

TAXI LICENCE CONDITIONS

- (1) The licence holder shall ensure that the taxi (including all bodywork, upholstery, fittings and accessories) is in an undamaged, safe, serviceable and clean condition.
- (2) The licence holder shall ensure that the taxi complies with the relevant Council vehicle specification at all times.
- (3) The licence holder shall require their taxi to undergo and pass an annual inspection to be carried out by the Council or its agents.
- (4) At the expiry of the annual inspection certificate of the taxi, the licence holder shall not operate the taxi until the taxi has been inspected and passed by the Council or its agents.
- (5) The licence holder shall pay the Council such fees as the Council may fix for inspecting the vehicle on any occasion that such inspection is required and fee demanded.
- (6) The licence holder shall, on demand or by arrangement, submit their taxi for inspection by a police officer, Transport Manager or authorised officer of the Council.
- (7) Where the licence holder is advised by a police officer, Transport Manager or other authorised officer of the Council that the taxi is in their opinion defective, damaged or in any way in breach of these conditions, they shall rectify the defect, damage or breach within the time stated in any formal notice issued in respect of that defect, damage or breach, such rectification to be to the satisfaction of the Transport Manager. This condition has effect regardless of whether the defect or damage is considered to affect the roadworthiness of the taxi.
- (8) The licence holder shall report any damage caused to the taxi by vehicular accident or by any other means to the Council within 24 hours or at the earliest opportunity thereafter. If the vehicle remains roadworthy the licence holder shall present the taxi to the Council's Transport Manager for examination within seven days of the damage being caused. If the vehicle is not roadworthy, the licence holder shall not be entitled to operate the vehicle as a taxi until such time as the Transport Manager confirms that the necessary repairs have been carried out to their satisfaction.
- (9) If, following any inspection, the Transport Manager indicates to the licence holder that they consider the relevant vehicle to be a threat to public safety, the licence holder shall not be entitled to operate the vehicle as a taxi until such time as the Transport Manager confirms that the necessary repairs have been carried out to their satisfaction.
- (10) The licence holder shall, within seven days, advise the Council when they have been served with formal notice under the vehicle rectification scheme administered by the police or with any notice in terms of Section 11 of the Civic Government (Scotland) Act 1982. The licence holder shall present evidence of the rectification of any defects to the Council within seven days of obtaining it. Where the defects have not been rectified, or upon the request of the Transport Manager, the licence holder will present the taxi for inspection by the Council's Transport Manager within seven days of the notice expiring. Where the taxi is no longer to be operated the licence holder shall notify the Council in accordance with the conditions on substitution or temporarily or permanently ceasing to operate the taxi business. (Conditions 11, 31 and 32).
- (11) The licence holder may substitute another vehicle for the vehicle designated in the licence. The licence holder shall not operate the substitute vehicle until they have intimated their

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intention in writing to the Council, the substituted vehicle has been tested and certified by the Council's Transport Manager as suitable for use as a taxi and the licence has been amended by the Council to reflect the substitution.

- (12) The licence holder shall cause to be exhibited to them and shall endorse as so exhibited the taxi driver's licence of any person they permit or employ to act as a driver of the taxi. The licence holder shall not ask a taxi driver to do anything that would result in the driver committing a breach of the conditions of this licence or the conditions attached to a taxi driver's licence and shall take all reasonable measures to ensure that the driver does not commit a breach of the conditions of the licence or the conditions attached to a taxi driver's licence. The licence holder shall ensure that any person employed to act as a driver of the taxi is covered by an appropriate motor insurance policy.
- (13) The licence holder shall keep an up-to-date list of the names and addresses of all taxi drivers employed by them together with a record of who is driving the taxi at any given time and shall produce the list to any police officer or authorised officer of the Council on demand. Each such record shall be retained by the licence holder for inspection for a period of one year.
- (14) The licence holder shall ensure that an accepted hire is fulfilled unless there is a reasonable excuse for not doing so.
- (15) The licence holder shall hold the vehicle registration document in their own name and home address, and where there is more than one principal licence holder, the vehicle registration document shall be in the name and home address of at least one of those persons. The document shall be produced in person by the person named thereon as soon as possible at the request of any police officer or authorised officer of the Council.
- (16) The licence holder shall maintain motor insurance in respect of the taxi as required by Part VI of the Road Traffic Act 1972 and the certificate of motor insurance shall be held in the name of the person shown on the vehicle registration document. Where there is more than one principal licence holder, the certificate of insurance shall be in the name of the person shown on the vehicle registration document. The document shall be produced in person by the person named thereon as soon as possible at the request of any police officer or authorised officer of the Council.
- (17) The named licence holder shall produce to the Council, in person, a valid annual certificate of motor insurance within seven days of the previous certificate's expiry date. The named licence holder shall also produce to the Council, in person, any other document relating to the operation of the taxi within seven days of the document being requested.
- (18) The licence holder shall ensure that while the vehicle is in use as a taxi, any plates or other things which have been issued by the Council for the purpose of indicating that the vehicle is a taxi are displayed at all times in positions approved by the Council. For the avoidance of doubt, taxi licence plates must be affixed to the rearmost exterior part of the vehicle unless the vehicle, being specifically manufactured as a taxi, has an alternative rear facing location provided.
- (19) If any plate or other thing which has been issued by the Council for the purpose of indicating that the vehicle is a taxi becomes damaged or defaced so as not to be distinctly visible or legible, or is lost, the licence holder shall immediately obtain a replacement from the Council. The licence holder shall require to pay in terms of this condition such fees as the Council may fix.
- (20) The licence holder shall display in the taxi a Council notice stating the approved maximum taxi fares and charges. That notice shall be placed in a position where it is readily visible to

passengers being carried. Subject to Condition 35 no other table of fares and charges shall be displayed.

- (21) The licence holder shall not, without the prior approval of the Council, cause or permit any notice, advertisement, private bill, name, letter, number, sign, trademark or logo to appear on the outside or inside of their taxi other than any name and number required by law and these conditions.
- (22) The licence holder shall have affixed to, and used on, the taxi, a taximeter which has been tested and approved by the Council. The licence holder shall only use a taximeter which has been stamped or sealed by the Council or its authorised agents after testing and approval as to the distance and time in accordance with the approved taxi fares and charges. Once a taximeter is fitted to the taxi, the licence holder 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 the Council except to remove the taximeter for repair or replacement. Should the seal be broken, the licence holder shall have the taximeter re-tested by the Council or its authorised agents before using the taximeter again. The licence holder shall not use a taximeter where that taximeter has not been tested and approved by the Council within the previous twelve months. This condition shall not apply to any taxi whilst it is in use as a taxi-bus.
- (23) The licence holder shall not use, or cause or permit to be used on a taxi a road wheel or tyre of a different circumference from that for which the taximeter affixed to the taxi was designed, geared and tested by the Council.
- (24) The licence holder shall ensure that the taximeter fitted to the taxi remains in a position approved by the Council.
- (25) The licence holder shall not operate a taxi, or cause or permit it to be operated while the seals affixed to any taximeter or taxi in respect of the taximeter are broken or detached.
- (26) The licence holder shall not use, or cause or permit to be used, a defective taximeter.
- (27) The licence holder shall carry a fire extinguisher of a type and in a position approved by the Council.
- (28) If the cost of a journey is not regulated by a licensing authority fare structure and the taxi is not being used as a taxi-bus, the licence holder shall take steps to ensure that any potential hirer of the taxi is informed prior to acceptance of the hire that the fare is not so regulated and the cost or method of calculating the cost of the proposed journey.
- (29) The licence holder shall not permit or employ any person or agent to run their business as a taxi operator or to carry out the day-to-day management of the business unless that person is approved by the Council and is designated on the licence as day-to-day manager.
- (30) The licence holder shall not sell, transfer, hire out, assign, exchange, gift or otherwise alienate all or part of their interest in, or rights under, the taxi licence without the approval of the Council.
- (31) If the licence holder ceases to operate the taxi for a period of 28 days or more, whether during the substitution of vehicle process or otherwise, they shall immediately deliver their licence and identification plate to the Council where it will be held in safekeeping until such times as the taxi business recommences trading or the licence holder permanently ceases to operate the business.

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- (32) If the licence holder permanently ceases to operate the taxi business they shall immediately surrender their licence and identification plate to the Council and the licence plate shall cease to have effect.
- (33) If the licence holder changes their place of residence they shall, within seven days of such change, give notice to the Council in writing and shall produce their licence to the Council for substitution of an amended licence. The licence holder shall pay the Council such fee, if any, as the Council may fix for the amended licence.
- (34) The holder of a taxi licence shall, at any time when the taxi is being used as a taxi-bus display on the taxi a notice that indicates that the taxi is being used as a taxi-bus.
- (35) The licence holder shall, at any time when the taxi is being used as a taxi-bus, display in the taxi a fare table containing sufficient information to enable a passenger to ascertain the fare for their journey or the manner in which that fare is calculated. The fare table shall be displayed in a position where it may be clearly viewed by passengers.
- (36) The licence holder shall intimate to the Council in writing the details of any criminal conviction recorded against them, or fixed penalty accepted by them, within 28 days of the conviction or acceptance of the fixed penalty.
- (37) This licence is not assignable or transferable without the consent of the Council. In addition, the licence holder is, without the consent of the Council, strictly prohibited from parting with or sharing the beneficial interest of the licence and the rights accruing thereto.
- (38) In the event of any contravention of any of these conditions, the Council is entitled to consider suspension of the licence in terms of Schedule 1 of the Civic Government (Scotland) Act 1982.
- (39) All formal intimations shall be sent to the Chief Officer of Legal and Democratic, North Lanarkshire Council, Civic Centre, Windmillhill Street, Motherwell, ML1 1AB.

In these conditions:-

“The Council” means North Lanarkshire Council or its authorised officers or agents.

“Transport Manager” includes any officer or any employee of the Council or any sub-contractor authorised by the Council to fulfil the functions of the Council in terms of Section 11 of the Civic Government (Scotland) Act 1982.

The use of the singular implies the plural and the use of the masculine implies the feminine.

“Taxi” has the meaning ascribed to it in terms of the Civic Government (Scotland) Act 1982 and in particular refers to a vehicle that may be pre-booked or engaged for hire in a public place for a journey beginning there and then.