

Report

Report to: **Licensing Committee**
Date of Meeting: **19 March 2024**
Report by: **Chief Executive**

Subject: **Civic Government (Scotland) Act 1982 (As Amended) -
Licensing of Taxis and Private Hire Cars – Review of
Standards for Taxis and Private Hire Cars**

1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ review the Standards for taxis and private hire cars

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that Clause 2 of the Standards for taxis and private hire cars be amended to provide that the upper age limit for any licensed saloon-type vehicle (i.e. non purpose built vehicles) is increased from 10 years to 12 years; and
- (2) that Clause 8 relating to the requirement for a fire extinguisher to be fitted in the vehicle be deleted.

3. Background

- 3.1. Requests have been received from the trade for the upper age of vehicles registered as taxis and private hire cars to be increased from 10 years to 12 years.
- 3.2. The trade has advised that this is due to the current cost of living crisis and the lack of availability of suitable second-hand cars.
- 3.3. It is the view of trade representatives as expressed in meetings of the Taxi and Private Hire Focus Groups that this has resulted in a reduction in their ability to provide a sufficient level of service to meet the needs of the travelling public.
- 3.4. In relation to a fire extinguisher being fitted to the vehicle, the trade has advised that this gives the impression to customers that the driver will tackle a fire in the vehicle which is not advice given by the Scottish Fire and Rescue Service. In these circumstances the trade feel that there should be no requirement to have a fire extinguisher in the vehicle.

4. Present Position

- 4.1. Currently the upper age limit for licensed saloon-type vehicles (i.e., non purpose built vehicles) is 10 years.
- 4.2. There is currently a requirement for a fire extinguisher to be fitted in the vehicle.

4.3. No other amendments to the vehicle standards are proposed at this time. The effect of the proposed amendments will therefore be that the upper age limit a vehicle can be licensed will increase to 12 years. All vehicles which are more than 5 years old will continue to be subject to random 6-monthly inspections. There will be no requirement for a fire extinguisher to be fitted to the vehicle.

4.4. The amended standards would be as detailed in Appendix 1.

5. Employee Implications

5.1. None.

6. Financial Implications

6.1. None.

7. Climate Change, Sustainability and Environmental Implications

7.1. It is not considered that the proposal has environmental implications. All vehicles registered after 2015 must comply with EU emission levels. If approved, this proposal will not permit any vehicle to be registered which does not comply with those emission levels.

8. Other Implications

8.1. The risk to the Council is that it fails to fulfil its duty to protect the public.

9. Equality Impact Assessment and Consultation Arrangements

9.1. There is no requirement to carry out an impact assessment in terms of the proposals contained within this report.

9.2. Consultation has taken place with Fleet Services in relation to these proposals and they participated in discussions at the Taxi and Private Hire Focus Groups. They have indicated that the proposals raise concerns over the condition of the interior and exterior trim, paintwork and potentially high mileage of 11 and 12 year old vehicles, however feel that this will be picked up during the vehicle testing regime, which will remain at random 6-monthly intervals for vehicles over 5 years old.

9.3. Consultation with the trade has also taken place with discussions at the Focus Groups, and representatives of both groups are in agreement with the proposal.

9.4. The Taxi and Private Hire Focus Groups also include representation from Police Scotland, Fleet Services and Licensing Standards Officers. The groups discussed vehicle standards and presentation generally and no concerns were expressed in relation to the proposals on the basis that any issues with individual vehicles would be dealt with at the regular inspections.

Paul Manning
Chief Executive

21 February 2024

Link(s) to Council Values/Priorities/Outcomes

♦ Focused on people and their needs

Previous References

- ◆ None

List of Background Papers

- ◆ None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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**Finance and Corporate Resources
Administration and Legal Services**

Civic Government (Scotland) Act 1982 (as amended)

Standards for taxis and private hire cars

1. Vehicles should be under seven years old when they are first registered as a licensed vehicle.
2. The upper age limit for any licensed saloon-type vehicle (i.e., non purpose built vehicles) is 40 12 years but purpose-built vehicles licensed as taxis have no upper age limit. Vehicles over five years old will be subject to a six monthly inspection with the exception of purpose built vehicles which will require a six monthly inspection once they reach seven years old.
3. The engine output shall be any number of KW.
4. The vehicle should have four or five doors. If the vehicle is an estate or hatchback, it should have two passenger windows in the back.
5. The vehicle should be designed for carrying at least four (and no more than eight) adult passengers, not including the driver.
6. The back seat of the vehicle must be at least 48 inches wide, as measured by the Licensing Authority, for a vehicle designed as being capable of carrying only four adult passengers, not including the driver. If the vehicle is designed for carrying between four and eight adult passengers, not including the driver, each seat must be at least 16 inches wide.

Taxis only – A purpose built type of vehicle is a vehicle designed and made to be used as a taxi. In this type of vehicle, the main passenger compartment at the back of the driver can seat at least four passengers and is separated from the driver by a partition which would include a sliding panel.

All new taxi operator licences to be reissued by the licensing authority will only be for vehicles accessible for wheelchair users with the exception of the Clydesdale zone as currently there is no limit on the number of taxis in that zone, the vehicles must be capable of carrying at least one 'reference wheelchair' with a passenger seated in the same.

7. The vehicle should not be left-hand drive.
8. ~~A fire extinguisher should be fitted in an appropriate position in the vehicle.~~
9. The vehicle may be fitted with a specially adapted front seat for disabled passengers. This type of seat must not be fitted unless approved by the Local Authority.
10. Any changes to the colour of the vehicle, including full liveried advertising (for taxis only), should be recorded on the V5 document and a copy provided to the Licensing and Registration Section.
11. The vehicle must keep the original manufacturer's equipment (for example, seats must not be changed).
12. The vehicle should have enough space for luggage for the number of people being carried.