

# LICENSING COMMITTEE INFORMATION SHEET SEPTEMBER 2020

## APPLICATION FOR THE RENEWAL OF A TAXI OPERATOR LICENCE

LICENCE HOLDER: Arthur Milne

PRIVATE HIRE CAR DRIVER LICENCE: T469

### DESCRIPTION

- Taxi Licence Expiry 09/01/2020
- Renewal Application submitted 13/01/2020
- Determination Date 12/10/2020

The vehicle to which the licence relates has not been presented for either of the last two hackney tests which it is required to pass. The vehicle was last tested 22/11/2019.

It was not presented for its January 2020 test and the July 2020 test was cancelled due to the Taxi Inspection Centre closure as a result of covid19.

### LEGISLATION/CONSULTEE

- Police Scotland

### OBJECTIONS/REPRESENTATIONS

Legal

### COMMITTEE GUIDELINES/POLICY

All licensed vehicles must pass two hackney tests per 12 month period on dates determined by the licensing authority.

This has been relaxed to one per year as a result of the testing centre being unavailable due to the current situation.

### GROUNDINGS 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.**