

Public Document Pack



To: Councillor Reynolds, Convener; Councillor Malik, Vice Convener; and Councillors Allan, Bell, Delaney, Henrickson, Radley, Sellar and Townson.

Town House,
ABERDEEN 19 October 2021

LICENSING COMMITTEE

The Members of the **LICENSING COMMITTEE** are requested to meet in **Council Chamber - Town House** on **TUESDAY, 26 OCTOBER 2021 at 10.00 am.**

FRASER BELL
CHIEF OFFICER - GOVERNANCE

BUSINESS

NOTIFICATION OF URGENT BUSINESS

1.1 Urgent Business

DETERMINATION OF EXEMPT BUSINESS

2.1 Exempt Business

DECLARATIONS OF INTEREST

3.1 Declarations of Interest (Pages 5 - 6)

DEPUTATIONS

4.1 Deputations

MINUTES AND COMMITTEE BUSINESS PLANNER

- 5.1 Minute of Previous Meeting of 29 September 2021, for Approval (Pages 7 - 8)
- 5.2 Committee Business Planner (Pages 9 - 10)

NOTICES OF MOTION

- 6.1 Notice of Motion

REFERRALS FROM COUNCIL, COMMITTEES AND SUB COMMITTEES

- 7.1 Review of Taxi Ranks - Referral from the Taxi and Private Hire Car Consultation Group of 13 October 2021 (Pages 11 - 12)
- 7.2 Review of the Street Knowledge Test - Referral from the Taxi and Private Hire Car Consultation Group of 13 October 2021 (Pages 13 - 14)

APPLICATIONS FOR LICENCES - INCLUDING LIST OF APPLICATIONS

- 8.1 Exemption Request for a Late Hours Catering Licence - Marks and Spencer - Unit 2 and 3, Union Square Shopping Park, Unit 2, Bridge of Don Retail Park, Stoneywood Park (Pages 17 - 18)

COMMITTEE REPORTS

- 9.1 Taxi and Private Hire Policy Review - COM/21/258 (Pages 19 - 36)

CONFIDENTIAL INFORMATION - APPLICATIONS, INCLUDING LIST OF APPLICATIONS, TO BE HEARD IN PRIVATE

Applications 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.

- 10.1 Request for the Suspension or Revocation of a Private Hire Car Driver Licence under Paragraph 11 (Pages 39 - 44)
- 10.2 Renewal of a Taxi Driver Licence (Pages 45 - 46)
- 10.3 Renewal of a Taxi Driver Licence (Pages 47 - 48)

10.4 Renewal of a Taxi Driver Licence (Pages 49 - 50)

Should you require any further information about this agenda, please contact Mark Masson, tel 01224 522989 or email mmasson@aberdeencity.gov.uk

This page is intentionally left blank

DECLARATIONS OF INTEREST

You must consider at the earliest stage possible whether you have an interest to declare in relation to any matter which is to be considered. You should consider whether reports for meetings raise any issue of declaration of interest. Your declaration of interest must be made under the standing item on the agenda, however if you do identify the need for a declaration of interest only when a particular matter is being discussed then you must declare the interest as soon as you realise it is necessary. The following wording may be helpful for you in making your declaration.

I declare an interest in item (x) for the following reasons

For example, I know the applicant / I am a member of the Board of X / I am employed by... and I will therefore withdraw from the meeting room during any discussion and voting on that item.

OR

I have considered whether I require to declare an interest in item (x) for the following reasons however, having applied the objective test, I consider that my interest is so remote / insignificant that it does not require me to remove myself from consideration of the item.

OR

I declare an interest in item (x) for the following reasons however I consider that a specific exclusion applies as my interest is as a member of xxx, which is

- (a) a devolved public body as defined in Schedule 3 to the Act;
- (b) a public body established by enactment or in pursuance of statutory powers or by the authority of statute or a statutory scheme;
- (c) a body with whom there is in force an agreement which has been made in pursuance of Section 19 of the Enterprise and New Towns (Scotland) Act 1990 by Scottish Enterprise or Highlands and Islands Enterprise for the discharge by that body of any of the functions of Scottish Enterprise or, as the case may be, Highlands and Islands Enterprise; or
- (d) a body being a company:-
 - i. established wholly or mainly for the purpose of providing services to the Councillor's local authority; and
 - ii. which has entered into a contractual arrangement with that local authority for the supply of goods and/or services to that local authority.

OR

I declare an interest in item (x) for the following reasons.....and although the body is covered by a specific exclusion, the matter before the Committee is one that is quasi-judicial / regulatory in nature where the body I am a member of:

- is applying for a licence, a consent or an approval
- is making an objection or representation
- has a material interest concerning a licence consent or approval
- is the subject of a statutory order of a regulatory nature made or proposed to be made by the local authority.... and I will therefore withdraw from the meeting room during any discussion and voting on that item.

LICENSING COMMITTEE

ABERDEEN, 29 September 2021. Minute of meeting of the LICENSING COMMITTEE. Present: Councillor Reynolds, Convener; Councillor Malik, Vice Convener; and Councillors Allan, Bell, Henrickson, Radley, Sellar and Townson.

The agenda and reports associated with this minute can be found [here](#).

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

DECLARATIONS OF INTEREST

1. There were no declarations of interest intimated by Members in respect of the items on today's agenda.

MINUTE OF MEETING OF THE LICENSING SUB COMMITTEE OF 22 SEPTEMBER 2021

2. The Committee had before it the minute of the Licensing Sub Committee meeting of 22 September 2021 for approval.

The Committee resolved:-

to approve the minute as a correct record.

SEXUAL ENTERTAINMENT VENUE LICENSING - COM/21/231

3. The Committee had before it a report by the Chief Officer – Governance which presented the draft policy statement for Sexual Entertainment Venues, based on information gathered from public consultations and an evidence gathering session, and sought authority to publicly consult on the aforesaid statement.

The report recommended:-

that the Committee instructs the Chief Officer – Governance to publicly consult on the draft policy statement and report back to the Licensing Committee on 26 October 2021 with the results.

The Committee resolved:-

- (i) that officers investigate whether the policy could be amended in relation to the locality of occasional licences, specifically regarding their proximity to sensitive premises;
- (ii) that officers clarify whether advertising/promotional material was permitted by the venues beyond the exterior of the building;
- (iii) that the implementation date of the policy be changed to 1 March 2022; and

LICENSING COMMITTEE

29 September 2021

- (iv) to otherwise approve the recommendation, subject to an updated version of the draft policy statement being circulated to members of the Committee prior to it being issued for public consultation.
- **COUNCILLOR JOHN REYNOLDS, Convener**

	A	B	C	D	E	F	G	H	I
1	LICENSING COMMITTEE BUSINESS PLANNER								
	The Business Planner details the reports which have been instructed by the Committee as well as reports which the Functions expect to be submitting.								
2	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference Number	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
3			26 October 2021						
4	Taxi and Private Hire Policy Review	The Licensing Committee on 18/5/21 agreed to instruct the Chief Officer – Governance to report back to the Committee on 31 August 2021 with proposed policies for approval.	This was originally due at the 31/8/21 meeting, however it was delayed until 26/10/21 to allow the policy wording to be finalised and the policies integrated into the corporate template.	Sandy Munro	Governance	Commissioning	17		
5	Review of Street Trader Licence Policy and Procedure	The Committee on 29/6/21 agreed to instruct the Chief Officer – Governance to undertake a review of the policies and procedures for Street Trader Licences and to submit a report to the Committee in this regard.		Sandy Munro	Governance	Commissioning		D	Delayed to allow for full investigation and public consultation of Street Trader policy conditions and advertising requirements. Likely to be submitted in March 2022, but may be sooner.
6			14 December 2021						
7	Annual Committee Effectiveness Report	To present the Annual Effectiveness report for the Committee.		Mark Masson	Governance	Commissioning	GD 8.5		
8	Draft Sexual Entertainment Venue Policy Statement	To approve the policy statement following public consultation		Karen Gatherum/ Sandy Munro	Governance	Commissioning	17.3		
9			18 January 2022						
10	No reports scheduled at this time.								
11			22 March 2022						
12	No reports scheduled at this time.								
13			15 June 2022						

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference Number	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
14	No reports scheduled at this time.								
15			6 September 2022						
16	No reports scheduled at this time.								
17			15 November 2022						
18	No reports scheduled at this time.								
19			TBC						
20	Taxi Driver Training	Licensing Committee 19/2/19 agreed to instruct the Chief Officer – Governance to continue to investigate training programmes for taxi and private hire drivers and report back to the Committee in this regard as and when appropriate.		Sandy Munro	Governance	Governance	3		

TAXI AND PRIVATE HIRE CONSULTATION GROUP MEETING OF 13 OCTOBER 2021

PUBLIC TRANSPORT FORUM/SPACES FOR PEOPLE MINUTES

The Consultation Group had before them for information, the minutes of meetings of the Spaces for People Public Transport Forum of 26 August and 15 September 2021.

During discussion of the minutes, the Group discussed the present situation in terms of taxi ranks located within the city centre and the Spaces for People measures.

Reference was made to (1) the closure of the Back Wynd taxi rank and the potential alternative taxi ranks on Union Terrace and Bridge Street; (2) the current situation relating to the Union Street Night-time taxi ranks; (3) Covid guidance for taxi drivers and passengers; (4) the potential relaxation of lane restriction measures near the Union Street/Holburn Street Junction to improve traffic flow; (5) details relating to the Review of the Taxi Ranks, specifically when a review was last undertaken; and (6) the lack of signage in the city centre directing members of the public to the nearest taxi ranks.

The Consultation Group resolved:-

- (i) to note the minutes;
- (ii) that officers be instructed to write to the Roads Team to determine whether signage could be installed as soon as possible, which would provide information to the public on the location of the city centre taxi ranks; and
- (iii) to request the Licensing Committee at their meeting on 26 October 2021 to consider the proposal to undertake a Review of the Taxi Ranks in Aberdeen at the earliest opportunity.

This page is intentionally left blank

TAXI AND PRIVATE HIRE CONSULTATION GROUP MEETING OF 13 OCTOBER 2021

ENFORCEMENT OFFICER REPORT

The Consultation Group had before them for consideration, the Enforcement Officer's report which provided details relating to Taxi/Private Hire Car issues and information.

The Enforcement Officer highlighted the main issues from his report, including (a) advising that full enforcement activity would commence within the next few weeks; and (b) explaining the situation in relation to the closure of the rank in Hadden Street, whilst demolition works of the former Aberdeen Indoor Market were progressed.

During discussion, Taxi Trade members made reference to the process of the Street Knowledge Test and requested that the test be amended in order that drivers could retain the two parts of a test which they have passed and to only re-sit the one they have failed (one further attempt only and only where they have failed one section), without the need to resit and pay for all three parts of the test again.

The Consultation Group resolved:

- (i) that the Enforcement Officer circulate details to the members of the Group in relation to the current number of street knowledge tests being undertaken;
- (ii) to request that the Licensing Committee at their meeting on 26 October 2021 consider undertaking a review of the Street Knowledge Test; and
- (iii) to otherwise note the information contained within the report.

This page is intentionally left blank

Application	Name of Applicant & Agent	Premises of which application refers	Representations received	Date by which application to be determined (date order)	Proposed Meeting to Determine Application	Page Number
Request – Exemption – Late Hours Catering Licence	Marks and Spencer	Unit 2 & 3, Union Square Shopping Park, Unit 2, Bridge of Don Retail Park, Stoneywood Park	Licensing – Legal	N/A	26 October 2021	17-18

This page is intentionally left blank

LICENSING COMMITTEE INFORMATION SHEET

26 OCTOBER 2021

TYPE OF APPLICATION: LATE HOURS CATERING EXEMPTION

APPLICANT: Marks and Spencer, Unit 2 & 3, Union Square Shopping Park

Marks and Spencer Simply Food, Unit 2, Bridge of Don Retail Park

Marks and Spencer Simply Food, Stoneywood Park

INFORMATION NOTE

Request for an exemption under Section 42(5) Civic Government (Scotland) Act 1982 from requiring a Late Hours Catering Licence.

The exemption is required for the hours 23:00 to 00:00 from 18 December 2021 to 24 December 2021.

The retail stores sell a range of products including food and alcohol consumption off the premises.

CONSULTEES

- Police Scotland

OBJECTIONS/REPRESENTATIONS

None

LEGISLATION

A licensing authority may, on application made to them, exempt the use of premises requiring a late hours catering licence from the requirement to have such a licence—

(a) in respect of any particular occasion; or

(b) during a specified period not exceeding 2 months in any period of 12 months.

(6) The licensing authority may attach conditions to an exemption granted under subsection (5) above, and the provisions of Part I of this Act relating to the attaching of conditions to licences and subsection (3) above shall apply to the attaching of conditions to exemptions under this subsection.

This page is intentionally left blank

ABERDEEN CITY COUNCIL

COMMITTEE	Licensing Committee
DATE	26 October 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Taxi and Private Hire Policy Review
REPORT NUMBER	COM/21/258
CHIEF OFFICER	Fraser Bell
REPORT AUTHOR	Sandy Munro
TERMS OF REFERENCE	17

1. PURPOSE OF REPORT

- 1.1 To provide the Committee with the amended policies for taxis and private hire for final approval.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 agree the highlighted amendments to policy at 5.3.4, 5.3.7, 5.3.8, 5.4.2 and 5.4.3 in Appendix 1;
- 2.2 agree an implementation date of 1 April 2022 for all amendments with the exception of 5.3.8; and
- 2.3 agree to defer the implementation of the changes to policy 5.3.8 pending further information about the installation of the necessary infrastructure.

3. BACKGROUND

- 3.1 At the meeting on 10 November 2020 the Committee instructed the Chief Officer – Governance to consult with the trade and public on the proposed changes to the taxi and private hire policies.
- 3.2 An online consultation was run from 21 January 2021 until 26 February 2021. A link to the consultation document was publicised via social media, sent to all licensed drivers for whom we had an email address and circulated to the Taxi & Private Hire Consultation Group for wider circulation to the trade.

- 3.3 A total of 149 responses were received. These were reported to committee on 18 May 2021 and the highlighted amendments in Appendix 1 approved in principle.
- 3.4 The opportunity has been taken to consolidate all taxi and private hire policies into one document.
- 3.5 Until further information is available with regard the necessary infrastructure to facilitate alternative fuelled vehicles an implementation date for that policy cannot be ascertained.
- 3.6 As some of the policy changes will require fees to be reviewed it would seem appropriate to implement the remaining changes on 1 April 2022 to align with the new financial year and allow accurate budgetary calculations to be made.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from this report. Application fees will be reviewed to ensure expenditure is met from licensing income.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from this report.

6. MANAGEMENT OF RISK

Category	Risk	Low(L) Medium(M) High(H)	Mitigation
Strategic Risk	N/A		
Compliance	N/A		
Operational	N/A		
Financial	N/A		
Reputational	Implementing policy changes without providing advance notice could lead to difficulties for licence holders.	L	It is a recommendation of the report to provide notice prior to the changes taking effect.
Environment/ Climate	N/A		

7. OUTCOMES

7.1 The proposals in this report have no direct impact on the Council Delivery Plan.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	Full impact assessment not required
Data Protection Impact Assessment	Not required

9. BACKGROUND PAPERS

N/A

10. APPENDICES (if applicable)

10.1 Appendix 1 – Consolidated policy document

11. REPORT AUTHOR CONTACT DETAILS

Sandy Munro
Licensing Solicitor
AleMunro@aberdeencity.gov.uk

This page is intentionally left blank

Taxi & Private Hire Vehicle and Driver Policy

Approved by the Licensing Committee on 26TH October
with an implementation date of ...

Document Control

Approval Date	- Calibri Regular12pt
Implementation Date	
Policy Number	Request from Assurance Team
Policy Author(s) and Owner	Sandy Munro
Approval Authority	Licensing Committee
Scheduled Review	1 st December 2022
Date and Changes: 26/08/2021–Various minor changes, and updates to the following sections: <ul style="list-style-type: none">▪ 3.4 Licence Holder▪ 3.7 Vehicle Dimensions▪ 3.8 Engine Size and Propulsion▪ 3.4.2 Medical Fitness▪ 4.3 Dress Code	

Table of Contents

1	Why does the Council need this Policy?.....	3
2	Application and Scope Statement	3
3	Responsibilities	3
4	Supporting Procedures & Documentation	3
5	About this Policy	3
6	Risk.....	11
7	Environmental Considerations	11
8	Policy Performance	11
9	Design and Delivery	11
10	Housekeeping and Maintenance	12
11	Communication and Distribution	12
12	Information Management	12

Why does the Council need this Policy?

- 1.1 The policy is designed to maintain a minimum standard of operation of Taxi and Private Hire vehicles and drivers, and is underpinned by public safety and improving standards of service. Aberdeen City Council is the Licensing Authority and has resolved to licence taxi and private hire drivers and vehicles under the Civic Government (Scotland) Act 1982. This policy facilitates the Council's decision to licence taxis under that Act.

Application and Scope Statement

- 2.1 Taxi and private hire vehicle owners and drivers are the parties that are within the scope of this policy. The policy sets minimum operating standards to be adhered to, to ensure reliability and quality of service and the safety of the general public.

Responsibilities

- 3.1 Chief Officer- Governance has overall authority for licensing of taxi and private hire drivers and vehicles, and the maintenance and review of this policy. Day to day responsibility for licensing will be carried out by the Licensing Team-Governance. Breaches or feedback on the policy can be reported via enforcement@aberdeencity.gov.uk or Licensing@aberdeencity.gov.uk
- 3.2 Reported breaches of policy may result in a review of the license by the Licensing Committee. A review has four possible outcomes- no action, warning, suspension (period will vary) and revocation.
- 3.3 The Licensing Committee are responsible for setting this policy.
- 3.4 This policy has been publicly consulted on, but further feedback can be raised by emailing the Chief Officer-Governance via the licensing email address detailed in 3.1

Supporting Procedures & Documentation

- 4.1 [Taxi Testing Manual](#)
- 4.2 Licensing Conditions – [Taxi](#), [Private Hire](#), [Booking Office](#), [City Zone](#) and [Airport Zone](#)
- 4.3 [Fees](#)
- 4.4 [Form of Registration of Interest](#)
- 4.5 [Corporate Information Handling Policy](#)

About this Policy

1.1 Taxis

5.1.1 Taxi Limit

The current limit on licensed taxis is set at 1079. Should the number of licensed vehicles reach that limit anyone wishing to apply for a Taxi Licence will be required to register their

interest in writing using the [Form of Registration of Interest](#) which can be found on the Council's website.

5.1.2 Zoning

The licensing authority area is split into 2 zones for the purpose of taxi licensing - airport and city.

The airport zone encompasses the area within the legal boundary of Aberdeen International Airport and the city zone encompasses the remainder of the licensing authority area.

Those vehicles licensed in the city zone will display yellow licence plates and cannot collect a fare within the airport zone unless it is pre-booked or the airport operator has illuminated the "green light".

Vehicles licensed within the airport zone will display green licence plates and cannot collect a fare from within the city unless pre-booked. Airport licensed vehicles may however operate in the city zone from midnight Saturday to 5am Sunday.

5.1.3 Wheelchair Accessible Vehicles (WAVs)

All vehicles which are licensed as Taxis for the first time must be Wheelchair Accessible vehicles (WAV).

Any Taxi licence granted prior to 1994 may operate a vehicle which is a Saloon, MPV or WAV and may replace that vehicle with a Saloon, MPV or WAV whilst the licence remains in force. All new licences granted after 1994 must operate a WAV for the entire duration of the licence (any replacement vehicle must also be a WAV).

(This policy is subject to review)

5.1.4 Vehicle Types

The following vehicle types are permissible as licensed Taxis-

- Saloon Car (min 4 doors and 4 passenger seats) – for pre 1994 licences only
- Estate Car (derived from a saloon only- min 4 doors and 4 passenger seats) – for pre 1994 licences only
- MPV (8 passenger seats or less) – for pre 1994 licences only
- WAV (Must meet current [WAV specifications](#))

5.1.5 Age of Vehicles

- WAV taxi vehicles must be 10 years old or less at first licensing and at substitution.
- All other taxi vehicles must be 5 years old or less at substitution onto pre 1994 licences.

5.1.6 Roof Signs

All taxis licensed by the Licensing Authority must display an approved roof sign dependent on zone and model of vehicle. There are currently four main types of roof sign that are approved by the licensing authority, as follows:

- Small green sign- Airport Zoned Vehicles Only
- In-Built sign- WAVs only where a pod style sign is already in-built
- Pod sign- WAVs or similar vehicles where the standard roof sign does not fit
- Standard sign- All other licensed taxis

Approved roof signs must meet the following requirements-

City Zone Roof Sign (Yellow Plate) Standard-

Colour-	White
Length-	88-92cm
Width-	13-17cm
Height-	11-15cm
Text-	Black lettering on front of sign only
Front Top Line	“City Of Aberdeen” - 3cm high letters
Front Lower Line	“Taxi” - 6.5cm high letters
Each Side	4-digit vehicle licence number - 2.5cm high letters
Rear	Telephone number (optional)

City Zone Roof Sign (Yellow Plate) Pod-

Colour-	White
Length-	28-35cm
Width-	9-12cm
Height-	10-14cm
Text-	Black lettering on front of sign only
Front	“Taxi” - 6.5cm high letters
Rear	Telephone number (optional)

Airport Zone Roof Sign (Green Plate)-

Colour-	Green
Length-	45-49cm
Width-	13-17cm
Height-	10-14cm
Text-	Black lettering on front of sign only
Front	“Airport Taxi” - 7.5cm high letters
Each Side	4-digit vehicle licence number - 2.5cm high letters

Lighting for all roof signs must be provided by standard bulb or LED bulb.

All roof signs must be connected to the taxi meter, be lit when available for hire, and must be securely attached to the vehicle.

Where there is any doubt, licensing will determine which roof sign is appropriate to any licensed taxi.

5.1.7 Taxi Meter

All taxis must have an approved taxi meter meeting the standards required by the [Measuring Instruments \[Taximeters\] Regulations 2006](#) fitted in a position authorised by the licensing authority. The meter must be sealed by the licensing authority and the seal may only be removed either by the licensing authority or for the purpose of an update to the meter software as approved by the licensing authority.

The meter must be used to calculate maximum fares in all journeys within the licensing authority boundaries but need not be used when a journey involves leaving the authority boundary.

5.1.8 Advertising on Taxis

- Advertising is permitted on and/or in all taxis.
- Advertisements must not be placed on any of the vehicle's windows, or obscure any identification plates, notices or roof signs provided by the Council.
- Wheel hub advertising is permitted. These must be securely fitted and comply with the Taxi Inspection Centre's requirements (see Taxi Testing Manual).
- The fitting of internal TV or video displays for advertisement or entertainment purposes will require the making of an application for consent to carry out a material alteration to the vehicle and, if approved, will require to be inspected by and comply with the Taxi Inspection Centre's requirements (see Taxi Inspection Manual).
- The advertising of the following products is prohibited –
 - (i) Alcoholic products (but not including advertisements of premises which are licensed in terms of the Licensing (Scotland) Act 2005);
 - (ii) Tobacco products, including reference to sporting activities sponsored by tobacco companies where the tobacco producer or the name of the manufacturing company is included; and
 - (iii) Any advertising which may be seen as offensive, as determined by the Licensing Committee.

1.2 PRIVATE HIRE VEHICLES

5.2.1 Vehicle Ages

- WAV vehicles must be 10 years old or less at first licensing and at substitution.
- All other vehicles must be 5 years old or less at first licensing or substitution.

5.2.2 Vehicle Types

The following vehicle types are permissible as licensed Private Hire vehicles-

- Saloon Car (min 4 doors and 4 passenger seats)
- Estate Car (derived from a saloon only- min 4 doors and 4 passenger seats)
- MPV (8 passenger seats or less)
- WAV (Must meet current WAV specifications)

5.2.3 Roof Signs

Roof signs are not permitted on Private Hire Cars.

5.2.4 Advertising or Branding On Private Hire Cars

No advertising is permitted on a Private Hire Car.

No branding or notice identifying the vehicle as a Private Hire Car or vehicle for hire is permitted on a Private Hire Car other than the licence plates issued by the licensing authority.

5.2.5 Taxi Meter

Private Hire Cars may but need not have a meter fitted. If a meter is fitted when the vehicle is first licensed it cannot be removed. If a meter is not fitted when the vehicle is first licensed it cannot be added at a later date. All Private Hire Cars fitted with a meter must have an approved taxi meter meeting the standards required by the Measuring Instruments [Taximeters] Regulations 2016 fitted in a position authorised by the licensing authority. The meter must be sealed by the licensing authority and the seal may only be removed either by the licensing authority or for the purpose of an update to the meter software as approved by the licensing authority.

The meter must be used to calculate maximum fares in all journeys within the licensing authority boundaries but need not be used when a journey involves leaving the authority boundary.

5.3 TAXI AND PRIVATE HIRE VEHICLES

5.3.1 Inspection

All licensed vehicles must pass 2 taxi (hackney) inspections per 12 month period. The first inspection must be carried out prior to first licensing or renewal and thereafter at 6 month intervals.

A vehicle must have a current Pass Certificate issued after the vehicle had passed its last vehicle inspection.

If a Pass Certificate has expired the vehicle cannot be used as a taxi or private hire car until a new Pass Certificate has been obtained.

5.3.2 Tariff Card

The current Aberdeen City tariff card must be on display in all vehicles in a position where it can be readily seen by passengers.

No other sign relating to fares or cost of hire is permitted in a licensed vehicle.

5.3.3 Spare Wheels

A spare wheel (full size or space saver) or breakdown kit must be carried in every vehicle unless run-flat tyres are fitted.

Where a space saver wheel is fitted, or the run flat warning light is illuminated, passengers must not be carried.

Similarly, when the breakdown kit is used passengers must not be carried.

5.3.4 Licence Holder

The holder of a taxi or private hire vehicle licence must be the owner of the vehicle, the named keeper on the V5 registration document and named on the vehicle insurance certificate.

The only exceptions to this are-

- Licences in the name of Partnerships, where the owner/keeper and insurance may be in the name of one of the partners.
- Where a vehicle is leased from a leasing company or purchased on finance, the leasing company or finance company may be the registered keeper or owner of the vehicle.

5.3.5 CCTV & Dashcams

Prior to use of a CCTV or Dashcam system it must be inspected and approved by an authorised officer of the licensing authority. Clear signage, clearly visible from the passenger seats, must be displayed within the vehicle to advise passengers that recording is in operation and advise that images and sound are being recorded and for what purpose. The details of the data controller of the system, including a contact number, should also be clearly displayed.

The Data Controller is under a legal obligation to ensure that all Data Protection requirements are fulfilled. For the avoidance of doubt, Aberdeen City Council, as the licensing authority is not the Data Controller in respect of CCTV or Dashcam systems installed by licence holders, their drivers, or their insurers. Independent legal advice should be sought prior to the installation of any system.

5.3.5.1 External (Accident) Recording

The licensing authority may permit the installation and operation of CCTV or Dashcams in taxis and private hire cars in respect of external image recording, for the purpose of accident event recording (in relation to insurance claims) and to assist with the prevention, detection and prosecution of crime. External audio recording is not permitted.

5.3.5.2 Internal (Incident) Recording

The licensing authority may permit the installation and operation of CCTV in taxis and private hire cars in respect of internal image recording to improve passenger and driver safety and for the prevention, detection and prosecution of crime. Internal audio recording is not permitted except by way of a "panic button", which may be pressed by the driver to record audio only on the occurrence of an incident.

5.3.5.3 Data Protection Policy (Mandatory Requirements)

The licence holder must have a data protection policy which explains why CCTV or a Dashcam is necessary and what controls will be used to ensure the secure storage and processing of data recordings. It should also specify the standard retention and regular secure data disposal procedures.

5.3.5.4 Specification of CCTV or Dashcam systems

- Wiring of the CCTV/Dashcam system must be compliant with current British Standards.
- CCTV/Dashcam cameras must be permanently wired and turned on and off by the ignition only. They cannot have a switch to be turned on or off manually or be powered by a dashboard cigarette lighter.
- The storage system for recorded data should be solid state (hard drive) and of sufficient reliability, preferably with industrial grade memory. Where the storage of recorded data is on removable devices such as computer discs, SD cards or suchlike the data controller/licence holder must have satisfactory safeguards for the secure processing, storage and ultimately disposal of the data in accordance with this policy and the CCTV condition of licence. It is recommended that where removable storage is utilised the system is kept in a lockable box or compartment to prevent theft or unauthorised access.
- Stored recorded data must be encrypted and only be accessible to the data controller.

5.3.6 Passenger Seating

Any licensed vehicle must be capable of seating a minimum of 4 and a maximum of 8 passengers. The vehicle must meet the minimum and maximum dimension restrictions noted below. Seats which are side facing or temporary in nature (such as occasional seats) will not form part of the licensed capacity, neither will any seat which can only be accessed by folding or moving another seat where the movement required is more than 100mm.

5.3.7 Vehicle Dimensions

Licensed taxi and private hire vehicles must meet the following dimensions:

Maximum Ground Clearance	185mm
Minimum Rear Legroom	700mm
Minimum Rear Headroom	900mm
Minimum Boot Capacity	450 litres (includes empty wheelchair space in WAVs)
Minimum Rear Seat Width	1200mm (across all rear seats)

Ground Clearance is measured from the road to the bottom of the vehicle body at the rear door.

Rear Legroom is measured from the rear of the driver seat (fully back) to the rear seatback.

Rear Headroom is measured from the interior roof to the top of the rear seat cushion.

5.3.8 Engine Size & Propulsion

There is no limit on engine size and any means of propulsion is now permitted.

[Approved but not yet in force:

From (date to be confirmed once more information available on necessary infrastructure for alternative fuelled vehicles) petrol and diesel vehicles will not be accepted for the grant of a taxi or private hire vehicle licence.

From (date to be confirmed as above) petrol and diesel vehicles will not be accepted for the renewal of a taxi or private hire vehicle licence.]

5.4 TAXI AND PRIVATE HIRE DRIVERS

5.4.1 Street Knowledge Test

All applicants for the grant of a taxi driver licence or private hire driver licence must pass the street knowledge test before an application for the licence can be submitted. The Street Knowledge test will be set by the Council and the Council will determine whether or not an applicant has passed the test.

5.4.2 Medical Fitness

All applicants for the grant of a taxi or private hire driver licence, and all holders of those licences, must meet DVLA Group 2 medical standards at all times.

Accordingly, all applications for the grant or renewal of a taxi driver licence or private hire driver licence must be accompanied by confirmation from a medical professional that the applicant meets DVLA Group 2 standards. Where an application does not include this confirmation, the applicant will be referred to the authority's Occupational Health provider for medical examination. A higher fee will be charged for applications that require a medical examination. The holder of a taxi or private hire car driver licence must notify the authority of any change in medical circumstances that may affect their ability to meet [DVLA Group 2 standards](#).

5.4.3 Dress Code

All taxi and private hire drivers must comply with the following smart, not casual, dress code at all times when working:

Permitted attire (Examples)

- plain shirt, polo shirt, dress or blouse
- dress jacket
- dress trousers or skirt
- dress shoes
- taxi/private hire company branded clothing

Prohibited attire (Examples)

- jeans
- t-shirts
- tracksuit trousers or tops
- trainers

- football shirts

Risk

6.1 Reputational Risks

The city wants to be a welcoming city to live, work, study, visit and play. The policy ensures that the taxi and private hires trades provide a professional, accessible and safe service to all passengers and therefore reduce the risk of reputational harm to the Licensing Authority and the city.

6.2 Public Safety

The policy ensures public safety to passengers, other road users and pedestrians. It reduces the risk of harm caused to passengers, other road users and pedestrians.

6.3 Compliance Risks

This policy helps to ensure that the Licensing Authority complies with its resolution to licence taxi and private hire drivers and vehicles. The policy therefore reduces the risk of non-compliance with its decision to licence taxis.

Environmental Considerations

- 7.1 Environmental considerations cannot be implemented on individual licence applications. The Committee has approved in principle a move to alternatively fuelled vehicles once the required infrastructure is sufficient to meet demand to assist in meeting the Council's net zero emission targets.

Policy Performance

- 8.1 This policy supports public safety of passengers, other road users and pedestrians. This policy also support delivery of compliance with the Licensing Authority's statutory obligations under the Civic Government (Scotland) act 1982.
- 8.2 Customer satisfaction and the number of upheld complaints will evidence whether the policies are maintaining the desired standards within the trade. The policies will also provide an evidentiary basis on which the Licensing Committee can base review decisions and may provide grounds for refusal of licence applications as a result of breach of policies.

Design and Delivery

- 9.1 This Policy has an underlying basis of public safety and compliance with the Councils resolution to licence taxis and private hire vehicles and drivers under the Civic Government (Scotland) Act 1982 as Licensing Authority.
- 9.2 The Policy aims to support the Aberdeen City Local Outcome Improvement Plan by contributing to a Prosperous Economy by creating a safe and fun space to live, work and study.

Housekeeping and Maintenance

- 1.3 This policy amalgamates existing and updates taxi policies into one document. It shall be reviewed on an annual basis.

Communication and Distribution

- 11.1 The Policy and supporting documents will be on the Aberdeen City Council website next to the application form and will be highlighted as recommended reading prior to applying for a licence.
- 11.2 The policy will be circulated to licence holders and the trade in general.
- 11.3 The policy and the supporting documents commencement will be highlighted on Aberdeen City Council's social media and will be communicated to the trade and representatives.

Information Management

- 11.1 The information generated by the application of the policy will be managed in accordance with the Council's Corporate Information Policy and supporting Procedures.

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank