

**KIRKLEES COUNCIL LOCAL GOVERNMENT (MISCELLANEOUS
PROVISIONS) ACT 1976 PART II - LICENSING OF HACKNEY CARRIAGE
AND PRIVATE HIRE VEHICLES STANDARD CONDITIONS ATTACHED
TO THE ISSUE OF A PRIVATE HIRE VEHICLE LICENCE WITH EFFECT
FROM 28th March 2008**

1. The licence will remain in force for a period of one year unless the Council specify a lesser period or revoke or suspend the licence at any time.
2. No person shall use or permit the use of the vehicle as a private hire vehicle unless the disc and plate are exhibited on the vehicle in the following manner prescribed by the Council:
 - a. The Proprietor shall cause the number of this licence to be fixed and displayed on the vehicle at all times during which the vehicle is licensed as a private hire vehicle, such number to be displayed by means of the licence disc and the licence plate issued by the Council to the Proprietor.
 - b. The licence disc shall be fixed and displayed to the inside of the front windscreen on the kerb side in such a manner as to be clearly visible to any passenger, Constable or duly Authorised Officer, but not so as to obstruct or impair adequate forward vision of the driver of vehicle. The licence disc holder shall be fixed to the front near side windscreen, to be clearly visible to all passengers.
 - c. The licence plate shall be permanently fixed and displayed on, or in the near vicinity of the rear bumper of the vehicle, so as to be clearly visible on the rear of the vehicle at all times.
 - d. When a vehicle is licensed for private hire purposes it can only be used as a private hire vehicle and must be driven only by the holder of a current Kirklees Council Hackney Carriage/Private Hire driver's licence, clearly displayed on his/her person when driving such vehicle. No other person is permitted to drive the licensed vehicle at any time.
3. Vehicle Used for Executive Purposes Only
 - a. Proprietors using vehicles for executive purposes only are exempted from conditions relating to signage and will be issued a licensed disc showing exemption. (Subject to approval)
4. The licence plate and licence disc remains the property of the Council at all times. If for any reason the licence is no longer required or is expired, the plate and disc must be returned to Licensing, Flint Street Depot, Flint Street, Fartown, Huddersfield, HD1 6LG within seven days.

5. Any Authorised Officer of the Council or any Constable shall have power at all reasonable times to inspect and test, for the purpose of ascertaining its fitness, any private hire vehicle licensed by the Council, or any taximeter affixed to such vehicle and if he is not satisfied as to the fitness of the vehicle or as to the accuracy of its taximeter he may by notice in writing require the Proprietor of the private hire vehicle to make it or its taximeter available for further inspection and testing at such reasonable time and place as may be specified in the notice and suspend the vehicle licence until such time as such Authorised Officer or Constable is so satisfied.
6. (a) Without prejudice to the provisions of the foregoing Condition the Proprietor of a private hire vehicle licensed by the Council shall present the vehicle for inspection and testing by or on behalf of the Council within such period and at such place within the area of the Council as they by notice reasonably require. Provided that the council shall not under the provisions of this Condition require the Proprietor to present the same vehicle for inspection and testing on more than three separate occasions during any one period of twelve months.

(b) No person shall use or permit the use of the vehicle as a private hire vehicle unless the vehicle is in a clean condition inside and out at all times.

(c) When a vehicle is over six years of age the licence will not be renewed unless in the opinion of the Council the vehicle is in an exceptionally well maintained condition. The licence will not be extended when the vehicle reaches ten years of age.
7. The Proprietor of any private hire vehicle licensed by the Council or in respect of which an application for a licence has been made to the Council shall, within such period as the Council may by notice reasonably require, state in writing the address of every place where such vehicle is kept when not in use and shall, if the Council so require afford to them such facilities as may be reasonably necessary to enable them to cause such vehicle to be inspected and tested there.
8. If the Authorised Officer or any Constable is not satisfied as to the condition or cleanliness of the vehicle for use as a private hire vehicle upon completion of the inspection and testing required by any of the foregoing Conditions, the Proprietor shall forthwith upon being required so to do by the Authorised Officer or Constable cause the licence plate and the licence disc to be removed from the vehicle and handed to the Authorised Officer or Constable who shall keep them in his custody until such time as he is satisfied as to the condition of the vehicle whereupon the licence plate and the licence disc will be returned to the Proprietor.
9. (1) If a private hire vehicle is equipped with any form of taximeter it shall not be used for hire unless such taximeter has been tested and approved by or on behalf of the Council or any other District Council by which a vehicle licence in force for the vehicle was issued.

(2) Any person who:-

(a) tampers with any seal on any taximeter without lawful excuse; or (b) alters any taximeter with intent to mislead; or (c) knowingly causes or permits a vehicle of which he is the Proprietor to be used in contravention of subsection (1) of Section 71 of the Local Government (Miscellaneous Provisions) Act 1976 (relating to taximeters) shall be guilty of an offence.

10. (1) At all times the Proprietor shall during the currency of this licence keep in force in relation to the use of the vehicle as a private hire vehicle a policy of insurance or such security as complies with the requirements of Part VI of the Road Traffic Act 1972.

(2) The Proprietor of any private hire vehicle licensed by the Council shall at the request of any Authorised Officer produce for inspection the vehicle licence and the certificate of the policy of insurance or security required by Part VI of the Road Traffic Act in respect of such private hire vehicle.

11. Without prejudice to the provisions of Section 25 of the Road Traffic Act 1972, the Proprietor of a private hire vehicle licensed by the Council shall report to the Licensing department as soon as reasonably practicable, and in any case within seventy two hours of the occurrence thereof, any accident to such private hire vehicle causing damage materially affecting the safety, performance or appearance of the private hire vehicle or the comfort or convenience of persons carried therein.

12. The Proprietor shall not display or suffer or permit to be displayed on or from the vehicle:

(a) any roof sign;

(b) any sign or notice which consists of or includes the word "taxi" or "cab", whether in the singularly or plural, or any word of similar meaning or appearance to any of those words, whether alone or as part of another word; or

(c) any advertisement, any other sign including religious or nationalists symbols, notice or device or livery except as may be agreed from time to time by the Council or which is prescribed by or under any enactment;

(i) A Kirklees licensed private hire vehicle must display an adhesive sign on the top panel on each of the two front doors of the vehicle ONLY, and on no other part of the vehicle, glass or panels. Such door signs to be permanently stuck on to the door panel at all times the vehicle is licensed as a private hire vehicle. Magnetic signs are not permitted. Corporate door signs are now produced by the Council Licensing office. (ii) the Corporate door signs are subject to the Council's prior approval of the design, colour and wording of the sign. All new Private Hire Vehicle applications and annual renewals if not already purchased from Kirklees Council must display the new corporate door signs manufactured by the Council.

(iii) Failure to comply with this condition will entail the immediate suspension of the vehicle licence, and seizure of the magnetic or defaced items for destruction.

(d) The door sign will contain only the Company name/logo and telephone number, the top section of the sign must contain the wording "ADVANCED BOOKINGS ONLY" with a minimum letter height of 35mm. Any colour of the sign/wording will be considered with the exception of blue. All signs must be approved by the Council before fitting to licensed vehicles. The Council Licensing Service now has facilities to produce Corporate door signs on request. These Corporate signs to be purchased with all new and renewal applications if not already purchased from Kirklees Council.

Exemptions from d above: Section 48(2) of the Local Government (Miscellaneous Provisions) Act 1976 states "a district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of the foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates."

13. If the Proprietor transfers their interest in any private hire vehicle licensed by the Council to a person other than the Proprietor whose name is specified in the licence they shall immediately attend the licensing office with the new proprietor to officially sign the transfer of the private hire vehicle.
14. Sub-sections (2) to (5) of Section 233 of the Local Government Act 1972 shall have effect and are incorporated by these Conditions to be given or served on the Proprietor by or on behalf of the Council by an authorised Officer.
15. Proprietor shall not cause or suffer or permit to be conveyed in the vehicle a greater number of persons exclusive of the driver than the number of persons specified in this licence and displayed on the licence plate.
16. The Proprietor shall cause to be carried on the vehicle an efficient fire extinguisher which shall be securely fixed on the driver's side of the vehicle or secured in the boot in such a position so as to be readily available for use and maintained in good working order at all times.
17. The Proprietor shall, within seven days, disclose to the Council in writing details of any conviction imposed on him (or if the Proprietor is a Company on any of its Directors or its Secretary) during the period of the licence.
18. The Proprietor shall, within seven days, notify the Council in writing of any change in his address taking place during the period of the Licence.

19. Guide Dogs

Guide dogs, all assistant dogs and all domestic pets, adequately restrained and controlled, other than dangerous wild animals as defined in the Dangerous Wild Animals Act 1976, must be carried in the vehicle unless there is a reasonable excuse for not carrying the animal(s). Each animal to be accompanied by a keeper.

20. The driver of the vehicle shall not refuse or neglect, without any reasonable excuse, to drive the vehicle to the destination he is so directed by the person hiring the vehicle.

21. The Proprietor shall produce an official letter of confirmation from the Private Hire Company he/she intends to work for. The Proprietor shall operate the vehicle only from the premises set out in the licence. If the Proprietor ceases to work from those premises, the Council must be notified immediately of the new address the vehicle will work from and the name of the person holding the Operator's Licence for those premises. The Proprietor shall also forthwith return the licence to the Council, so it can be amended appropriately.