

Report

Report to:	Licensing Committee
Date of Meeting:	7 August 2018
Report by:	Executive Director (Finance and Corporate Resources)

Subject:	Civic Government (Scotland) Act 1982 (As Amended) - Licensing of Taxis – Taxi Operator Licences
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ♦ introduce criteria for the issue of new taxi operator licences where an operator's licence has been surrendered, revoked or not renewed (excluding transfer, renewals and substitute vehicles)
- ♦ to agree the new procedure for processing "new" taxi operator licences in the Hamilton zone

2. Recommendation(s)

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

- (1) that all new taxi operator licences to be issued 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,
- (2) that the vehicles must be capable of carrying at least one 'reference wheelchair' with a passenger seated in the same; and
- (3) that the proposals outlined in paragraph 4.4 for the issue of four taxi operator licences which are currently available in the Hamilton zone be approved.

3. Background

3.1. Before a person can operate as a taxi operator, they require to apply to the Council for the appropriate licence.

4. Present Position

4.1. Currently three out of the four zones in South Lanarkshire have limits on the number of taxi operator licences available in that zone. The three zones are Hamilton, East Kilbride (including "Strathaven") and Cambuslang and Rutherglen. Currently the numbers of wheelchair accessible vehicles in each zone are as per appendix 1.

4.2. Clydesdale zone has not been included in the policy as there is no limit in that zone so if all new taxi vehicles required to be wheelchair accessible the trade would put private hire vehicles on instead. Since there is no limit the current plates have only the face value and as such are not transferred.

- 4.3. Since the last renewal period, four operator licences were either not renewed or surrendered in the Hamilton Zone (Hamilton has a limit of 136 taxi operator licences in the zone). Four operator licences are available for issue in the Hamilton zone.
- 4.4. The operator licences should be advertised in the press and issued on a first come, first served basis provided that any vehicle to be put on as a taxi is a wheelchair accessible vehicle, that is a vehicle capable of carrying a passenger seated in at least a 'reference' wheelchair type and the applicant is deemed to be a fit and proper person by the Licensing Committee or Chair and/or Depute Chair acting under delegated powers. In the event of concerns being raised about the applicant being a fit and proper person in terms of the legislation, the application will be referred to the Licensing Committee for a hearing to allow the Committee to assess the application on its own individual merits.
- 4.5. It is appropriate to introduce criteria which will govern the issue of the four operator licences referred to in 4.3 above and any future operator licences which are surrendered or not renewed in the three zones which have limits on the numbers of taxi operator licences. This would not apply in Clydesdale zone as there is no limit to the number of taxi operator licences issued.
- 5. Employee Implications**
- 5.1. None. While there could be an increased workload as a result of the advertisements showing the availability of the operator licences, this can be met by existing staff.
- 6. Financial Implications**
- 6.1. £1,552 in fees will be received if applications are received for all four taxi operator licences.
- 7. Other Implications**
- 7.1. The risk to the Council is that it fails to fulfil its duty to protect the public. This is mitigated by the application process.
- 7.2. There are no apparent implications in terms of sustainable development.
- 8. Equality Impact Assessment and Consultation Arrangements**
- 8.1. There is no requirement to carry out an impact assessment in terms of the proposals contained within this report.

Paul Manning
Executive Director (Finance and Corporate Resources)

20 July 2018

Link(s) to Council Values/Ambitions/Objectives

- ◆ Make communities safer, stronger and sustainable
- ◆ Improve health, care and wellbeing

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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Zone	Current number of wheelchair accessible taxis
Cambuslang and Rutherglen	1
Clydesdale	8
East Kilbride	1
Hamilton	1