



Private hire vehicle licence conditions

In this licence and conditions:

- “authorised officer” means any officer of the council authorised in writing by the Assistant Director Regulatory Services of the council for the purposes of these conditions.
- “the council” means the Barnsley Metropolitan Borough Council.
- “hackney carriage” has the same meaning as in the Town Police Clauses Act, 1847.
- “licence plate” and “interior licence plate” mean any plate issued by the council for the purpose of identifying the vehicle as a private hire vehicle duly licenced by the council.
- “proprietor” means the person or persons or body named in this licence as the proprietor of the vehicle and includes a part proprietor.
- “the vehicle” means the private hire vehicle in respect of which this licence is issued.

Conditions

1. The vehicle must not be used as a hackney carriage.
2. (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 used as a private hire vehicle such number to be displayed by means of the licence plate/s and the interior licence plate issued by the council to the proprietor.

(b) The interior licence plate shall be fixed and displayed inside the vehicle in such a manner and place that the particulars thereon are clearly visible to any passengers being conveyed in the vehicle.

(c) Licence plate/s shall be fixed and displayed outside and on the front and rear of the vehicle in a position that the vehicle’s registration mark is not obscured, with the particulars thereon facing outwards and in such a manner and place that the licence plate is clearly visible.
3. All licence plates shall remain the property of the council and shall be returned forthwith to the Licensing Section of the council if the private hire vehicle licence expires, is suspended or is revoked subject to the exercise by the licensee of any rights of appeal in respect of such decision in which event they may retain possession of the plate pending the outcome of such appeal.
4. (a) The vehicle shall have valid insurance for the purpose of hire and reward, the carriage of passengers and public liability, which must also comply with the requirements of Section 143 of the Road Traffic Act 1988.

(b) On request by an authorised officer or constable the proprietor shall produce a relevant and fully compliant certificate of insurance.

5. (a) The vehicle when working must display on its front doors the words "Private Hire Vehicle Advanced Booking Only" and must display on the rear offside and near side doors/panel of the vehicle the operator's trade or business name and telephone number. No other signs or words whatsoever shall be displayed.

(b) Except for the signs permitted by this condition and without prejudice to the generality of the prohibition upon all other signs it is stated for the avoidance of doubt that the proprietor shall not display, suffer or permit to be displayed on or from the vehicle any word (including the words "taxi" and/or "cab"), sign, notice, mark, illumination or other feature which, having regard to the time and place at which it is displayed and to the circumstances, may suggest to any person that the vehicle is available for the purpose of carrying passengers for hire or reward as a licensed hackney carriage.

6. Sub-sections (2) to (5) of Section 233 of the Local Government Act 1972 shall have effect and are incorporated in these conditions in relation to any notices required or authorised by these conditions to be given or served on the proprietor by or on behalf of the council or by an authorised officer.

7. The proprietor shall cause to be carried on the vehicle an efficient fire extinguisher of a make and type approved by the council and suitable for use on motor vehicles such extinguisher to be fixed on the vehicle in such a position as to be readily available for use and maintained in good working order at all times.

8. 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, and if he is not satisfied as to the fitness of the private hire vehicle he may by notice in writing require the proprietor of the private hire vehicle to make it 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.

Provided that, if the authorised officer or constable is not so satisfied before the expiration of a period of two months; the said licence shall, by virtue of this section, be deemed to have been revoked.

9. Without prejudice to the provisions of the previous condition the proprietor shall present the vehicle for inspection and testing by or on behalf of the council within such a period and at such a place within the area of the council as they may 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.

10. If any proprietor fails without reasonable excuse to comply with the terms of the notice he shall be guilty of an offence and liable on summary conviction to a fine not exceeding one hundred pounds and to a daily fine not exceeding ten pounds, and any authorised officer of the council or constable shall be entitled to remove the said licence plates.

11. If the proprietor transfers his interest in the private hire vehicle he shall within fourteen days after such transfer give notice in writing to the Principal Licensing Officer of the council,

specifying the name and address of the person to whom the private hire vehicle has been transferred.

12. Without prejudice to the Provisions of Section 170 of the Road Traffic Act 1988, the proprietor of a private hire vehicle licensed by the council shall report to the Principal Licensing Officer, in writing, 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.
13. When private hire licences are issued following the production of cover note of insurance the certificate of insurance must be produced on or before the expiry of the cover note, or a further cover note produced to ensure continuity of insurance. Failure to do so render the licence suspended.
14. In the event of the applicant for this vehicle licence defaulting in payment of fees, the licence will automatically be suspended.
15. (a) If the vehicle is less than five years old at the commencement date of this licence then the proprietor shall present the same for a six monthly re-inspection (at the council's vehicle depot, Smithies Lane, Barnsley) at the end of six months following the commencement date of this licence. Furthermore, if the vehicle is more than five years old at the commencement date of this licence then the proprietor shall present the same for a re-inspection (at the council's vehicle depot, Smithies Lane, Barnsley) every four months following the commencement date of this licence.

(b) If on such re-inspection the vehicle shall fail to satisfy the standards of fitness of the council's vehicle examiner, then the licence will automatically be suspended until the vehicle has been rectified to the satisfaction of the examiner.

(c) If the vehicle is not presented for re-inspection within 7 days of the expiry of the four or six-month period specified in paragraph (a) above then this licence shall automatically be revoked.
16. This licence holder shall ensure that the licensed vehicle has a daily safety check. As a minimum this must be a visual check on all lights, oil, water, tyres, mirrors and seat belts. A written record must be made of each safety check, details of faults recorded and remedial action taken. The record must be signed by the person undertaking the safety checks and kept on the vehicle for a minimum of 30 days and then for a further six months by the licence holder. On being so required by an authorised officer, the driver of the vehicle shall produce, to that officer, the recorded daily checks kept on the vehicle and the licence holder, on request by that officer, shall produce those recorded checks in his possession and/or those kept in the vehicle.

The following condition applies to all licences issued on or after 1st January 2011, where the vehicle is constructed or adapted for wheelchair use and applies at all times irrespective of whether or not the vehicle is carrying passengers.

17. No person, other than a private hire vehicle driver who has satisfied the council of their competency to safely load, unload and secure a wheelchair and its passenger, may drive this licensed private hire vehicle. Notwithstanding that they are a licensed private hire vehicle driver.