

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1976 – PART II
PRIVATE HIRE VEHICLE LICENCE

CONDITIONS

1.0 CONTRACT

- 1.1 The vehicle must only be used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Director of Children and Young Peoples Department to transport children to and from educational establishments.

2.0 VEHICLE TESTING

- 2.1 Once the vehicle reaches 6 years of age it must have a Ministry of Transport (MOT) test every 6 months.
- 2.2 The MOT test certificate must be made available to an Authorised Officer of the Council on request.

3.0 VEHICLE INSPECTIONS

- 3.1 The vehicle must be subject to a daily walk around check.
- 3.2 The vehicle must be subject to maintenance/safety checks at least every 8 weeks. These checks must be of the same standard as those required under the PSV licensing regime. A record must be kept of these checks and must be made available to an Authorised Officer of the Council on request.

4.0 INSURANCE

- 4.1 The vehicle must at all times be covered by an insurance policy allowing its use for private hire.
- 4.2 A current certificate of insurance or covernote, as required by any Acts or Regulations relating to motor vehicles, must be made available to an Authorised Officer of the Council on request.

5.0 NUMBER OF PASSENGERS

- 5.1 The Proprietor must not permit the vehicle to be used to carry a greater number of passengers than the number stated in the licence.
- 5.2 The proprietor must not allow any child under the age of 10 years to be conveyed in the front of the vehicle.

6.0 MAINTENANCE, CONDITION, ALTERATION OF VEHICLE

- 6.1 Vehicles, including all fittings, etc. must be maintained in accordance with Wirral Borough Council's Vehicle Inspection Policy.
- 6.2 The vehicle is at all times subject to test and inspection. Any vehicle not found to be properly maintained or kept in good working order may be the subject of a notice prohibiting the proprietor from using the vehicle until the defect has been rectified.
- 6.3 No material alterations or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time a Private Hire Vehicle Licence is in force.
- 6.4 The Proprietor of a licensed Private Hire Vehicle shall:
- (a) ensure that the vehicle is kept wind and water tight.
 - (b) ensure the fittings and furniture in the Private Hire Vehicle are kept in a clean condition and well maintained and in every way fit and safe to use.
 - (c) ensure that the vehicle is in every way clean, in good order and repair.
- 6.5 **No roof fittings** are permitted, other than a roof rack, roof box or a radio aerial.
- 6.6 Seats covers are permitted but must be maintained in good condition. The seat covers must be removed when presenting the vehicle for its MOT test.
- 6.7 The vehicle must carry at all times a serviceable spare wheel and tyre, together with the proper tools and equipment to change the wheel in the event of a tyre becoming defective
- 6.8 All tyres, including the spare, must be
- suitable for the vehicle,
 - properly inflated,
 - have a continuous tread depth of at least 1.6mm across the central three quarters of the breadth of the tread,
 - free from cuts and other defects.

7.0 IDENTIFICATION PLATES

- 7.1 The Front and Rear Plate identifying the vehicle as a Private Hire Vehicle must be fixed to the vehicle using at least two screws, rivets or bolts.
- 7.2 Alternatively, the plates can be fixed using a fitting kit approved by the Council.
- 7.3 The front plate must be in such a position as to be easily seen by a person standing in front of the vehicle.
- 7.4 The Rear Private Hire Vehicle Licence Plate must be fixed in such a position that the information contained on it is clearly visible to the driver of a following vehicle and is not obstructed by any fixture or fitting of the car.
- 7.5 A Proprietor or Driver of a Private Hire Vehicle must ensure that the plate is on clear view and must not allow it to be concealed whilst the vehicle is being used for the purpose of hire.

7.6 No Proprietor of a Private Hire Vehicle licensed by the Council shall part with or lend the Private Hire Vehicle Licence Plate issued to his vehicle.

8.0 FAILURE TO COMPLETE JOURNEY

8.1 Should the Private Hire Vehicle fail to complete a journey for any cause whatsoever, the circumstances and cause of stoppage shall be reported to the Children and Young Peoples Department immediately.

9.0 CHANGE OF ADDRESS

9.1 A Proprietor of a Licensed Private Hire Vehicle must notify the Licensing Authority, in writing, of any change of address within 7 days of such change taking place.

10.0 CONVICTIONS

10.1 The Proprietor of a Licensed Private Hire Vehicle shall disclose to the Council, in writing, **details of ANY prosecutions pending/convictions/cautions** imposed on them whilst the licence is in force, within 7 days of receiving such conviction/caution.

11.0 ACCIDENTS

11.1 Every incident where a vehicle sustains damage must be reported in writing to the Licensing Authority no later than 72 hours after the damage has been sustained.

For the avoidance of doubt, slight scratches and stone chips that do not materially affect the use of the vehicle do not need to be reported.

11.2 The vehicle must not be used for hire where damage to the vehicle may affect the safety or performance of the vehicle until such damage has been satisfactorily repaired in accordance with the manufacturer's specification and the repair has been reported to the Licensing Authority.

12.0 ADVERTISEMENTS

12.1 No advertisements shall be displayed on or from the vehicle, other than those approved by the Licensing Authority.

13.0 DRIVERS OF LICENSED VEHICLE

13.1 The Proprietor of a licensed Private Hire Vehicle shall only allow licensed Private Hire Drivers to drive the licensed Private Hire Vehicle for any purpose whatsoever.

14.0 RETURN OF PLATES

14.1 If at any time during the period of the Private Hire Vehicle Licence the Proprietor for any reason does not wish to retain the Private Hire Vehicle Licence or if at any time during the period of the Licence the Private Hire Vehicle Licence is suspended or revoked the Proprietor must immediately surrender and return the Private Hire Vehicle Licence plates to the Council.

PLEASE NOTE

If the proprietor of a licensed private hire vehicle commits, suffers or permits any breach of the above conditions, or any of the general conditions, regulations or statutes from time to time in force, this licence may be immediately revoked.

Notwithstanding the above specific conditions, if there is anything in the construction, form, working or general appearance which, in the opinion of the Council, renders a vehicle unfit for use as a private hire vehicle, it will not be licensed or re-licensed.

The plates issued by the council are the sole property of the council and are 'on deposit' only and must be surrendered to an authorised officer of the council or police officer ON DEMAND.

IF YOU ARE AGGRIEVED BY ANY OF THE REQUIREMENTS CONTAINED IN THE ABOVE CONDITIONS YOU HAVE THE RIGHT OF APPEAL TO A MAGISTRATES' COURT WITHIN 21 DAYS

Department of Law HR and Asset Management
Town Hall
Brighton Street
Wallasey
CH44 8ED