

THESE CONDITIONS ARE ANCILLARY TO AND DO NOT DEROGATE FROM THE POWERS GRANTED TO THE LICENSING AUTHORITY IN RELATION TO TAXIS AND PRIVATE HIRE CARS AND THEIR DRIVERS UNDER THE TERMS OF THE CIVIC GOVERNMENT (SCOTLAND) ACT 1982 OR ANY AMENDMENT THERETO.

IT IS THE RESPONSIBILITY OF THE LICENCEHOLDER TO ENSURE THAT THEY ARE COMPLIED WITH. FAILURE TO COMPLY MAY LEAD, ON SUMMARY CONVICTION, TO A FINE AND/OR THE SUSPENSION OR LOSS OF THE LICENCE.

TAXI LICENCES - CONDITIONS SCHEDULE

VEHICLES ETC

1. The holder of a Taxi Licence shall ensure that the taxi, including all bodywork, upholstery and fittings, is at all times during the operation of the licence in a safe and serviceable condition and that the interior is clean, well aired and comfortable for passengers, all to the satisfaction of the Licensing Authority. Subject to prevailing road conditions, the bodywork, glass and chrome shall be kept well cleaned and polished all to the satisfaction of the Licensing Authority. The holder of a Taxi Licence is as equally responsible for the implementation of this condition as the holder of a Taxi Driver's Licence.
2. The holder of a Taxi Licence shall require the taxi to undergo and pass a bi-annual inspection by the Licensing Authority and the Licence will not be renewed unless the vehicle has passed this inspection. In addition to the foregoing, the Licensing Authority may require any licensed vehicle at any time to undergo further inspection if the Licensing Authority thinks fit. Notification of this will be given in writing and the licence holder shall produce his/ her taxi for inspection at such time and place as may be specified by the Licensing Authority.
3. The holder of a Taxi Licence, when the taxi is either damaged in a vehicular accident or by any other means or is defective, shall report the damage to the Licensing Authority as soon as practicable and he/ she shall present it or make it available for inspection within the following two working days after the occurrence. As soon as repairs to the taxi have been completed, the taxi shall be re-inspected. The vehicle may be issued with a red licence plate from the licensing section to enable it or a courtesy car to operate as a taxi whilst any repairs are being made.
4. The holder of a Taxi Licence shall 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 shall 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 Licensing Authority will issue to the licence holder two external plates which must be displayed on the taxi at all times and two inside window stickers. The small external plate must be affixed on or around the front grill of the vehicle and in such a place where it does not obstruct any other plate required by law and where it is clearly readable. The large external plate must be fixed where reasonably practicable to do so, at the nearside rear of the vehicle where it does not obstruct any other plate required by law and where it is clearly readable. Both external plates must be permanently fitted to the vehicle on the brackets/fixing kits supplied by the Licensing Authority. Plates must be fitted to the fixing kits using the clip and key system or magnet kit sourced from the Licensing Authority's plate supplier. If for any reason any plate becomes at all hard to read or is lost, a replacement must be obtained at once from the Licensing Authority. A replacement fee will require to be paid. The two inside window stickers must be fixed at either side of the vehicle where they can be easily read by passengers.

6. The holder of a Taxi Licence shall display upon the roof of his/her taxi a sign of a type approved by the Licensing Authority for the purposes of identifying the vehicle as a taxi. The holder of a Taxi Licence shall be permitted to display his/her company name on the roof sign. While the taxi is available for shared hire he/she shall display in such position as approved by the Licensing Authority, a sign of a type approved by the Licensing Authority for the purpose of indicating that the taxi is available for hire/ shared hire.
7. The holder of a Taxi Licence shall 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 Licensing Authority, a notice which indicates that the taxi is being used as a taxi-bus.
8. The holder of a Taxi Licence must carry, in a suitable fastener in his/her taxi, a fire extinguisher in a position, approved by the Licensing Authority. The fire extinguisher must be of the correct type and must contain foam or powder and be marked BS 5423 or EN 3. The fire extinguisher carried must at all times be in good working order and where applicable be within its expiry date. In addition, the fire extinguisher shall be marked with a sticker issued by the licensing section detailing the Taxi Licence number.
9. The holder of a Taxi Licence must carry, in a suitable fastener, a first aid kit in a position approved by the Licensing Authority. The kits should contain the minimum HSE recommended vehicle kit of:- 6 waterproof plasters, 1x HSE 18x18 dressing, 2 triangular bandages, 2 antiseptic wipes, 1 pair of vinyl gloves, 6 safety pins, 1 first aid advice leaflet. The first aid kit shall be marked with a sticker issued by the Licensing Authority detailing the Taxi Licence number.
10. The holder of a Taxi Licence which relates to a wheelchair accessible vehicle shall ensure that the ramp access system and means for securing the wheelchair in the vehicle are available at all times. If it is a portable ramp system that it is used both ramps shall be marked with a sticker issued by the Licensing Authority detailing the Taxi Licence number.
11. The holder of a Taxi Licence shall ensure that if his/her taxi contains an interior partition between the driver and passenger(s), it is provided with some reasonable means of communication.
12. No pictorial, written or printed material may be displayed in or on a taxi without the consent of the Licensing Authority.
13. The holder of a Taxi Licence shall ensure that the sticker supplied by the Licensing Authority detailing the licence holder's name and vehicle licence number shall be displayed on the nearside of the taxi.
14. The holder of a Taxi Licence shall ensure that there is a "no smoking" sign displayed with the wording "These are no smoking premises. It is an offence to smoke or knowingly to permit smoking in these premises. If you observe someone smoking in this vehicle a complaint may be made to Falkirk Council, Development Services, Environmental Health, David's Loan, Bainsford, Falkirk.
15. The vehicle must have an engine capacity of not less than 1400cc. There shall be no such restriction for hybrid and electric vehicles.
16. The vehicle must have a minimum luggage capacity of 300 litres and a seating capacity of at least 4 passengers plus the driver.
17. 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.
18. The holder of a Taxi Licence shall not enter into any agreement with any employee or other person operating the vehicle on his/her behalf which would absolve the Taxi Licence holder from any responsibility for any defect in any taxi owned or operated by the licence holder.
19. Taxis may not be parked to wait for trade in any public place other than one of the stances approved by the Licensing Authority, and taxis may not be double parked or parked other than parallel with the pavement. Taxis must generally have regard to any policy initiatives that are introduced from time to time by the Licensing Authority that regulate the ability of a taxi to pick up in the general vicinity of Falkirk Town Centre in the evening at the weekend.

20. The holder of a Taxi Licence shall not install an electronic security system capable of recording and storing a record of entering or exiting of passengers either by way of video or digital images unless the details of the system have first been considered and approved by the Licensing Authority.

FARES, CALENDAR METER, ETC

21. The holder of a Taxi Licence shall obtain from the Licensing Authority a notice detailing the approved maximum taxi fares and charges appropriate to exclusive or to shared hire of the taxi and will display the notice or notices as appropriate in the passengers compartment of the taxi in such a position that it/they will be readily visible to the passenger(s) being carried and (subject to Condition 25 below) no other table of fares and charges shall be displayed.
22. The holder of a Taxi Licence shall, if the cost of the journey is not regulated by the Licensing Authority fare structure, and if the taxi is not being used as a taxi-bus, take steps to ensure that any potential hirer of his/her taxi is informed, prior to acceptance of the hire, (a) that the fare is not so regulated; and (b) the cost, or method of calculating the cost, of the proposed journey.
23. The holder of a Taxi Licence shall take steps to ensure that each potential hirer of his/her taxi consents, at the time of the arrangement of the hire, to an exclusive hire or a shared hire, as the case may be.
24. If the holder of a Taxi Licence, or any person on his/her behalf, agrees beforehand with a person hiring the taxi to take a sum less than in the approved fares and charges, the holder of a Taxi Licence shall not exact or demand more than the fare or charges previously agreed upon.
25. The holder of a Taxi Licence shall at any time when the taxi is being used as a taxi-bus, cause to be displayed in the taxi, in such a position and in such a form as may be prescribed by the Licensing Authority so that it is clearly legible to passengers, a fare table containing sufficient information to enable a passenger to ascertain the fare for his/her journey or the manner in which that fare is calculated.
26. The holder of a Taxi Licence shall have affixed to, and used on, the taxi a calendar meter which has been tested and approved by the Licensing Authority as appropriate to the type of hire (whether exclusive or shared) for which the taxi is available or on which it is engaged. This condition shall not apply to any taxi while it is in use as a taxi-bus.
27. The holder of a Taxi Licence shall not use, or cause or permit to be used, on the taxi a road wheel or tyre of a different circumference from that, for which the calendar meter affixed to the taxi was designed, geared and has been tested by the Licensing Authority.
28. The holder of a Taxi Licence shall only use a calendar meter which has been stamped or sealed by the Licensing Authority after testing and approval as to distance and time in accordance with the approved taxi fares and charges. Once a calendar meter is fitted to his/her taxi he/she shall not tamper with the calendar meter or break or tamper with any seal or stamp on such calendar meter of any attachment affixed thereto by the manufacturer or Licensing Authority except to remove the calendar meter for repair or replacement. Should the seal be broken, the calendar meter shall be re-tested and passed by or on behalf of the Licensing Authority before being used again.
29. The holder of a Taxi Licence shall ensure that once notified of an impending change in the Taxi Tariff, that the taxi is presented as soon as is practicably possible, and within any timescale arranged by the Licensing Authority, at the testing station for the purposes of having the recalibrated calendar meter tested and resealed.
30. The holder of a Taxi Licence shall ensure that the calendar meter fitted to his/ her taxi is in a position approved by the Licensing Authority. The calendar meter must never be concealed or obscured from the passengers' sight and must have a working internal lamp so that the reading remains entirely visible after dark.
31. The holder of a Taxi Licence shall not knowingly use, or cause or permit to be used, the taxi (other than as a taxi-bus) during any period that the seals affixed to the calendar meter, and where so affixed to the vehicle, are broken or detached.
32. The holder of a Taxi Licence shall not knowingly use, or cause or permit to be used, a calendar meter which is in any way defective.

33. The holder of a Taxi Licence shall, within two working days, inform the Licensing Authority of the removal of the calendar meter from his/her taxi. He/she shall not re-fit a calendar meter on a second or subsequent occasion without prior permission from the Licensing Authority, except when the taxi is due to be annually tested by the Licensing Authority.

GENERAL

34. The holder of a Taxi Licence shall not ask a driver of the taxi to which the licence relates to do anything which would result in the taxi driver committing a breach of the conditions attaching to the grant of the Taxi Driver's Licence.
35. The holder of a Taxi Licence shall keep an up to date list of the names and addresses of all taxi drivers employed by him/her, which are authorised by the holder of the licence to use the taxi for the purpose of plying for hire. The licence holder shall also ensure that any such persons are licensed by the Licensing Authority.
36. The holder of a Taxi Licence shall be bound to fulfil, or cause to be fulfilled, at the time and location specified, an engagement to hire his/her taxi, which he/she has accepted, unless prevented by sufficient cause.
37. A Taxi Licence shall not be transferrable.
38. The holder of a Taxi Licence shall make available in the vehicle clean and legible copies of his/her Taxi Licence and these conditions.
39. The holder of a Taxi Licence shall inform the Licensing Authority within 14 days of any fixed penalty, conditional offer or conviction in any Court.
40. Where there is a material change of circumstances, including change of address, affecting the holder of a Taxi Licence, the holder of the Taxi Licence must notify the Licensing Authority of the change as soon as reasonably practicable after it has taken place.

NOTES

“exclusive”, as applied to the hire of a taxi, means that a single fare is payable by any one passenger for the whole hire of the taxi, whether or not more than one passenger is carried; and “exclusive hire” shall be construed accordingly;

“shared”, as applied to the hire of a taxi, means that each passenger is carried at a separate fare, payable to the driver, and “shared hire” shall be construed accordingly; and

“taxi-bus” means a taxi which is being used, under a special licence granted under Section 12 of the Transport Act 1985, to provide a local service which is or requires to be registered under Part I of that Act, has been previously advertised and which has a destination and route which are not entirely at the discretion of the passengers.

The holder of a Taxi Licence shall return to the Licensing Authority his licence and licence plates within 28 days of selling or disposing of the vehicle to which the vehicle relates, except where it is being substituted for another vehicle.