car for examination at such time and place as may be reasonably required by the Licensing Authority. Thereafter the private hire car will be required to pass a six-month inspection. Should the vehicle fail the inspection the Vehicle Inspector shall have authority to remove the plate from the vehicle. Only one re-test shall be permitted with the cost to be borne by the operator.
4. The holder of a Private Hire Car Licence, when the private hire car has been materially damaged in a vehicular accident or by any other means shall remove the vehicle from operation immediately and report the damage to the Licensing Authority within 48 hours, and if the private hire car is roadworthy he/she shall present it for examination on a date to be specified by the Licensing Authority. It shall be at the discretion of the vehicle examiner if he/she considers the private hire car unroadworthy, to issue an instruction that the private hire car shall not be used until the repairs have been completed and the private hire car re-examined in which case the holder of the Private Hire Car Licence must apply to the Licensing Authority to re-test the vehicle and submit the appropriate fee.

As soon as the repairs to the private hire car have been completed (which shall be within a period of 28 days, save in exceptional circumstances) the private hire car shall be re-examined. In the event that the repairs cannot be completed within the period specified above, the licenceholder shall apply in writing to the Licensing Authority for an extension thereto.

5. The holder of a Private Hire Car Licence shall not ask a driver of a private hire car to do anything which would result in the driver contravening any law or committing a breach of the conditions attached to the grant of the driver's Licence.
6. The holder of a Private Hire Car Licence shall keep an up-to-date list of the names and addresses of all drivers employed by him/her and shall produce this list on request to a duly authorised officer of the Licensing Authority or to a Constable at all reasonable times. In addition the holder of a Private Hire Car Licence must advise the Licensing Authority of all changes to the list within 7 days of the change being made.
7. The holder of a Private Hire Car Licence shall be bound to fulfil or cause to be fulfilled at the time and location specified an engagement to hire his/her private hire car which he/she has accepted unless prevented by sufficient cause.
8. The holder of a Private Hire Car Licence shall hold in his/her own name the requisite Vehicle Registration Document and the Certificate of Insurance in relation to the private hire car

required by Part VI of the Road Traffic Act 1972; where more than one name appears on the Private Hire Car Licence the Vehicle Registration Document and the Certificate of Insurance shall be in the name of at least one of those names. The holder of a Private Hire Car Licence shall exhibit to the Licensing Authority not later than the initial date of cover thereunder, the Certificate of Insurance in relation to the use of the vehicle as a private hire car on and after that date. If at any time the insurance cover expires prior to the expiry of the Licence, the licenceholder shall require to exhibit the insurance cover as aforesaid. Any change of insurer or insurance cover, must be intimated to the Licensing Authority within 2 working days of the change being made.

9. The holder of a Private Hire Car Licence shall ensure that while the vehicle is in use as a private hire car any plates or other things which have been issued by the Licensing Authority for the purpose of indicating that the vehicle is a private hire car are secured at all times and fixed to the outside of the licensed vehicle, one on the front of the vehicle, one at the rear off-side, in a position approved by an authorised officer of the Licensing Authority.
10. The holder of a Private Hire Car Licence shall not obliterate or deface any plate or other thing which has been issued by the Licensing Authority for the purpose of indicating that the vehicle is a private hire car and which is fixed to the private hire car. If any such plate or other thing becomes obliterated or defaced so as not to be distinctly visible or legible or if any such plate or other thing is lost, the holder of the Private Hire Car Licence shall report this to the Licensing Authority as soon as practicable in order to obtain from the Licensing Authority a replacement plate or other thing. If the vehicle licensed as a private hire car ceases to be used in the trade or the Private Hire Car Licence expires, is forfeited, suspended or revoked, any plate or other thing which has been issued by the Licensing Authority for the purpose of indicating that the vehicle is a private hire car shall forthwith be returned to the Licensing Authority or to a Constable on his/her request.
11. The holder of a Private Hire Car Licence whose private hire car is fitted with a taximeter shall obtain from the Licensing Authority a notice or notices detailing the approved maximum taxi fares and charges appropriate to exclusive or to shared hire of the private hire car and shall display the notice or notices as appropriate in the passenger compartment of the private hire car fitted with a taximeter in such a position that it or they will be readily visible to the passengers being carried, which notice or notices shall incorporate a provision to the effect that the private hire car may be operated on shared hire only with the consent of the first hirer or passenger; and no other notice or notices of fares and charges shall be displayed.
12. The holder of a Private Hire Car Licence shall, if the cost of the journey is not regulated by a Licensing Authority fare structure, take steps to ensure that any potential hirer of his/her private hire car is informed, prior to acceptance of the hire (a) that the fare is not so regulated; and (b) the cost or method of calculating the proposed journey.
13. The holder of a Private Hire Car Licence shall take steps to ensure that each potential hirer of his/her private hire car consents, at the time of the arrangement of the hire, to an exclusive hire or a shared hire, as the case may be.
14. The holder of a Private Hire Car Licence shall not display on his/her private hire car any advertisement, or any signs for the purpose of advertising its services as a private hire car other than those approved by the Licensing Authority.

15. The holder of a Private Hire Car Licence whose private hire car is fitted with a taximeter shall have affixed to and used on the private hire car only a taximeter which has been approved by the Licensing Authority.
16. The holder of a Private Hire Car Licence whose private hire car is fitted with a taximeter shall not use or cause or permit to be used on the private hire car a road wheel or tyre of a different circumference from that for which the taximeter affixed to the private hire car was designed, geared and has been tested and approved by the Licensing Authority.
17. The holder of a Private Hire Car Licence whose private hire car is fitted with a taximeter shall only use a taximeter which has been stamped or sealed by the Licensing Authority after testing and approval as to distance and time in accordance with the approved taxi fares and charges. Once a taximeter is fitted to his/her private hire car, he/she shall not tamper with the taximeter or break or tamper with any seal or stamp on such taximeter or any attachment fixed thereto by the manufacturer or Licensing Authority except to remove the taximeter for repair or replacement. Should the seal be broken or the taximeter repaired or replaced, the taximeter shall be re-tested and passed by or on behalf of the Licensing Authority before being used again.
18. The holder of a Private Hire Car Licence whose private hire car is fitted with a taximeter shall ensure that the taximeter is fitted to his/her private hire car in a position approved by the Licensing Authority.
19. The holder of a Private Hire Car Licence whose private hire car is fitted with a taximeter shall not knowingly operate the vehicle or cause or permit it to be operated, while the seals affixed to any taximeter and, where so affixed, to the vehicle, are broken or detached.
20. The holder of a Private Hire Car Licence whose private hire car is fitted with a taximeter shall not knowingly use or cause or permit to be used a taximeter which is in any way defective.
21. The holder of a Private Hire Car Licence whose private hire car is fitted with a taximeter shall within two working days inform the licensing authority of the removal of the taximeter from his/her private hire car. He/she shall not refit a taximeter on a second subsequent occasion without prior permission from the licensing authority except when the private hire car is due to be tested by the licensing authority.
22. The holder of a Private Hire Car Licence must carry in suitable fasteners in his/her private hire car a fire extinguisher of a type and in a position approved by the Licensing Authority and must carry a First Aid Kit in a suitable container in his/her private hire car, of a type and in a position approved by the Licensing Authority.
23. When a private hire car is withdrawn from service by an authorised officer of the Licensing Authority or a Constable in accordance with Section 11 of the Civic Government (Scotland) Act 1982 he/she shall affix a label bearing (a) the words "this hire car is meantime certified unfit for public use" and (b) the date of withdrawal in a position within the passenger compartment of the private hire car so that it is readily visible to intending passengers. Such a label shall have the effect of suspending the Licence and only an authorised officer of the Licensing Authority may permit the removal of the label. Any person who attempts to remove

or deface the said label shall be guilty of a breach of these conditions and liable to prosecution.

24. The holder of a Private Hire Car Licence shall not obstruct a duly authorised officer of the Licensing Authority or a Constable in the performance of any of his/her duties under these conditions.
25. The holder of a Private Hire Car Licence shall comply with all instructions or directions of a duly authorised officer of the Licensing Authority or a Constable in relation to these conditions and shall give him/her all information he/she may reasonably require in the discharge of his/her duties.
26. The holder of a Private Hire Car Licence shall not hire his/her vehicle to the holder of a Taxi or Private Hire Car Driver's Licence, or to any other person. The holder of a Private Hire Car Licence shall not lend his/her vehicle to the holder of a Taxi or Private Hire Car Driver's Licence or to any other person save for domestic purposes, except with the written authority of the Licensing Authority. For the avoidance of doubt there shall be nothing to prevent the holder of a Private Hire Car Licence from employing the holder of a Taxi or Private Hire Car Driver's Licence to drive the licensed private hire car.
27. The holder of a Private Hire Car Licence shall ensure that, while the vehicle is not in use as a private hire car, any plates, or other things which have been issued by the Licensing Authority for the purpose of indicating that the vehicle is a private hire car, shall be covered or obscured.
28. The holder of a Private Hire Car Licence shall surrender his/her Licence for a private hire car within 7 days of the vehicle ceasing to be used in the trade or of the expiry, suspension, forfeiture or revocation of the Licence.

DEFINITIONS:-

“exclusive” as applied to the hire of a private hire car, means that a single fare is payable by any one passenger for the whole hire of the vehicle, whether or not more than one passenger is carried; and “exclusive hire” shall be construed accordingly;

“shared” as applied to the hire of a private hire car, means that each passenger is carried at a separate fare, payable to the driver; and “shared hire” shall be construed accordingly.