



CIVIC GOVERNMENT (SCOTLAND) ACT 1982

CONDITIONS FOR TAXI AND PRIVATE HIRE CAR OPERATORS LICENCE

October 2015

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

General

1. All applications for a new 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. Vehicles that require existing seating to be removed before they become fully wheelchair accessible will not be considered to be suitable.
3. In an effort to meet the Council’s commitment to accessibility, existing licensed vehicles that do not meet the definition of a WAV will be removed from the fleet by reducing the age of these vehicles from 10 years to 7 years on a progressive basis by a reduction of 1 year each year commencing 1st April 2016.
 - a. No more than 9 years old from 1 April 2016
 - b. No more than 8 years old from 1 April 2017
 - c. No more than 7 years old from 1 April 2018
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 car 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 car 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 Constable, the holder of a taxi or private hire licence will produce the taxi or private hire car for examination at the time and place specified by that Council Officer or Constable.
14. The holder of a taxi licence, when their taxi is damaged in a vehicular accident or by any other means, will report the damage to the Licensing Officer as soon as practicable and, if the taxi 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 have been completed, the taxi 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 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.
15. If the Council Testing Centre issues the licence holder with a defect slip relating to advertising on the taxi, 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.

Display of Plates

16. On a vehicle being licensed as a taxi, a number will be allotted to it by the Licensing Officer and the approved external plates (hereinafter referred to as the "taxi plates") bearing such number will be supplied to the licence holder by the

Licensing Officer. The holder of a taxi licence will ensure that the plates are immediately affixed to the taxi and the taxi will not be used for hire until the plates are properly affixed.

17. The holder of a taxi licence will affix to the vehicle, in positions and brackets approved by the Licensing Officer:

- a) external plates on the front and rear of the taxi; and
- b) an internal plate on the inside of the taxi
- c) the name of the taxi 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) if the letters or figures on any taxi plate affixed to a taxi become obliterated or defaced so as not to be distinctly visible or legible, or
- e) the taxi plate 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 a replacement taxi plate or notice.

18. The holder of a taxi licence will affix the following notices in a conspicuous position inside their taxi:

- a) The table of fares in accordance with condition 23

19. Except as otherwise provided for in these conditions the holder of a taxi licence will not, without the consent of the Council, fix or permit to be fixed on their taxi any plate other than the taxi plates or other plate or notice required by law.

Other Signage

20. The holder of a taxi licence will not remove or obscure any warning signs, safety messages or any other information or signage displayed on the taxi 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 near 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 taxi licence will at any time when the taxi is being used as a taxi bus cause to be displayed on the taxi in such a position and in such a form as may be prescribed by the Council a notice which indicates that the taxi is being used as a taxi bus.

Fare Table

23. The holder of a taxi licence 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.

24. Unless the cost of the journey is regulated by the Council fare structure, the holder of a taxi licence will ensure that, prior to acceptance of the hire, any potential hirer of their taxi 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.
25. The holder of a taxi licence will at any time when the taxi is being used as a taxi bus have displayed in the taxi in such a position and in such a form as may be prescribed by the Council so that it is clearly legible to passengers a fare table containing sufficient information to enable a passenger to ascertain the fare for the journey or the manner in which that fare is calculated.

Taximeter

26. The holder of a taxi licence will have affixed to, and used on their taxi, 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. This condition will not apply to any taxi while it is in use as a taxi bus.
27. The holder of a taxi licence will ensure that the taximeter fitted to their taxi 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 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 licence 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.

Advertising and Personalising Marks

General prohibition

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

Application for Provisional Approval of External Advertisements (Step 1)

32. Applications for provisional approval of advertisements must be made in writing to the Head of Legal Services. The application form must enclose two copies 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 five view 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 together with an approval number.
33. 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.
34. 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 Council 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 must submit an application for variation of the licensing conditions accompanied by the appropriate fee and the approval number provided in terms of condition 32. The advertisement must not be displayed on the taxi until the application for variation of the licensing conditions has been granted.

Exemption from Fee

36. A holder of a taxi 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 Council for determination.

Display of Letter of Approval

37. The holder of a taxi 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 Constable on request.

Fulfilment of Hire

38. The holder of a taxi licence will be bound to fulfil, or cause to be fulfilled, at the time and location specified, an engagement to hire their taxi 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 licence will ensure that, at the termination of the hire, a signed receipt for the fare will be provided by the driver of the taxi 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 licence will keep an up-to-date record of the names and addresses of all taxi 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 taxi.

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 Constable 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 taxi 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 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, Pullar House, 35 Kinnoull Street, Perth, PH1 5GD: civlicensing@pkc.gov.uk.

Suspension of Licence

43. When a taxi 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". Such a label has the effect of suspending the taxi 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 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 in respect of their taxi, along with the taxi plates, within ten working days.

Compliance with Licensing officer

45. The holder of a taxi 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 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.

PART III – HOLDER OF PRIVATE HIRE CAR LICENCE

General

Display of Plates

47. On a vehicle being licensed as a private hire car,
- a) a number will be allotted to it by the Licensing Officer and the approved external and internal plates (hereinafter referred to as the “private hire car plates”) bearing such number will be supplied to the licence holder by the Licensing Officer and
 - b) the Licensing Officer will provide the licence holder with two signs of an approved design stating “Pre-Booked Hires Only”.
48. The holder of the private hire car licence will ensure
- a) that the plates are immediately affixed to the private hire car to the front and rear panels with the brackets approved by the Licensing Officer and
 - b) that the “Pre-Booked Hires Only” signs are fitted to both front doors in a position approved by the Licensing Officer, and the private hire car will not be used for hire until the plates and “Pre-Booked Hires Only” signs are properly affixed.
49. The holder of a private hire car licence will affix to the vehicle, in positions and brackets approved by the Licensing Officer:
- a) external plates on the front and rear of the private hire car;
 - b) an internal plate on the inside of the private hire car; and
 - c) the “Pre-Booked Hires Only” signs to both front doors in a position approved by the Licensing Officer.
 - d) the name of the private hire 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.

Other Signage

50. The holder of a private hire car licence will not display a roof sign of any kind on their private hire car.
51. 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) or on their person 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.
52. The holder of a private hire car licence will not display in or on their private hire car any signs for any purpose of advertising other than those approved by the Council.

Fares

53. Unless the cost of the journey is regulated by the Council fare structure, the holder of a private hire car licence will ensure that, prior to acceptance of the hire, any potential hirer of their private hire car is informed (a) that the fare is not so regulated, and (b) of the cost, or the method of calculating the cost, of the proposed journey.
54. The holder of a private hire car licence with a taximeter fitted to the private hire car and which is programmed with a Reduced Fare Tariff will display a table showing the Reduced Fare Tariff in the passenger compartment of their vehicle 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.

Taximeter

55. The holder of a private hire car licence, whose private hire car is fitted with a taximeter, will have affixed to and used on their private hire car, a taximeter which has been stamped or sealed by the Council, after testing and approval to the satisfaction of the Licensing Officer as to distance and time and no other taximeter will be affixed or used. Such taximeter must be electronic and capable of multi tariff operation.
56. The holder of a private hire car licence, whose private hire car is fitted with a taximeter, will not use, or cause or permit to be used on their 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 for that vehicle and has been tested by the Council.
57. The holder of a private hire car licence, whose private hire car is fitted with a taximeter, will ensure that the taximeter fitted to their private car is in a position approved by the Council.
58. A supplier or repairer of taximeters may be authorised by the Council to test and seal meters at tariff changes or when an approved Reduced Fare Tariff is programmed into a taximeter. Once such a taximeter is fitted to their private hire car 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 the vehicle is used again as a private hire car.
59. The user of a private hire car licence will not knowingly use, or cause or permit to be used, their private hire car during any period that the seals affixed to the taximeter (where fitted), or (where so affixed) to the vehicle, are broken or detached.
60. The holder of a private hire car licence will not knowingly use, or cause or permit to be used, on their private hire car, a taximeter which is in any way defective.

Log Book

61. 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
62. The log book must be capable of recording each hire in permanent ink and in chronological order.
63. The holder of a private hire car licence will ensure that the driver of the vehicle delivers the information as detailed in condition 61 for collation at the termination of each shift of driving.
64. The log book referred to in conditions 61 and 62 will be kept for a minimum of six months in chronological order and must be produced on request to a Licensing officer or a Constable for inspection.
65. A central automated logging system at a private hire car booking office may be used in place of a log book provided that the system can record and store in chronological order the details required in condition 61, and has been approved by the Council or Licensing Officer.
66. Any record of hires contained either within the log book or in a central automated logging system so approved must be secure and not capable of being falsified.

Fulfilment of Hire

67. The holder of a private hire car licence will be bound to fulfil, or cause to be fulfilled, at the time and location specified, an engagement to hire their taxi 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.
68. The holder of a private hire car licence will take steps to ensure that each potential hirer of their 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.

Exceptions to Hire

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

70. The holder of a private hire car licence will not knowingly carry, or cause or permit to be carried in their private hire car, any passenger who has vermin on their person or whose clothing is in a foul or filthy condition.

71. The holder of a private hire car licence will not permit their private hire car to be utilised for any illegal or immoral purpose.

Receipts

72. The holder of a private hire car 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 upon request, 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

73. The holder of the private hire car licence will keep an up-to-date record of the names and addresses of all private hire car 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 private hire car.

74. The record referred to in conditions 72 and 73 will be kept for a minimum of six months and must be produced on request to a Licensing officer or Constable 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 private hire car driver employed by the said licence holder or for any other purpose relating to these conditions.

Change of Address

75. The holder of a private hire car 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 Pullar House, 35 Kinnoull Street, Perth, PH1 5GD or by e-mail to: xxxxxxxxxxxxxxxx@xxx.xxx.xx

Suspension of Licence

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

Return of Licence and Plates

77. When a licensed private hire car ceases to be used as such, the licence holder will give immediate notice to the Licensing Officer and return to the Licensing

Officer their private hire car licence and private hire car plates within ten working days.

Compliance with Licensing officer

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

SCHEDULE A
LIST OF TAXI RANKS

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