

# **Taxi and Private Hire Car Booking Office Licence Conditions**

## **Orkney Islands Council**

### **Civic Government (Scotland) Act 1982**

**Form TBO5.**

#### **General**

1. The Licence permits the use of the premises specified therein as a place for the carrying on of a business, which consists to any extent of the taking of bookings, by means of communication, from members of the public for the hire of a relevant vehicle as defined in the Licence. The Licence must be exhibited in the Premises in such a place and in such a manner as to be easily read by the public.
2. The licence holders or, in the absence of the licence holders, a person authorised by them, must be in charge of the premises at all times and must not be engaged in duties which might prevent the exercising of general supervision of the premises.
3. The licence holders shall be liable for any act or omission of their servants, agents or lessees in the contravention of, or non-compliance with any of these Conditions.
4. The licence holders shall ensure that the Premises are covered by an adequate policy of Third Party Liability Insurance with a reputable Company and shall exhibit to the Council, on demand evidence that the premiums in respect of such policy have been timeously paid.
5. The licence holders shall not make or cause or permit to be made any structural alteration to the premises unless and until details of the proposed works have been submitted by the licence holders to the Licensing Authority and the works approved by the Council in terms of paragraph 9(2) of Schedule 1 to the Act.
6. All plans of the premises approved by the Council will be retained by the Licensing Authority.
7. The licence holders must surrender the Licence if and when called upon to do so by the Licensing Authority for the purpose of alteration in accordance with any decision of the Licensing Authority.

#### **Mandatory Conditions for Booking Office Licences**

8. The licence holder must keep a record of every booking for the hire of a relevant vehicle taken at the relevant premises.
9. The licence holder must keep a record of:
  - The registration number of the vehicle which was hired as the result of a booking taken at the relevant premises.
  - The name of its driver at the time of that hire.

10. The licence holder shall take all reasonable steps to ensure that any booking taken at the relevant premises from a member of the public for the hire of a relevant vehicle results in the hire of a vehicle which is:
  - A relevant vehicle.
  - Being driven by a person who holds a licence granted under section 13 of the Act and that licence is in effect.

### **Local Conditions for Booking Office Licences**

11. The licence is valid until the date shown on the same. Where the public have access to the premises for the purpose of booking a vehicle or access to a waiting area the licence must be displayed clearly within the premises so that it can be seen by members of the public.
12. The licence holder shall keep the records required available for inspection at any reasonable time by any authorised officer of Orkney Islands Council or Police Scotland.
13. The licence holder shall notify the Council of any material change in circumstances affecting him or any other person or company named on the licence or affecting the activity to which the licence relates. A licence holder who ceases to act as such for the unexpired portion of the licence or whose licence has been suspended by the Council shall return the licence to the Council within 7 days.
14. If the public have access to the premises in order to book a vehicle or have access to a waiting area the licence holder shall ensure that there are effective systems in place to ensure public health and safety and fire safety. The premises will be kept in a clean and tidy condition at all times.
15. The licence holder shall ensure that any activities associated with the booking office shall not give rise to annoyance or disruption for neighbouring proprietors.

### **Definitions**

“The Act” means the Civic Government (Scotland) Act 1982.

“The Licensing Authority” means a Council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 and for the purpose of these conditions means Orkney Islands Council and any employee, officer or agent authorised to act for and on its behalf.

“Police Scotland” includes any employee, officer or agent authorised to act for and on its behalf.

“Licence holders” means the person, persons, company, firm, public body or voluntary organisation named in the Licence.

“Relevant premises” means the premises specified in the Licence.

“Relevant vehicle” means a vehicle in respect of which a taxi licence or a private hire care licence has been granted in terms of section 10 of the Act and that licence is in effect.

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