



## **CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

### **CONDITIONS FOR TAXI AND PRIVATE HIRE VEHICLE OPERATORS LICENCE**

**November 2017**

## **PART I – HOLDER OF TAXI AND PRIVATE HIRE CAR OPERATORS LICENCE**

### **General**

1. Subject to condition 3 below, all vehicles for a taxi or private hire operator licence must be no more than 10 years old from date of first registration, a motor vehicle of type or model which holds European Whole Vehicle Approval as an M1 vehicle being a motor vehicle with at least four wheels designed and constructed for the carriage of passengers. The vehicle must comply in respects of all Acts and Regulations in force at the time the vehicle is licensed.
2. "Wheelchair accessible" (WAV) means that the wheelchair user must be able to stay seated in their wheelchair at all times and that the wheelchair will be secured while the vehicle is moving. When existing seats need to be removed or moved to enable the vehicle to become fully wheelchair accessible then the seats must be either removed entirely from the vehicle or alternatively by affixing the moved seats to the floor of the vehicle.
3. Notwithstanding condition 1 above, all vehicles for a taxi or private hire operator licence if wheelchair accessible (WAV) must be no more than 12 years old from date of first registration, a motor vehicle of type or model which holds European Whole Vehicle Approval as an M1 vehicle being a motor vehicle with at least four wheels designed and constructed for the carriage of passengers. The vehicle must comply in respects of all Acts and Regulations in force at the time the vehicle is licensed, including a Certificate of Conformity for any alterations carried out thereafter.
4. The holder of a taxi or private hire licence will hold in his/her own name and address the requisite vehicle registration document and the certificate of insurance in relation to the taxi required by Part VI of the Road Traffic Act 1988. Where more than one name appears on the taxi licence, the vehicle registration document and the certificate of insurance will be in the name of at least one of the persons whose name appears on the taxi licence. The vehicle registration document and certificate of insurance must also state the permanent address/principal (Registered Office) of the licence holder named in those documents.
5. The holder of a taxi or private hire licence will ensure that their vehicle, including all bodywork, upholstery and fittings, is roadworthy, safe and serviceable, and is in a clean condition subject to prevailing road conditions.
6. The holder of a taxi licence will ensure that their vehicle is only available for hire within a 5 mile radius of the area licensed excluding the area within Perth City boundary if applicable for Non-Perth City licensed vehicles.

### **Vehicle Inspections**

7. A taxi or private hire vehicle operator will require the vehicle to undergo and pass an inspection carried out by or on behalf of the Council before being licensed and annually thereafter.
8. A vehicle over the age of 7 years from date of first registration will be required to undergo an inspection 6 months after the annual inspection carried out by or on behalf of the Council.

9. The vehicle inspection will be based on the current MOT standard for that vehicle as directed by VOSA. This will not replace the requirement for the vehicle to have a valid MOT.
10. Where a taximeter is fitted, this will be tested annually. Meter calibration will take place after every fare review where there is a change to fares.
11. On receiving the requisite notice in writing from the Council, the licence holder will produce that taxi or private hire car for examination at such time and place as may be reasonably required by the Council.
12. A taxi or private hire vehicle operator will ensure that, when the vehicle is presented for examination with a view to the renewal of the licence, the bodywork and passenger accommodation of the vehicle are clean and that the underside of the vehicle is free from road dirt, excess oil and grease.
  - a. of uniform colour
  - b. free from visible corrosion
  - c. without dents or visible scratches greater than 100mm
  - d. interior cloth must be clean and not torn or foul smelling
13. In addition to any annual examination and upon receiving two days' notice either verbally or in writing from a Council Officer or Police Officer, the holder of a taxi or private hire licence will produce the taxi or private hire vehicle for examination at the time and place specified by that Council Officer or Police Officer.
14. A taxi or private hire operator will when their vehicle is damaged, report the damage to the Licensing Officer as soon as practicable and, if the taxi or private hire vehicle is roadworthy, will present it for examination within the following two working days (being days on which the testing facilities operate) after the occurrence.

As soon as repairs to the taxi or private hire vehicle have been completed, the taxi or private hire vehicle will be presented to the Council Testing Centre for re-examination. Unless the Licensing Officer confirms otherwise, the vehicle will not be used as a taxi or private hire from the date for presentation of said examination until it has been re-examined by the Council after the repairs have been completed, and passed by the Council Testing Centre as being fit for use again as a taxi or private hire.

15. If the vehicle is un-roadworthy then a Safety Suspension shall be put in place by the Licensing Officer. All licence plates and signage will be returned immediately to the Licensing Officer. The Safety Suspension shall remain in place until the vehicle is examined and passed by the Council Testing Centre as being fit for use again as a taxi or private hire, the Safety Suspension will remain in place for a maximum of 28 days.

If the Council Testing Centre issues the Taxi or private hire licence holder with a defect slip relating to the vehicle, the licence holder must complete the replacements or repairs identified in the defect slip and present the taxi or private hire car for re-examination within 14 days. The vehicle must not be used as a taxi or private hire vehicle until it is re-examined and passed by the Council Testing Centre as being fit for use again as a taxi or private hire.

## Display of Plates

16. On a vehicle being licensed as a taxi or private hire, a number will be allotted to it by the Licensing Officer and the approved external plates (hereinafter referred to as the "plates") bearing such number will be supplied to the licence holder by the Licensing Officer. The holder of a taxi or private hire licence will ensure that the plates are immediately affixed to the vehicle and the vehicle will not be used for hire until the plates are properly affixed.
17. The holder of a taxi or private hire licence will affix to the vehicle, in positions and brackets approved by the Licensing Officer:
  - a. external plate on the front and rear of the vehicle; and
  - b. an internal plate on the inside of the vehicle
  - c. the name of the operator and the number allotted to the vehicle will be recorded in a straight line below the drivers and front passenger window so as to be clearly visible
  - d. door stickers with the wording "Pre-Booked Hires Only" will be positioned in the centre of the front driver and passenger doors of the private hire vehicle (Private Hire Vehicles only)
  - e. if the letters or figures on any plate affixed to a taxi or private hire vehicle become obliterated or defaced so as not to be distinctly visible or legible, or
  - f. the plates or the notices referred to in conditions 16 and 18 are lost, the licence holder will immediately report this to the police and obtain from the Licensing Officer replacement plates.
18. The holder of a taxi or private hire vehicle, if metered, will affix the following notices in a conspicuous position inside their taxi or private hire vehicle:
  - a. The table of fares in accordance with condition 24
19. Except as otherwise provided for in these conditions, the holder of a taxi or private hire licence will not, without the consent of the Council, fix or permit to be fixed on their taxi or private hire vehicle any plate other than the plates or other plate or notice required by law.

## Other Signage

20. The holder of a taxi or private hire licence will not remove or obscure any warning signs, safety messages or any other information or signage displayed on the vehicle that is present when it is supplied by the manufacturer and that is aimed at assisting passengers to identify the type or features of the vehicle.
21. The holder of a taxi licence will display upon the roof of their taxi a sign of a type approved by the Council for the purpose of identifying the vehicle as a taxi and an illuminated for hire box fitted to the rear side of the vehicle which will state either for hire or hired. While the taxi is available for shared hire the licence holder will display in such position as approved by the Council a sign of a type approved by the Council for the purpose of indicating that the taxi is available for shared hire.
22. The holder of a private hire car licence will not display a roof sign of any kind on their private hire car.

23. The holder of a private hire car licence will not display or cause or permit to be displayed on or in their private hire car (other than any taximeter fare dial) the word "cab", "taxi" or "for hire" or any other word or words which might give the impression that the vehicle is plying for hire.

### **Fare Table**

24. The holder of a taxi or private hire licence, if metered, will obtain from the Council a notice detailing the table of approved taxi fares and charges and will display the table in the passenger compartment of their taxi in an approved position so that it will be readily visible to the passengers being carried and no other table or fares and charges will be displayed in or on the vehicle.
25. Unless the cost of the journey is regulated by the Council fare structure, the holder of a taxi or private hire licence will ensure that, prior to acceptance of the hire, any potential hirer of their taxi or private hire vehicle is informed whether by the driver or otherwise that:
  - a. the fare is not so regulated; and
  - b. of the cost, or method of calculating the cost, of the proposed journey.

### **Taximeter**

26. The holder of a taxi licence or a private hire licence, whose private hire car is fitted with a taximeter, will have affixed to, and used on their vehicle, a taximeter which has been stamped or sealed by the Council, after testing and approval to the satisfaction of the Council Testing officer as to distance and time in accordance with the approved taxi fares and charges, and no other taximeter will be affixed or used. Such taximeter must be electronic and capable of multi tariff operation and tested annually.
27. The holder of a taxi licence or a private hire licence, whose private hire vehicle is fitted with a taximeter, will ensure that the taximeter fitted to their vehicle is in an approved position visible to passengers.
28. A supplier or repairer of taximeters may be authorised by the Council to test and seal meters at tariff changes. Once such a taximeter is fitted to their taxi or a private hire vehicle if metered, the licence holder will not tamper with the taximeter or break or tamper with any seal or stamp on such taximeter or any attachment or connection affixed thereto except to remove the taximeter for repair or replacement. Should the taximeter be removed or should the seal be broken or faulty, the taximeter will be re-tested, stamped and sealed by the Council before being used again as a taxi.
29. The holder of a taxi or private hire licence if metered, will not knowingly use, or cause or permit to be used on their taxi, a taximeter which is in any way defective.

### **Windscreen and Glass**

30. The windscreen and all windows and glass partitions (where fitted) must be safety glass in accordance with the European Standard in force at the time of approval and be of a clear material or the manufacturer's fitted comfort glass giving unrestricted vision to the vehicle interior. Other types of tinted glass are not permitted.

## 31. Advertising and Personalising Marks

### General prohibition

32. The holder of a taxi or private hire licence will not display in or on their vehicle any signs either for the purpose of advertising or by way of identifying or personalising marks. The Council will consider varying this condition on application from the holder of a taxi or private hire licence in accordance with the terms of these conditions.

### Application for Provisional Approval of External Advertisements (Step 1)

33. Applications for provisional approval of advertisements must be made in writing to the Head of Legal & Governance Services. The application form must enclose one copy of all proposed advertisements in full colour together with a sample of the material to be used. An application for full livery advertising must be accompanied by full colour art work and the Licensing Manager will be entitled to retain all materials submitted with the application. All applications for provisional approval of advertisements will be considered by the Licensing Manager who, if satisfied (after consultation with the Licensing Officer where appropriate) as to the non-contentious nature or placement of any advertisement, will grant the application.
34. All advertisements must comply with The British Code of Advertising Practice issued by the Advertising Standards Authority and must be legal, decent, honest and truthful. Each application will be considered on its own merits but advertisements will not be approved if they contain political, ethnic, religious, sexual or controversial texts; advertise tobacco products; display nude or semi-nude figures; are likely to offend public taste; depict men, women or children as sex objects; depict direct and immediate violence to anyone shown in the advertisement or anyone looking at it; advertise any racist group or organisation which intends to promote the group/organisation and/or any of its activities.

If the Licensing Manager is not satisfied as to the non-contentious nature or placement of an advertisement then any such application will be submitted to the Licensing Committee for consideration.

### Application for Variation of the Licensing Conditions (Step 2)

35. Once an application for provisional approval of an advertisement has been granted, any licence holder wishing to display the advertisement on a taxi or private hire vehicle must submit an application for variation of the licensing conditions accompanied by the appropriate fee. The advertisement must not be displayed on the taxi or private hire until the application for variation of the licensing conditions has been granted.

### Exemption from Fee

36. A holder of a taxi or private hire licence seeking exemption from any fee payable on the basis that the advertising campaign is non-commercial will submit a written request and full details of the campaign with the application and the request will be referred to the Committee for determination.

### Display of Letter of Approval

37. The holder of a taxi or private hire licence carrying any advertisement(s) will ensure that the letter of approval from the Council to display an advertisement on the vehicle will be held at all times within the particular vehicle and will be available for inspection by a Licensing officer or any Police Officer on request.

### **Fulfilment of Hire**

38. The holder of a taxi or private hire licence will be bound to fulfil, or cause to be fulfilled, at the time and location specified, an engagement to hire their taxi or private hire vehicle which the licence holder has accepted, or which has been accepted on the licence holder's behalf by any representative, unless prevented by reasonable and sufficient cause.

### **Receipts**

39. The holder of a taxi or private hire licence will ensure that, at the termination of the hire, a signed receipt for the fare will be provided by the driver to the passenger if requested, stating:
- a. the time and date of the journey
  - b. the licence number of the vehicle
  - c. the amount of the fare charged

### **Record of Drivers**

40. The holder of a taxi or private hire licence will keep an up-to-date record of the names and addresses of all drivers employed by that licence holder or in a contract or vehicle leasing arrangement with that licence holder, together with the dates and times that each driver was in charge of the vehicle.
41. The record referred to in condition 40 will be kept for a minimum of six months and must be produced on request to a Licensing Officer or a Police Officer for inspection together with any other such information as may be required by a Licensing Officer for the purpose of ascertaining the identity of any driver employed by the said licence holder or for any other purpose relating to these conditions.

### **Change of Address**

42. The holder of a taxi or private hire licence on changing their permanent address will notify the Council of their new address in writing, within ten working days. This may be done by notice to the Council's Licensing Section, Street, Perth, PH1 5PH or by emailing [civiclicensing@pkc.gov.uk](mailto:civiclicensing@pkc.gov.uk).

### **Suspension of Licence**

43. When a taxi or private hire vehicle is withdrawn from service by the Licensing Officer in accordance with Section 11 of the Act, the Licensing Officer will affix a label bearing (a) the word "suspended" and as such a label has the effect of suspending the taxi or private hire licence pertaining to the vehicle so labelled and only the Licensing Officer is authorised to remove such label.

## **Return of Licence and Plates**

44. When a licensed taxi or private hire vehicle ceases to be used as such the holder of the licence will give immediate notice to the Licensing Officer and return to the Licensing Officer the licence plates and all signage in respect of their taxi or private hire vehicle, within ten working days.

## **Compliance with Licensing Officer**

45. The holder of a taxi or private hire licence will not obstruct the Licensing officer in the performance of any of the Licensing Officer's duties under these conditions.
46. The holder of a taxi or private hire licence will comply with all instructions or directions of a Licensing officer in relation to these conditions and will give all information reasonably required in the discharge of the duties of the Licensing Officer.

## **Log**

47. The holder of a private hire car licence will make available to any driver using the vehicle a suitable log book capable of recording, before the start of each journey, the following particulars for each contract of hire:
  - a. The time of the hire
  - b. The pick-up point
  - c. The place of destination
  - d. The name of the hirer
  - e. The licence number and registration number of the vehicle
  - f. The details of the driver
48. The log must be capable of recording each hire in chronological order.
49. The holder of a private hire car licence will ensure that the driver of the vehicle delivers the information as detailed in condition 47 for collation at the termination of each shift of driving.
50. The log referred to in conditions 47 and 48 will be kept for a minimum of six months in chronological order and must be produced on request to a Licensing Officer or a Police Officer for inspection.
51. A central automated logging system at a private hire car booking office may be used in place of a written log provided that the system can record and store in chronological order the details required in condition 47, and has been approved by the Council or Licensing Officer.
52. Any record of hires contained either within the written log or in a central automated logging system so approved must be secure and not capable of being falsified.

## **Exceptions to Hire**

53. The holder of a taxi or private hire licence will not carry, or cause or permit to be carried in their taxi or private hire vehicle, any articles of a dirty, filthy or obnoxious nature or of an explosive or dangerous nature.



54. The holder of a taxi or private hire licence will not knowingly carry, or cause or permit to be carried in their taxi or private hire car, any passenger whose clothing is in a foul or filthy condition.
55. The holder of a taxi or private hire licence will not permit their taxi or private hire vehicle to be utilised for any illegal or immoral purpose.

## LIST OF TAXI RANKS

<b>Ranks</b>	<b>No of Spaces</b>
Murray Street, Perth	13
South Street, Perth	6 ( <i>Outside Tesco</i> )
Pomarium, Perth	5 ( <i>East Side at Bus Station</i> )
Perth Railway Station	8 ( <i>Private Rank</i> )
Wellmeadow, Blairgowrie	6 ( <i>South Side</i> )