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# Local Government (Miscellaneous Provisions) Act 1976

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## 47 Licensing of hackney carriages.

- (1) A district council may attach to the grant of a licence of a hackney carriage under the Act of 1847 such conditions as the district council may consider reasonably necessary.
- (2) Without prejudice to the generality of the foregoing subsection, a district council may require any hackney carriage licensed by them under the Act of 1847 to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a hackney carriage.
- (3) Any person aggrieved by any conditions attached to such a licence may appeal to a magistrates' court.

### Annotations: ?

#### Modifications etc. (not altering text)

C1 S. 47: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of S.I. 2000/2853, reg. 2(1), Sch. 1 Table B3

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Local Government (Miscellaneous Provisions) Act 1976

1976 c. 57 Part II Section 48

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48 Licensing of private hire vehicles.

(1) Subject to the provisions of this Part of this Act, a district council may on the receipt of an application from the proprietor of any vehicle for the grant in respect of such vehicle of a licence to use the vehicle as a private hire vehicle, grant in respect thereof a vehicle licence:

Provided that a district council shall not grant such a licence unless they are satisfied—

- (a) that the vehicle is— (i) suitable in type, size and design for use as a private hire vehicle; (ii) not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage; (iii) in a suitable mechanical condition; (iv) safe; and (v) comfortable; (b) that there is in force in relation to the use of the vehicle a policy of insurance or such security as complies with the requirements of [F1 Part VI of the Road Traffic Act 1986],

and shall not refuse such a licence for the purpose of limiting the number of vehicles in respect of which such licences are granted by the council.

(2) A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of the foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates.

(3) In every vehicle licence granted under this section there shall be specified—

- (a) the name and address of— (i) the applicant; and (ii) every other person who is a proprietor of the private hire vehicle in respect of which the licence is granted, or who is concerned, either solely or in partnership with any other person, in the keeping, employing or letting on hire of the private hire vehicle; (b) the number of the licence which shall correspond with the number to be painted or marked on the plate or disc to be exhibited on the private hire vehicle in accordance with subsection (6) of this section; (c) the conditions attached to the grant of the licence; and (d) such other particulars as the district council consider reasonably necessary.

(4) Every licence granted under this section shall—

- (a) be signed by an authorised officer of the council which granted it; (b) relate to not more than one private hire vehicle; and (c) remain in force for such period not being longer than one year as the district council may specify in the licence.

(5) Where a district council grant under this section a vehicle licence in respect of a private hire vehicle they shall issue a plate or disc identifying that vehicle as a private hire vehicle in respect of which a vehicle licence has been granted.

(6) (a) Subject to the provisions of this Part of this Act, no person shall use or permit to be used in a controlled district as a private hire vehicle in respect of which a licence has been granted under this section unless the plate or disc issued in accordance with subsection (5) of this section is exhibited on the vehicle in such manner as the district council shall prescribe by condition attached to the grant of the licence.

(b) If any person without reasonable excuse contravenes the provisions of this subsection he shall be guilty of an offence.

(7) Any person aggrieved by the refusal of a district council to grant a vehicle licence under this section, or by any conditions specified in such a licence, may appeal to a magistrates' court.

Annotations:

Amendments (Textual)

F1 Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, Sch. 3 para. 16(1)

Modifications etc. (not altering text)

C1 S. 48: functions of local authority not to be responsibility of an executive of the authority (E) (16.11.2000) by virtue of S.I. 2000/2853, reg. 2(1), Sch. 1 Table B3 S. 48 extended (13.3.2000) by S.I. 2000/412, art. 4(3)

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