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To: Councillor Reynolds, Convener; and Councillors Bell, Delaney, Malik and Townson.

Town House,
ABERDEEN 14 May 2018

LICENSING SUB COMMITTEE

The Members of the **LICENSING SUB COMMITTEE** are requested to meet in **Committee Room 2 - Town House on MONDAY, 21 MAY 2018 at 10.00 am.**

FRASER BELL
CHIEF OFFICER - GOVERNANCE

B U S I N E S S

- 1 Application for the Grant of a Special Events Private Hire Vehicle Licence (Pages 3 - 10)

CONFIDENTIAL INFORMATION

Application to be heard in private and treated as confidential information in terms of Section 50(A)(3)(b) of the Local Government (Scotland) Act 1973.

- 2 Application for the Grant of a Taxi Driver's Licence (Pages 11 - 12)
- 3 Application for the Renewal of a Taxi Driver's Licence (Pages 13 - 14)
- 4 Application for the Renewal of a Taxi Driver's Licence (Pages 15 - 16)

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Allison Swanson, tel 01224 522822 or email aswanson@aberdeencity.gov.uk

LICENSING SUB COMMITTEE INFORMATION SHEET

21 MAY 2018

TYPE OF APPLICATION: SPECIAL EVENTS PRIVATE HIRE VEHICLE – GRANT
APPLICANT: ROBERT DOUGLAS SCOTT CARMICHAEL

INFORMATION NOTE

The applicant came before the Licensing Committee on 6 February 2018 with a proposal for consideration.

At this point there was no application, the Committee were asked whether the proposal to run a tuk tuk as a special events private hire vehicle between proposed routes would be accepted before the gentleman spent a considerable amount of money on the vehicle

The Committee resolved that such an application would be accepted and welcomed in Aberdeen City

The application now comes before you to agree on proposed routes for the vehicle

DESCRIPTION

Grant of Special Events Private Hire Vehicle

CONSULTEES

- Police Scotland

OBJECTIONS/REPRESENTATIONS

Police Scotland

COMMITTEE GUIDELINES/POLICY

See attached .

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i) for the time being disqualified from holding a licence, or

(ii) not a fit and proper person to be the holder of the licence;

(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii) the nature and extent of the proposed activity;

(iii) the kind of persons likely to be in the premises, vehicle or vessel;

(iv) the possibility of undue public nuisance; or

(v) public order or public safety; or

(d) there is other good reason for refusing the application;

and otherwise shall grant the application.

ABERDEEN CITY COUNCIL

GUIDANCE NOTES FOR LICENSING OF STRETCHED LIMOUSINES AND THEIR DRIVERS

Types of vehicles requiring to hold special event private hire car licences.

Only vehicles adapted to carrying 8 or less passengers can be licensed by the Council as Private Hire Cars under the Civic Government (Scotland) Act 1982.

Special Event Private Hire Car licences are not required where the vehicle is exclusively used in connection with funerals or weddings or if the vehicle is only ever hired out to one customer at a time for a period of more than 24 hours.

The ability to licence a vehicle as Special Event Private Hire Car will be restricted to stretched limousine or other types of “novelty” vehicles. Mass produced saloon cars or wheelchair accessible vehicles will require to be licensed under the normal taxi or private hire car requirements.

Other vehicles capable of carrying more than 8 passengers may require other licences or permissions. Operators of such vehicles should obtain their own legal advice and contact the Traffic Commissioner in relation to any requirements such as PSV licensing.

All operators should also ensure they have appropriate insurance to carry fare paying passengers.

Which Council to obtain a licence from.

The important issue is where the driver of the vehicle is when he receives the booking for the vehicle. If he is in Aberdeen then the licence for the vehicle has to be obtained from Aberdeen City Council. If the booking office and driver are based, for example, in Aberdeenshire and the driver is in Aberdeenshire, a licence is required from Aberdeenshire Council. If a booking is received in Aberdeenshire and transmitted to the driver who is based in Aberdeen with the vehicle, then a licence is required from Aberdeen City.

Application for Special Event Private Hire Car Licence.

1. Application forms can be downloaded from www.aberdeencity.gov.uk/licensing and should be sent to Aberdeen City Council, Taxi Inspection Centre, 38 Powis Tce, Aberdeen, AB25 3RF together with the application fee.

2. It is important that the application is in the name of the business entity that conducts the hiring business.

3. Once we receive the application, an appointment will be made at Mintlaw Repair Depot, Station Road, Mintlaw for the vehicle to be inspected.

4. Procedure After Initial Inspection

Aberdeenshire Council Inspection Centre will provide Aberdeen City Council with an inspection report on the vehicle's suitability and safety. You must then telephone the Taxi Inspection Centre, Kittybrewster (01224 489300) to make an appointment to attend with your limousine. Someone who already holds a special events private hire car driver's licence or an applicant for such a licence should accompany the vehicle.

5. Information and documents to be taken with vehicle to Taxi Inspection Centre.

The applicant must provide full documentation relating to the conversion of the vehicle, its importation and registration. SVA certificate must be submitted, along with the vehicles log book, ownership certificate, current insurance documentation and current MOT Certificate. Copies of the foregoing will not be accepted.

6. Type of Vehicle and Modifier.

The Council does not insist that the vehicle has been modified under an approved modifier scheme, such as the QVM and CMC schemes. The vehicle's suitability as regards its design, type and construction will be judged on its own merits.

7. Age of Vehicle.

The maximum age of vehicles at the date they are first licensed for use as private hire cars is usually 4 years from first registration. This will not be a requirement for Special Event Private Hire Cars. As with all private hire cars, there would not be a maximum age for a vehicle once licensed, but the vehicle must remain in good condition and pass inspections.

8. Vehicle Condition and Requirements on Presentation for Inspection.

- (a) The vehicle must be clean, there should be no rust on the bodywork, and paint and chrome must be in good condition.
- (b) Left hand drive vehicles are permitted provided sufficient mirrors are fitted.
- (c) All lights must comply with and be adjusted to meet UK requirements.
- (d) The vehicle must be fitted with at least four doors, two on each side.
- (e) Vehicles must be designed to carry not more than eight passengers plus the driver.
- (f) The stretch of the vehicle must not exceed 140 inches from the original manufacturer's chassis.
- (g) Vehicles must be fitted with seat belts of an acceptable type for all forward and rear facing passengers and for the driver. Side facing seats will not require seatbelts, but if these are fitted, they must be of an acceptable type. All seatbelts must be securely fitted and in good condition.
- (h) Vehicles must be fitted with the correct make and type of tyre.
- (i) The Council will certify the vehicle for the carriage of an appropriate number of passengers and no passengers over that number should be carried. In addition, no more than eight passengers should be carried.
- (j) The fitting of a taximeter in the vehicle is prohibited.

Note – All applications will be considered on their own merits.

9. Procedure after presentation of vehicle and documentation at Taxi Inspection Centre.

The Aberdeen City Solicitor can grant the application under delegated powers, or the matter can be referred to the Council's Licensing Committee for a hearing, to which the applicant will be invited.

10. Procedure following Grant of a Licence.

The licence holder will be invited to attend the Aberdeen City Taxi Inspection Centre at Kittybrewster, Aberdeen to collect his Licence ID plate and Insurance disc. The licence lasts for one year. The licence will be subject to conditions, a copy of which can be down loaded from www.aberdeencity.gov.uk/licensing.

11. Subsequent Tests.

Vehicles are thereafter subject to a further test every six months. Vehicles can be required to attend for additional tests or be subject to spot checks in the usual way. Vehicles cannot be modified or adapted without first obtaining the Council's approval.

12. Substitution of Vehicle.

If a licence holder wished to substitute a new vehicle on to the licence, an application for substitution requires to be made and the new vehicle will be subject to the same inspection procedures set out above.

13. Status of the Licensed Vehicle.

As a private hire car is always a private hire car, once it is licensed, – (a) the vehicle must at all times only be driven by a licensed Aberdeen City Taxi Driver, Private Hire Car Driver, or Special Events Private Hire Car Driver, even if it is being used in connection with a wedding or funeral and (b) Rear Plates must be permanently fitted to the vehicle. These cannot be removed at any time, even if the vehicle is used for weddings or funerals.

Special Event Private Hire Car Driver Licence.

1. In addition to Aberdeen City Special Event Private Hire Drivers, only Aberdeen City Licensed Taxi and Private Hire Car Drivers are permitted to drive Special Event Private Hire Cars.

2. An application form for a Special Events Private Hire Car Driver Licence can be down loaded from www.aberdeencity.gov.uk/licensing and should be sent to Office of City Solicitor, Resources Management, Aberdeen City Council, Ground Floor, Town House, Broad Street, Aberdeen AB10 1AQ together with the application.

3. The applicant for a Special Event Private Hire Car Driver licence will not require to pass the street knowledge test required by taxi and private hire car drivers, but will have to pass a test on his knowledge of Highway Code and a driving assessment by the Council's Taxi Inspector. A copy of the application will be sent to Grampian Police. The Aberdeen City Solicitor can grant the application under delegated powers, or the matter can be referred to the Council's Licensing Committee.

4. Procedure following Grant of a Licence

The licence certificate will be sent to the applicant together with details of how to obtain the required Driver Photo ID badge.

5. Conditions.

The licence will be subject to conditions, a copy of which can be downloaded from www.aberdeencity.gov.uk/licensing These include the driver being responsible for ensuring that (a) whilst the vehicle is in motion, passengers remain seated, (b) passengers do not lean out of the windows of the vehicle or to stand out of sun roofs and (c) passengers do not act in an inappropriate manner or distract other road users.

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Isabella Deans

From: Flett, Gillian <[REDACTED]>
Sent: 27 April 2018 09:49
To: Isabella Deans; David McKane
Cc: Alexander Munro
Subject: Tuk Tuk Special Events PHC Op application [OFFICIAL]

OFFICIAL

Dear Civic Enforcement Officers

In respect of the above application, whilst we think it is apparent that there is almost no occupant protection should the vehicle be involved in any collision or impact, we note that the vehicle has been passed at the vehicle examination centre.

● We have made some enquiries nationally and have learned that Edinburgh City Council have received one application for a similar vehicle, albeit electronically powered, and it did not pass their vehicle examination inspection.

Kind regards

Gill

Gill Flett | Licensing Sergeant



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year of young people
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2018



**POLICE
SCOTLAND**
Keeping people safe

NORTH EAST DIVISION

Queen Street Police Office, Queen Street, Aberdeen.

Tel: [REDACTED] police.uk

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