S48(2) LOCAL GOVERNMENT (MISCELLANEOUS) PROVISIONS ACT, 1976 – PART II
BDBC - PRIVATE HIRE VEHICLE LICENCE CONDITIONS

Definitions
In this licence, and in these conditions, unless the subject or context otherwise requires:

“Authorised officer” means an officer of the Council authorised in writing by the Council for the purpose of these conditions

“The Council” means Basingstoke and Deane Borough Council

“PHV” has the same meaning as in Part II of the Local Government (Miscellaneous Provisions) Act, 1976

“Licence plate” means the plates issued by the Council to identify the vehicle as a licensed PHV

“Proprietor” means the person/s or body named in the licence as the proprietors of the vehicle

“Exceptional condition” means meeting the Certificate of Compliance test standard detailed in the vehicle standard inspection manual and these conditions

“Prestige” means a Council pre-approved vehicle of a high specification and purchase price

“Corporate style work” means work only carried out for companies requiring a chauffeur service in a prestige vehicle to undertake client, employee’s journeys

Private Hire Vehicle Licence Conditions

Each private hire vehicle licence is issued subject to the conditions stated below:

1. Licence Display and Corporate Identity (for vehicles not granted exemption)
   
   (a) The proprietor shall cause the front and rear licence plates to be securely fixed to the vehicle using the fixing system supplied by the Council. The licence plates must be displayed on the vehicle at all times whether being used for PHV work or not.

   (b) the licence plates remain the property of the Council and shall be returned within 7 days after service on the proprietor of an appropriate notice. Any plate deposit paid to the Council prior to November 2016 may be determined by the Head of Environmental Services, for the issue of the licence plate deposit to be refunded when a plate is returned to the Council.
(c) all licensed PHV’s must display door signs issued by the Council. These must be permanently affixed (not magnetic) on either both front driver and passenger doors or both rear passenger side doors of the PHV immediately below the windows or as close as possible to ensure the signs are attached to the top half of the door in their entirety. Where minibuses do not have rear doors on the side of the vehicle the sign must be displayed immediately below the window or in any case positioned in entirety on the top half of the door/wing side panels. The first set are issued free of charge, replacement sets shall incur a charge.

NB You are reminded not to sign write your vehicle in such a way as to prevent the council’s door signs from being correctly applied in the required position on the vehicle.

(d) Failure to correctly apply the door signs as per this condition will result in vehicles being suspended until door signs are correctly applied. (sec 68 LG(MP) Act 1976)

(e) all vehicles must display a Council issued internal sticker detailing vehicle licence information and notes to passengers. This must be displayed on the inside of the front windscreen in the top left hand corner (near side)

(f) no proprietor may remove the corporate identity and vehicle licence plates for any reason unless agreed by the Council.

2 Availability of vehicle for Inspection

(a) An authorised officer may inspect and test a PHV at all reasonable times. If the officer is not satisfied as to the fitness or condition of the PHV, the licence may be suspended until such time the officer is satisfied that the vehicle is fit for purpose. If the officer is not satisfied within 2 months of the date of suspension, the licence shall be revoked.

(b) If a vehicle licence is suspended under 2(a) above, the plate shall be immediately surrendered to the authorised officer and shall be held by them pending the testing of the vehicle;

(c) without prejudice to these conditions, the proprietor on receipt of a notice in writing from the Licensing Team shall present the Private Hire vehicle for inspection and testing by or on behalf of the Council.

3. Vehicle Insurance

(a) the proprietor shall during the current licence keep in force a policy of insurance that complies with the requirements of the Road Traffic Act, 1988 or any re-enactment thereof; and shall produce that certificate to an authorised officer on request, or within 5 days at the Civic Offices London Road Basingstoke. Failure to provide satisfactory evidence of insurance will result in the vehicle being suspended until insurance position satisfied.
4. **Advertising on Vehicles**  
   (a) there shall be no advertising on any PHV without prior approval of the Council, apart from the operator’s business name, address and telephone number of the licensed operator’s details.
   
   (b) there shall be no mark or sign on the PHV that shall include the word taxi or taxi’s or any words of a similar meaning that may suggest the vehicle overall is a Hackney Carriage;

5. **Vehicle Damage**  
   (a) the proprietor shall report to the Council as soon as reasonably practicable and in any case within seventy-two hours, of the occurrence thereof, any accident to a PHV causing damage materially affecting the safety, performance or appearance of the vehicle or the safety, comfort or convenience of passengers carried therein;

6. **Fire Fighting and First Aid**  
   (a) the proprietor shall ensure that at all times there is within the vehicle, an appliance for extinguishing fire, which must be carried in such a position as to be readily available for use.
   
   (b) the proprietor shall ensure that there is within the vehicle, a first-aid kit containing dressings and appliances for use in emergency. The first-aid kit to be located in such position as to be immediately available;

7. **Vehicles Granted an Exemption Notice under S75(3) LGMPA 1976**  
   (a) a specifically approved ‘prestige’ private hire vehicle which has been granted an exemption notice following application to the Council, may only be used to carry out such work/journeys as applied for and approved at the granting of the exemption notice.(e.g., Corporate or chauffer type work in an approved style of vehicle only).

   Specifically approved vehicles are exempt from the requirement to display the Corporate Identity but the vehicle licence plates issued by the Council must be carried inside the vehicle at all times. However the internal sticker provided must be displayed on the front windscreen.

   (b) if any vehicle issued with an exemption is found to be contravening the terms of that exemption, the vehicle will, have its exemption removed, and will be required to comply with the requirement to display the Corporate Identity and vehicle licence plates.

8. **Passengers**  
   (a) The proprietor shall not convey (or permit, cause or suffer to be conveyed) in the vehicle a greater number of persons (excluding the driver) than the number of persons specified in the licence provided.
9. **Vehicle Transfer**

(a) if the ownership of the vehicle changes, the Council must be notified in writing within 14 days of the date of transfer of ownership.

(b) the new vehicle proprietor must apply for a transfer of the licence into his/her name and pay the relevant fee.

(c) the proprietor shall not assign or in any way part with the benefit of the licence without prior written consent of the Council;

**Local Government (Miscellaneous Provisions) Act 1976 S48(7)**

**Public Health Act 1936, S300**

Any person aggrieved by any of the conditions attached to the grant of this licence, may appeal to the magistrates Court within 21 days from the date on which notice of the councils requirement.

**FAILURE TO COMPLY WITH LICENCE CONDITIONS**

Failure to comply with any of the above private hire vehicle licence conditions without reasonable cause, will result in suspension and/or revocation of the vehicle licence to which these conditions are attached. (LG(MP) Act 1976 S60)