

THE INVERCLYDE COUNCIL

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

PRIVATE HIRE CAR LICENCE STANDARD CONDITIONS

1. 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 the prevailing road conditions, is in a clean condition. The bodywork, bonnet and wings must be free from any dents or other irregularities, properly painted or cellulosed and the paintwork properly smoothed down and finished.
2. It shall be the responsibility of the holder of a private hire car licence to ensure that his/her vehicle shall undergo and pass all inspections required by the Licensing Authority under this condition; in the case of a vehicle less than 3 years old, the inspection will be carried out every year and in the case of a vehicle more than 3 years old, the inspection will be carried out every 6 months. The holder shall not operate his/her private hire car as such without a current mechanical inspection certificate issued by the Licensing Authority. The holder of a private hire car licence shall be required to produce, at any inspection of his/her private hire car required under this condition, the relevant insurance and registration documents in respect of the vehicle which shall be required to comply with the Conditions relating to such documents as set forth elsewhere in this Schedule.
3. The holder of a private hire car licence, when the private hire car is damaged in a vehicular accident or by any other means, shall report the damage to the Licensing Authority in writing as soon as practicable and, if the private hire car is roadworthy, he shall present it for examination to the Licensing Authority at their Vehicle Testing Station either immediately or on the next working day (being a day on which the testing facilities operated by the Licensing Authority operate) after the occurrence. Such repairs as are indicated by the operator of the Testing Station shall be carried out on the private hire car as soon as is practicably possible and the private hire car shall thereafter be submitted for re-examination; it is expressly understood that no vehicle shall continue to be used as a private hire car after an accident without the express authority of the Licensing Authority.
4. The holder of a private hire car licence shall not ask the driver of the private hire car to do anything which could result in the driver committing a breach of the conditions attaching to the grant of the driver's licence.
5.
 - (a) The holder of a private hire car licence shall keep an up-to-date list of the names and addresses of all private hire car drivers employed by him.
 - (b) The holder of a private hire car licence shall inform the Licensing Authority of any change of address, whether permanent or temporary, as shown in his/her licence within seven days of such change of address and provide proof of this; any change of address intimated to the Licensing Authority shall not be treated as a Variation of Licence and the licence shall be amended at the Licensing Authority's cost.
6. 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.
7. 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 as required by Part VI of the Road Traffic Act 1972. For the avoidance of doubt, the phrase "certificate of insurance" relates to a bona fide certificate as such and not to a "cover note", which latter shall only be accepted as evidence of satisfactory insurance at the discretion of the Licensing Authority. 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 names of at least one of those names. If, at any time during the currency of the licence, the vehicle registration document or certificate of insurance be no longer in the name of the licence holder, the licence shall become null and void with immediate effect.

8. 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 devices which have been issued by the Licensing Authority for the purpose of indicating that the vehicle is a private hire car are displayed at all times in positions approved by the Licensing Authority.
9. The holder of a private hire car licence shall not obliterate or deface any plate or other device which has been issued by the Licensing Authority for the purpose of indicating that the vehicle is a private hire car and which is fitted to the private hire car. If any such plate or other device becomes obliterated or defaced so as not to be distinctly visible or legible or any such plate or other device 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 device.
10. 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 detailing the table of approved private hire car fares and charges and will display the notice in the passenger compartment of the private hire car in such a position that it will be readily visible to the passengers being carried and no other table of fares and charges will be displayed.
11. The holder of a private hire car licence, unless the cost of the journey is regulated by a Licensing Authority fare structure, shall take steps to ensure that any potential hirer of his/her private hire car is informed, prior to acceptance of the hire, that the fare is not so regulated and advise him of the cost or method of calculating the cost of the proposed journey.
12. The holder of a private hire car licence shall not display on his/her vehicle any signs for the purpose of advertising its services as a private hire car other than those approved by the Licensing Authority.
13. The holder of a private hire car licence shall not display a roof sign of any kind on his/her private hire car.
14. 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 a 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 and geared and which has been tested by the Licensing Authority.
15. The holder of a private hire car licence, whose private hire car is fitted with a taximeter, shall only have fitted to such car 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 Licensing Authority's approved table of fares and charges. Once a taximeter is fitted to his/her private hire car he shall not tamper with the taximeter or break or tamper with any seal or stamp on such taximeter or any attachment affixed thereto by the manufacturer or Licensing Authority except to remove it for repair and replacement. Should the seal be broken the taximeter shall be re-tested and passed by or on behalf of the Licensing Authority before being used again.
16. The holder of a private hire car licence, whose private hire car is fitted with a taximeter, shall ensure that the taximeter is fitted in a position approved by the Licensing Authority and shall be illuminated to display the amount of fare recorded to the passenger when necessary.
17. The holder of a private hire car licence shall not use, nor cause nor permit to be used, the private hire car during any period in which the seals affixed to the taximeter and, where so affixed to the vehicle, are broken or detached.
18. The holder of a private hire car licence shall not use knowingly, nor cause nor permit to be used, a taximeter which is in any way defective.
19. 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 re-fit a taximeter on a second or subsequent occasion without prior permission from the Licensing Authority except when the private hire car is due to be annually tested by the Licensing Authority.

20. The holder of a private hire car licence shall ensure that the private hire car is adequately insured, including passenger insurance, at all times. If at any time the insurance cover expires, either in whole or in part, the holder must inform the Licensing Authority immediately in writing of this fact and unless otherwise advised in writing by the Licensing Authority, shall not use the private hire car as such until appropriate insurance cover has been effected and the Licensing Authority so advised. Where the insurance cover for the vehicle licensed is for less than the period of one year the licence holder must (a) renew the insurance cover prior to the date of its expiry and exhibit the receipt for the premium paid to the Licensing Authority within seven days of payment and (b) retain and exhibit on demand to the Licensing Authority all receipts for a period of at least one year preceding the date of any inspection by the Licensing Authority; the Licensing Authority at its discretion may charge for the cost of such inspections.
21. The holder of a private hire car licence, on demand by the Licensing Authority and by any Officer of the Licensing Authority authorised for the purposes of Section 5 of the Civic Government (Scotland) Act 1982, shall make available for perusal or examination as necessary any or all of the following:-
 - (a) the vehicle for examination at such time and place as may be reasonably required by the Licensing Authority, such examination to take place at the Authority's expense;
 - (b) satisfactory evidence of the existence of policies of insurance applicable to the vehicle and their terms within three days of receiving such a request;
 - (c) the vehicle's registration documents; and
 - (d) any other document or article relating to the operation of the private hire car or its driver.
22. The holder of a private hire car licence, except where otherwise provided, shall pay in advance the charge fixed by the Licensing Authority in respect of any examination or re-examination of the vehicle or any testing, sealing or re-sealing of the taximeter.
23. In the event of a private hire car becoming unfit for any cause during the course of a hire with the result that it cannot convey the hirer to the destination for which the private hire car was engaged, no fare will be charged for the distance already travelled, provided that, should the hirer elect to wait until repairs are completed, or to use a substitute car provided within a reasonable time, the full fare for the completed journey shall be exigible less the amount of fare chargeable for waiting.
24. The private hire car under this licence is licensed to carry a maximum of four passengers or six persons, excluding the driver of the car.
25. No private hire car shall carry a greater number of passengers than it is licensed to carry. For the purpose of this condition:-
 - (a) the first two children under 12 years shall be reckoned as one passenger; and,
 - (b) no account shall be taken of any children under 2 years provided that each child under 2 years is accompanied by an adult.
26. The holder of a private hire car licence must carry, in a suitable fastener in the private hire car, a fire extinguisher of a type and in a position approved by the Licensing Authority, which extinguisher shall be maintained in a satisfactory working condition at all times.
27. The holder of a private hire car licence shall ensure that, when his/her vehicle is presented for examination with a view to the renewal of his/her licence or for an annual inspection as provided for in terms of Condition 2 above, 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.
28. The holder of a private hire car licence is only permitted to install a CCTV system in his/her vehicle having first notified the Licensing Authority of his/her intention to do so and having received an

acknowledgement of the notification and permission in writing from the Licensing authority that they may proceed with the installation of the CCTV system.

29. The holder of a private hire car licence is only permitted to install and operate a CCTV system in his/her vehicle in accordance with the terms of the Licensing Authority's policy on the installation and operation of CCTV systems in taxis and private hire cars.

This and the three preceding pages constitute the Schedule of Conditions referred to in the foregoing Licence.

Legal Services Manager
Licensing, Litigation and Committee Services