



Council Offices, Almada Street  
Hamilton, ML3 0AA

Monday, 11 March 2024

Dear Councillor

## **Licensing Committee**

The Members listed below are requested to attend a meeting of the above Committee to be held as follows:-

**Date:** Tuesday, 19 March 2024

**Time:** 10:00

**Venue:** Hybrid - Committee Room 1, Council Offices, Almada Street, Hamilton, ML3 0AA

The business to be considered at the meeting is listed overleaf.

Yours sincerely

**Paul Manning**  
**Chief Executive**

### **Members**

Andy Carmichael (Chair), Bert Thomson (Depute Chair), Joe Fagan (ex officio), Poppy Corbett, Margaret Cowie, Julia Marrs, Monique McAdams, Mark McGeever, David Shearer, Helen Toner

### **Substitutes**

Robert Brown, Mary Donnelly, Gladys Ferguson-Miller, Kenny McCreary, Davie McLachlan

## BUSINESS

### 1 Declaration of Interests

### 2 Minutes of Previous Meeting

5 - 8

Minutes of the meeting of the Licensing Committee held on 27 February 2024 submitted for approval as a correct record. (Copy attached)

---

### Item(s) for Decision

---

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

9 - 12

Report dated 21 February 2024 by the Chief Executive. (Copy attached)

---

### Urgent Business

---

### 4 Urgent Business

Any other items of business which the Chair decides are urgent.

---

### Exclusion of Press and Public

---

### 5 Exclusion of Press and Public

It is recommended that the Committee makes the following resolution:-

"That, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, the press and public be excluded from the meeting for the following item(s) of business on the grounds that it is likely that there will be disclosure of exempt information in terms of Paragraphs 6 and 14 of Part I of Schedule 7A of the Act."

---

### Item(s) for Decision

---

### 6 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 232

- Exempt information in terms of Paragraph 14 of Part I of Schedule 7A of the Act

### 7 Civic Government (Scotland) Act 1982 (As Amended) - Application for Short Term Let Licence

- Exempt information in terms of Paragraph 6 of Part I of Schedule 7A of the Act

### 8 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Street Trader's Licence No 007

- Exempt information in terms of Paragraph 14 of Part I of Schedule 7A of the Act

### 9 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 803

- Exempt information in terms of Paragraph 14 of Part I of Schedule 7A of the Act

***For further information, please contact:-***

Clerk Name:	Carol Lyon
Clerk Telephone:	07385370065
Clerk Email:	carol.lyon@southlanarkshire.gov.uk



## LICENSING COMMITTEE

2

Minutes of meeting held via Confero and in Committee Room 1, Council Offices, Almada Street, Hamilton on 27 February 2024

**Chair:**

Councillor Andy Carmichael

**Councillors Present:**

Councillor Margaret Cowie, Councillor Julia Marrs, Councillor Mark McGeever, Councillor David Shearer, Councillor Bert Thomson (Depute), Councillor Helen Toner

**Councillors' Apologies:**

Councillor Poppy Corbett, Councillor Joe Fagan (ex officio), Councillor Monique McAdams

**Attending:**

**Finance and Corporate Resources**

M Gordon, Administration Assistant; C Lyon, Administration Officer; C McKee, Licensing and Registration Co-ordinator; D McLardy, Legal Services' Adviser; L Wyllie, Administration Assistant

---

### 1 Declaration of Interests

---

No interests were declared.

---

### 2 Minutes of Previous Meeting

---

The minutes of the meeting of the Licensing Committee held on 6 February 2024 were submitted for approval as a correct record.

**The Committee decided:** that the minutes be approved as a correct record.

---

### 3 Urgent Business

---

There were no items of urgent business.

---

### 4 Exclusion of Press and Public

---

**The Committee decided:** that, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, the press and public be excluded from the meeting for the following items of business on the grounds that it was likely that there would be disclosure of exempt information in terms of Paragraphs 6 and 14 of Part I of Schedule 7A of the Act.

---

### 5 Civic Government (Scotland) Act 1982 (As Amended) - Application for Short Term Let Licence

---

A report dated 8 February 2024 by the Chief Executive was submitted on an application for a short term let licence in terms of the Civic Government (Scotland) Act 1982 (as amended).

In terms of the Civic Government (Scotland) Act 1982 (as amended), the opportunity of a hearing had been offered to the applicant who was present and heard in support of her application and accompanied by S Crae. Objections had been received from J and M Fields. J Fields was present and heard. Letters of support had been received from local residents.

**The Committee decided:** that the application for a short term let licence be granted subject to the conditions specified by the Chief Executive:-

Applicant:	S Shiell
Type of Licence:	Short term let
Premises:	16 Balvaird Drive, Rutherglen
Category:	Home sharing and letting
Occupancy:	3 to 6 persons

---

## **6 Civic Government (Scotland) Act 1982 (As Amended) - Application for Renewal of Private Hire Car Driver's Licence No 353**

---

A report dated 7 February 2024 by the Chief Executive was submitted on an application for the renewal of private hire car driver's licence No 353 in terms of the Civic Government (Scotland) Act 1982 (as amended).

In terms of the Civic Government (Scotland) Act 1982 (as amended), the opportunity of a hearing had been offered to the applicant who was present and represented by E Monaghan, Solicitor. An objection had been received from Police Scotland.

The applicant's solicitor advised that she had only been instructed the day before and that the applicant required an interpreter. The interpreter was not available to attend Committee today, therefore, she requested that the application be continued to allow the interpreter to be present.

Following discussion, the Committee agreed that the application should be continued to a future meeting of this Committee to allow the applicant's interpreter to be present.

**The Committee decided:** that the application by A Ahmed Mohamoud, Flat 2/1, 105 Kenmure Street, Glasgow for the renewal of private hire car driver's licence No 353 in the Cambuslang and Rutherglen zone be continued to a future meeting of this Committee to allow the applicant's interpreter to be present.

---

## **7 Civic Government (Scotland) Act 1982 (As Amended) - Application for Renewal of Private Hire Car Operator's Licence No 2232**

---

A report dated 7 February 2024 by the Chief Executive was submitted on an application for the renewal of private hire car operator's licence No 2232 in terms of the Civic Government (Scotland) Act 1982 (as amended).

In terms of the Civic Government (Scotland) Act 1982 (as amended), the opportunity of a hearing had been offered to the applicant who was present and represented by E Monaghan, Solicitor. An objection had been received from Police Scotland.

The applicant's solicitor advised that she had only been instructed the day before and that the applicant required an interpreter. The interpreter was not available to attend Committee today, therefore, she requested that the application be continued to allow the interpreter to be present.

Following discussion, the Committee agreed that the application should be continued to a future meeting of this Committee to allow the applicant's interpreter to be present.

**The Committee decided:**

that the application by A Ahmed Mohamoud, Flat 2/1, 105 Kenmure Street, Glasgow for the renewal of private hire car operator's licence No 2232 in the Cambuslang and Rutherglen zone be continued to a future meeting of this Committee to allow the applicant's interpreter to be present.





# Report

3

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:-

Margaret Mary Wilson, Legal Services Manager

Ext: 4501 (Tel: 01698 454501)

E-mail: [margaretmary.wilson@southlanarkshire.gov.uk](mailto:margaretmary.wilson@southlanarkshire.gov.uk)



**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.