

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL**

**Report to Licensing Sub - Committee**

**29<sup>th</sup> January 2016**

<b>TITLE:</b>	<b>Proposed Licensing of Wedding Vehicles for Private Hire Use</b>
<b>PORTFOLIO:</b>	<b>Cllr. Arthur Forrester – Portfolio Holder for Environment</b>
<b>OFFICER:</b>	<b>Mr. R. Weaver – Head of Regulatory Services</b>
<b>WARDS:</b>	<b>Non-Specific</b>

**Appendices**

**Appendix 1 – Proposal from Operator**

**Appendix 2 – Private Hire Vehicle Licence Conditions**

**Appendix 3 – Hackney Carriage/Private Hire Drivers Conditions**

**1. Reason for the Report:**

The Licensing Department have received an application from a Wedding Car company based in the Staffordshire Moorlands District to licence two vehicles as Private Hire Vehicles.

**2. Recommendation**

2.1 That members approve the application to licence the proposed vehicles as requested.

2.2 That members approve the exemption from the age limit condition currently placed upon vehicles wishing to be licensed as Private Hire Vehicles.

2.3 That members approve the exemption from having to display doorplates on the driver and passenger doors of the vehicles.

2.4 That members approve the exemption from having to display licence plates attached to the front and rear of the vehicles.

2.5 That members approve the exemption removing the requirement to pass a local knowledge test in order to be issued a Combined Hackney Carriage/Private Hire Drivers Licence.

**3. Executive Summary**

- 3.1 An email has been received from a wedding car company based in the Staffordshire Moorlands stating that they wish to be licensed as a Private Hire Operator and that they wish to licence two wedding cars as Private Hire Vehicles.
- 3.2 The owner of the company has asked, if they are successful, to be exempt from the requirement to display door signage and vehicle licence plates as per the current SMDC Private Hire Licence Conditions. The vehicles would also require exemption from the condition relating to age limits of vehicles. The relevant conditions are reproduced at **Appendix 2** to the report.
- 3.3 The owner has also asked, if they are successful, to be exempt from the requirement to pass a local knowledge test in order to be issued a Combined Hackney Carriage/Private Hire Drivers Licence. The relevant conditions are reproduced at **Appendix 3** to the report.
- 3.4 The Local Government (Miscellaneous Provisions) Act 1976, Part 11 prescribes what conditions can be attached to private hire licences and what can be removed. The appropriate parts of the Act in relation to the removal of both vehicle plates and door signage is contained at 7.7 of the report.

**4. How this report links to Corporate Priorities**

- 4.1 Monitoring the provision of private hire work and having appropriate conditions contributes to effective licensing arrangements and enforcement.

**5. Options and Analysis**

- 5.1 There are five options contained within the report.
  - 1 The first option would be to approve the company's request to licence the two vehicles as private hire vehicles, by exempting the requirement for them to be less than 4 years old on application and ceasing to be licensed when they become 8 years old. If this option is approved it would require removal of condition 4 of the private hire vehicle licence conditions for the proposed vehicles. It is proposed that the age of the vehicles will not be the main factor in determining when they should cease to be licensed, but instead it will be the ongoing safety checks carried out on the vehicles that will ascertain how long they are fit for purpose.
  - 2 The second option would be to approve the company's request to remove the vehicles' private hire plates. If this option is approved it

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would require removal of condition 2 of the private hire vehicle licence conditions for the proposed vehicle. It is proposed to issue a notice not dissimilar in size to a “tax disc” or credit card, to be displayed in the vehicles’ windscreens. The notice would have the authority’s crest and would specify the private hire company’s name, vehicle registration, number of passengers the vehicle is licensed for and the licence expiry date.

- 3 The third option is to approve the company’s request to remove the door signage. If this option is approved it would require removal of the condition 1 of the private hire vehicle licence conditions for the proposed vehicle. This, if approved, would be replaced by a laminated notice specifying the exemption required for the non display of door plates and would be stored within the vehicle and readily available to view on request.
- 4 The fourth option is to approve the company’s request to exempt potential drivers from the requirement to pass a local knowledge test in order to be granted a drivers licence.
- 5 The fifth option is to refuse the three requests from the company.
  - The four requests and implications resulting from the proposal have been considered fully by the authority’s licensing officers.
  - The information provided in the correspondence with the company has been taken into account in considering the request and based on these facts the licensing officer supports the proposal to licence the vehicles by removing the age limits applicable under the conditions, by removing the requirements to display both vehicle plates and door signage and the requirements around passing a local knowledge test.

### **6. Implications**

#### **6.1 Community Safety - (Crime and Disorder Act 1998)**

There would not be any implications on community safety in the district as the vehicles would only be available by pre-booking for special one-off events.

#### **6.2 Workforce**

N/A.

#### **6.3 Equality and Diversity/Equality Impact Assessment**

This report has been prepared in accordance with the Council's Diversity and Equality Policies.

6.4 Financial Considerations

There are no implications as it is proposed to continue to charge the annual vehicle plate fee to provide the relevant notices to be contained within the vehicle.

6.5 Legal

There are no implications other than those contained within the report.

6.6 Sustainability

N/A.

6.7 Internal and External Consultation

N/A.

6.8 Risk Assessment

There would not be any associated risk to the general public as the vehicle would not be available for public hire.

**7. Background and Detail**

7.1 The company has been trading in South Staffordshire for 10 years and owns a range of vehicles currently used primarily for wedding hire. The previous owner has now retired and sold the company assets. The applicant has purchased the business including two of the five vehicles previously used.

7.2 The company have stated that the vehicles would only be used for weddings and special occasions, and are both limited to 3000 miles per annum by the insurance company. The vehicles are both serviced monthly by a mobile mechanic as well as undertaking the mandatory MOT tests. The operator is also prepared to submit the vehicles for annual tests at a Council approved garage so that running in conjunction with an MOT would mean that the vehicles are tested every 6 months.

7.3 Vehicles used for solely for wedding hire are exempt from requiring a licence under s.75 Local Government (Miscellaneous Provisions) Act 1976.

7.4 The company have a contract with a mobile mechanic to service the vehicles every month in addition to the legal requirements of the MOT.

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- 7.5 The requirement to display the vehicle plate can be lifted in one of two ways. The first is under LG(MP)A 1976 s 75(1)(d), if there is a contract for the hire of that specific vehicle for a period exceeding 24 hours. Secondly, under s 75 (3), which allows the local authority to specify either certain occasions when the plate need not be displayed or, alternatively, that the district council can issue a notice which can be carried effectively in lieu of the plate being displayed.
- 7.6 The second method would seem the most appropriate way forward if members were to approve the request. This option would be the most fitting in relation to 'Executive Hire Cars'. Although clearly private hire vehicles, they are often used by companies and firms to provide the service of a chauffeur driven vehicle rather than a private hire vehicle.
- 7.7 If the exemption were to be approved under LG(MP)A 1976, s 75(3) this states:

- (3) Where a licence under section 48 of this Act is in force for a vehicle, the council which issued the licence may, by a notice in writing given to the proprietor of the vehicle, provided that paragraph (a) of subsection (6) of that section shall not so apply to the vehicle on any occasion specified in the notice or shall not so apply while the notice is carried in the vehicle; and on any occasion on which by virtue of this subsection that paragraph does not apply to a vehicle section 54(2)(a) of this Act shall not apply to the driver of the vehicle.

The above notice removes the need to display a plate, and also if deemed appropriate dispenses with the requirement contained in s 54(2) that the driver should wear his 'badge in such position and manner as to be plainly and distinctly visible'

- 7.8 A request has not been received to cease wearing a driver's badge and ultimately there are problems associated with not wearing a driver's badge. The main reason is that it is an offence not to wear at all times when acting as a private hire driver a current driver's badge. It is worth noting that as a private hire vehicle is always a private hire vehicle, at all times, when the vehicle is being driven, the driver must wear his badge under LG(MP)A 1976, s 54(2)(a), irrespective of whether the vehicle is 'working' at the time.
- 7.9 'Executive' cars are not defined within the Act and it is for each local authority to decide which vehicles will be granted such an exemption. The Staffordshire Moorlands have no set criteria or guidelines on what vehicles they will grant an exemption for and

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as this is often decided by the use of the car it would require member approval for any request received by the authority.

- 7.10 The company said that if they receive permission to be exempt from displaying the plates on the front and rear of the vehicles that the Licensing Department will issue a reduced version of the information contained on the plate for display on the vehicles' windscreens. Laminated notices would also be provided containing the relative permission required for the non-display of door and vehicle plates to be stored within the vehicles and readily available to view on request.

R. Weaver  
**Head of Regulatory Services**

<b>Web Links and Background Papers</b>	<b>Location</b>	<b>Contact details</b>
DCMS Consultation Document	Moorlands House, Stockwell Street, Leek. ST13 6HQ	Mr M Burton Licensing Officer Tel: 01538 395400 Ext. 4180

# Heritage Wedding Cars

## Business Proposal

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Business and owner details: Darren Jones

Business name: Heritage Wedding Cars

Owner(s) name: Darren Jones

Business address and postcode: 14 Conway Road, Knypersley, Stoke-on-Trent. Staffordshire ST8 7AL

Business telephone number: 07921 952059

Business email address: [enquiries@heritageweddingcars.co.uk](mailto:enquiries@heritageweddingcars.co.uk)

Home email address: [darrenjones1962@gmail.com](mailto:darrenjones1962@gmail.com)

Website: [www.heritageweddingcars.co.uk](http://www.heritageweddingcars.co.uk)

## Executive Summary

Heritage wedding cars has been trading in South Staffordshire for 10 years; the current owner is retiring and as such is selling the company assets consisting of 5 cars and a website. The current owner is not selling the business as a going concern due to the nature of the industry, he did not know if a buyer for the cars would be sought in the near locality and as such when offering the business for sale in March 2015 could not take bookings post his retirement date which is 25<sup>th</sup> September 2015.

I have purchased 2 of the wedding cars and the website and will take full control of both on September 6<sup>th</sup> 2015 trading from North Staffordshire which is able to service the current location of South Staffordshire; enquiries have already been received via the web site and are redirected to my email account, discussions have started to redesign the website accordingly and remove the cars advertised which I have not purchased, the remaining 3 cars have to date not been sold.

The business will operate a service of chauffeur driven wedding cars to wedding ceremonies and reception events, the majority of the business will take place at weekends and as such I aim to continue to work full time whilst developing the business, myself and my wife will drive the vehicles initially and we will utilise a self-employed driver as a contingency, my son might also be available after completing university in 2016.

The cars are stored in a private lock up garage in Mosseley, Congleton but all business activity, including taking bookings and car preparation is done at my home address in Biddulph, Staffordshire.

## New Proposal

I would like the committee to consider an application to extend Heritage Wedding Cars trading outside of wedding events to include executive hire and school prom work. My proposal would be to offer executive event days for special occasions to events such as race courses as well as offering a school prom service.

The 2 cars comprise of:

1971 8 seater Daimler Saloon with a current mileage of 87,165, it has undergone a full body respray and is in magnificent original condition inside & out. It has been meticulously maintained and has averaged less than 1000 miles per annum over the past 3 years. The previous owner had this car for 7 years.

1982 4 seater Beauford 4 door convertible with a current mileage of 15,398, this car is based on a Nissan engine and has been built and sprayed to a magnificent standard, it has covered 3000 miles in the past 3 years. The previous owner had this car for 10 years.

Both cars are available to view via [www.heritageweddingcars.co.uk](http://www.heritageweddingcars.co.uk) which will hopefully give the committee a better feel for their quality and the type of work that I am proposing to carry out, under no

circumstances would the cars be offered outside of a very special event.

I am currently covered for insurance with The Wedding Insurance Group for weddings only, they are willing to extend the policy on council approval of my proposal, and can cover Heritage Wedding Cars on a pay per event basis or as a block booking of 10 events, and I intend to stay within my current allowance of 3000 miles per year.

If I were successful in my application I would like to be exempt from the requirements to display taxi plates on the front and rear of the vehicles, the requirement to display company details on the driver and passenger doors, and the requirement to sit the local knowledge test for my driver's badge, the reason being to maintain the integrity of the vehicles, and the nature of work I proposing to undertake which is within a 20 mile radius of the registered address.

Both cars are serviced monthly by a mobile mechanic as well as the mandatory annual MOT requirements and we are willing to satisfy 6 monthly inspections through an approved local authority service centre in Biddulph or surrounding area.

I understand that an enhanced DBS is required and I am willing to have a medical, I also have a clear understanding of the application processes, on outcome of the committee decision I intend to apply for the Hackney carriage vehicle licence, private hire vehicle licence and private hire operator's licence.

Driving Licence check ID number: K59pWnmT

## Financial Summary

The purchase of the 2 cars and the website was agreed at £29,000.00 and this will be fully funded by myself without borrowing, there are additional start-up costs as follows

- £550 Vehicle insurance
- £150 Vehicle road tax
- £150 Web site redesign
- £200 Wedding Fayre
- £100 Business cards and flyers
- £140 Storage

As previous this has been fully funded by myself, there will be ongoing costs to maintain the vehicles to their current immaculate standard and a projection of £1500.00 per annum would seem a realistic figure for the 1<sup>st</sup> year of trading, and accountants fees of approximately £500.

The business is projected to generate income of £24,500.00 over the next 12 months with a projected 20% increase for the 2<sup>nd</sup> year, this is based on the business already being established and the recent sale of a wedding car business on the border of South Cheshire which was sold to a Liverpool company who wanted the cars, the wedding car business has a radius of approximately 25-30 miles due to the age of the vehicles and timings re: traffic considerations.

The business will should not require any salaries in the first year of trading due to myself and my wife currently earning £64,000.00 Gross PA, there is also the option of increasing the business financial situation through this.

## Customer Base

Heritage wedding cars will operate on the Staffordshire/Cheshire border and as such will service a client base in a radius of approximately 25 miles, the recent sale of a South Cheshire based company has resulted in a gap of provision in that area, something I am keen to exploit. The nearest competition is approximately 20 miles away.

Heritage Wedding Cars will offer transport to the bride from home to the church and subsequently on to the reception event, it will also offer transport to the bridesmaids and groom and close family.

Beauford: This car usually carries the bride and bride's father or equivalent and is a 4 door saloon, it has a removable top converting it into an open top car, the maximum number of passengers is 3.

Daimler: This car usually carries the bridesmaids and possibly the groom but not together, it is a limousine and able to carry 7 passengers.



## Costing/Pricing

Heritage Wedding Cars will charge £380 for the Beauford and £320 for the Daimler for each event, this is a figure based on:

- The current market charges
- Fuel
- Future chauffeur prices
- Upkeep of vehicles

## Competition

No direct competition in the immediate locality

## Marketing Strategy

- Web site currently under development
- Social media is now active via Facebook and Twitter
- Wedding Fayres, we are currently booked into 2 wedding fayres in Staffordshire and Cheshire
- Banner being displayed at a prominent town centre location



**STAFFORDSHIRE**  
*moorlands*  
**DISTRICT COUNCIL**

**AIMING · FOR · EXCELLENCE**

**CONDITIONS ATTACHED TO A PRIVATE HIRE VEHICLE LICENCE**

1. All Private Hire Vehicles shall have a sign painted on or affixed to the driver's door and front passenger door stating the trading name, the telephone number and the words 'PRIVATE HIRE'. The lettering shall be a minimum height of two inches and shall be of such colour as to be clearly visible against the colour of the vehicle. In addition the same details may be displayed on the boot or the rear windscreen or the bonnet of the vehicle. Wheelchair accessible symbols to be allowed of a type and size previously approved in writing by the Licensing Officer and the lettering "Providing wheelchair accessible transport for the Staffordshire Moorlands". E-mail addresses to be allowed of a type and size previously approved in writing by the Licensing Officer. Website addresses to be allowed of a type and size previously approved in writing by the Licensing Officer. Wheelchair accessible symbols to be allowed of a type and size previously approved in writing by the Licensing Officer and the lettering "Providing wheelchair accessible transport for the Staffordshire Moorlands." No signage shall be applied to the vehicle until it has BEEN APPROVED IN WRITING BY THE LICENSING OFFICER. No other advertisement, graphics, notice or sign shall be displayed on the vehicle, with the exception of the licence plates issued by the Council. The name of the firm, as stated on the sign, shall not include the words 'CAB', 'TAXI CAB', or 'TAXI' whether in the singular or plural and whether alone or as part of another word. Such signs to remain on the vehicle at all times.
2. There shall be affixed prominently to the front and rear of the Private Hire Vehicle plates issued by the Council bearing the number of the Licence and the Council's Coat of Arms, the colour of the plates to be yellow and green. These Licence plates shall remain the property of the Council and shall be returned to the Council within 7 days on the sale or transfer of licensed vehicles or in the event of the revocation, expiry or suspension of the Licence. The Licence plates should only be removed with the permission of the Local Authority.
3. All Private Hire Vehicles must be painted in manufacturers standard production livery.
4. All vehicles should be of a maximum of 8 years old or 4 years old upon changing vehicles or a new application.
5. Upon request there shall be issued to hirers receipts in respect of fares charged for hirings, and a card shall be prominently displayed in the vehicles advising hirers of this facility.
6. Private Hire Vehicles must carry a guide dog or assistance dog belonging to a passenger, free of charge, unless the driver has a proven medical condition that would preclude such action. Drivers have a responsibility to ensure that their company is aware of such a medical condition when they are first employed.

Continued .....

## **AGENDA ITEM 5 – APPENDIX 2**

7. The proprietor of a Private Hire Vehicle shall:-
  - (a) Provide sufficient means by which any person in the vehicle may communicate with the driver;
  - (b) Cause the roof or covering to be kept water-tight;
  - (c) Provide any necessary windows and a means of opening and closing not less than one window on each side;
  - (d) Cause the seats to be properly cushioned or covered;
  - (e) Cause the floor to be provided with a proper carpet, mat or other suitable covering;
  - (f) Cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
  - (g) Provide means for securing luggage if the vehicle is so constructed as to carry luggage;
  - (h) Provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use;
  - (i) Provide at least two doors fitted with child-proof latches for the use of persons conveyed in such a vehicle and a separate means of ingress and egress for the driver.
  - (j) Provide a First Aid Kit.
  - (k) Provide at all times a safe and suitable, mobile phone hands free facility for the driver of the vehicle.
  - (l) Display in a prominent position within the vehicle a “No Smoking” sign, which complies with the Smoke-free (signs) Regulations 2007.
8. The Licensee shall not assign or in any way part with the benefit of this Licence which is personal to the Licensee.
9. If taximeters are fitted to Private Hire Vehicles the current tariff of fares shall be displayed in the vehicle in clearly distinguishable letters and figures and the letter of figures shall not be concealed or rendered illegible at any time while the vehicle is being used for hire.
10. The Proprietor shall within seven days disclose to the Council, in writing, details of any convictions imposed on him/her (or, if the Proprietor is a company or partnership, on any of the directors or partners) during the period of the licence.
11. Before using the vehicle for private hire such insurances or securities as are required under Part VI of the Road Traffic Act 1972, shall be obtained in respect of such vehicle and the certificate in respect of the policy of insurance or security shall be produced to the Council for inspection.
12. The Council may vary any or all of the conditions herein contained at any time after consultation, if appropriate, with the Private Hire trade.

## **AGENDA ITEM 5 – APPENDIX 2**

13. The conditions contained herein are to be read in conjunction with the Local Government (Miscellaneous Provisions) Act, 1976, Part II, a copy of which should be obtained from Her Majesty's Stationery Office.

### **NOTE:**

1. Appeals

A Licensee who is aggrieved by any of these conditions has a right of appeal to a Magistrates' Court.

2. Offences and Penalties

Contraventions of these conditions constitutes an offence under the Local Government (Miscellaneous Provisions) Act, 1976, in respect of which specific penalties are provided. In addition it is also an offence to obstruct an authorised officer or police constable in his duty. There is a general penalty, applicable where specific penalties are not provided with a fine not exceeding level 3 on standard scale.

3. Use of Private Hire Vehicle for Personal Use

A licensed private hire vehicle remains a private hire vehicle at all times, until such a time as the private hire vehicle licence is either cancelled by the owner or suspended or revoked by the Council. The vehicle cannot, therefore, be driven by anyone other than a licensed private hire driver.



**CONDITIONS ATTACHED TO HACKNEY CARRIAGE AND PRIVATE HIRE  
VEHICLE DRIVER'S LICENCE**

1. The Council shall issue a driver's badge in such from as they may from time to time prescribe. The driver must at **all** times when driving a Hackney Carriage/Private Hire Vehicle wear such badge in such a position and manner as to be plainly and distinctly visible and produce it to an authorised Officer of Constable on request.
2. The driver's badge shall at all times remain the property of the Council. If the Council for any reason suspends, revokes, or refuses to renew the Licence the Licensee shall upon demand, return the licence and badge to the Council.
3. Upon application for the grant of a Hackney Carriage/Private Hire Vehicle Driver's Licence or for the renewal of such Licence, at five yearly intervals after the age of 45 and three yearly intervals after the age of 60 and annual intervals after the age of 65, applicants shall produce a certificate completed and signed by their own registered medical practitioner to the effect that the are physically fit to be a driver of a Hackney Carriage/Private Hire Vehicle. The applicant may also be required to attend an examination by a registered medical practitioner selected by the Corporate Director to establish their physical fitness, if it is felt appropriate.
4. The driver of a Hackney Carriage/Private Hire Vehicle shall within seven days disclose to the Council, in writing, details of any convictions imposed on him/her during the period of the licence. The Council will adhere to the provisions contained in the Rehabilitation of Offenders Act 1974 with regard to criminal convictions.
5. The driver shall within seven days notify the Council, in writing, of any change of his/her address or change of employment during the period of the licence.
6. Upon application for a new (or renewal, or upon request) Hackney Carriage/Private Hire drivers licence, applicants shall produce a completed Criminal Records Bureau Disclosure form to enable the Licensing Authority to check for any criminal record.
7. The Licence is personal to the Licensee (Hackney Carriage/Private Hire driver) and is not transferable at any time.

### AGENDA ITEM 5 – APPENDIX 3

8. The Licensee shall not assign or in any way part with the benefit of this Licence which is personal to the Licensee and the Licence shall be deposited with the Operator of the vehicle until such time as the Licensee ceases as a Hackney Carriage/Private Hire driver or moves to another Operator.
9. The Licensee, if they are not the proprietor of the Hackney Carriage/Private Hire Vehicle, shall report or cause to be reported to the proprietor of that vehicle any accident in which the vehicle is involved as soon as is reasonably practicable after the occurrence.
10. The driver of a Hackney Carriage/Private Hire Vehicle shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the vehicle for any property which may have been accidentally left therein and shall report particulars of such property to the Operator before delivering the property to a Police Station in the District as soon as possible and in any event within forty-eight hours if not claimed sooner by or on behalf of the hirer.
11. The Licensee shall not, whilst driving or in charge of a Private Hire Vehicle:-
  - (a) Stand or ply for hire or solicit on a road by other public place any person to hire or to be carried for hire and reward in any Private Hire Vehicle; and
  - (b) Cause or procure any other person to solicit or procure on a road or other public place any person to hire or be carried for hire and reward in any private hire vehicle.
12. The Licensee shall not convey or permit to be conveyed in a Hackney Carriage/Private Hire Vehicle any greater number of persons than the number of persons which may be specified in the vehicle Licence.
13. The Licensee who has agreed or has been hired to be on attendance with the vehicle at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such vehicle at such appointed time and place.
14. The driver of a Hackney Carriage/Private Hire Vehicle so constructed as to carry luggage, shall when requested by any person hiring or seeking to hire the vehicle:-

- (a) Convey a reasonable quantity of luggage;
  - (b) Afford reasonable assistance in loading and unloading;
  - (c) Afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such person.
15. Where a taximeter is fitted to the Hackney Carriage/Private Hire Vehicle, driver shall not cause the fare shown on the meter to be cancelled or concealed until the hirer has had a reasonable opportunity to examine it and pay the fare.
16. The driver of a Hackney Carriage/Private Hire Vehicle shall not without reasonable cause unnecessarily prolong, in distance or in time, the journey for which the Hackney Carriage/Private Hire Vehicle has been hired.
17. The driver shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
18. The Council may vary any or all of the conditions herein contained at any time after consultation, if appropriate, with the Hackney Carriage/Private Hire trade.
19. The conditions contained herein are to be read in conjunction with the Council's Hackney Carriage Bylaws, with the appropriate provisions of the Town Police Clause Act, 1847 and the Local Government (Miscellaneous Provisions) Act, 1976, Part II. Copies of the Council's Hackney Carriage Bylaws may be obtained from the Corporate Director, Moorlands House, Stockwell Street, Leek and copies of the Acts should be obtained from Her Majesty's Stationery Office.

**NOTE**

1. **Appeals**

A Licensee who is aggrieved by any of these conditions has a right of appeal to a Magistrates' Court.

2. **Offences and Penalties**

Contravention of these conditions constitutes an offence under the Town Police Clauses Act 1847 or the Local Government (Miscellaneous Provisions) Act, 1976 in respect of which specific penalties are provided. In addition it is also an offence to obstruct an authorised officer or police constable in his duty. There is a general penalty, applicable where specific penalties are not provided with a fine not exceeding level 3 on standard scale.

**AGENDA ITEM 5 – APPENDIX 3**