

LICENSING COMMITTEE INFORMATION SHEET

6 SEPTEMBER 2022

Application for Grant of Taxi Operator Licence

Applicant: - Varinder Sood

Vehicle: - SV66 HDG

INFORMATION NOTE

Application submitted 24/06/2022

Determination date 23/06/2023

Mr Sood contacted the Licensing Team seeking information with regard to licensing a vehicle as a taxi which he had arranged to be modified into a Wheelchair Accessible Vehicle (WAV). The vehicle in question had previously been licensed by ACC as a NON-WAV multi-seater taxi.

He was advised that as the vehicle had been converted it would have to be checked to ensure it met the WAV specifications of this Licensing Authority, before it could be put through the standard Hackney Test.

He was also sent a copy of this Licensing Authorities WAV specification, which includes various minimum measurements for certain sections of a WAV (to ensure a vehicle can accommodate safely the standard size of wheelchair as defined by Dept. of Transport guidance).

The vehicle was inspected on 06/05/2022 by the Taxi Inspection Centre and found to not meet the minimum requirements as set out in the WAV specification.

Unfortunately, the Inspection Centre did not record the details of the failure to meet specifications correctly and the vehicle was re-inspected on 19/05/2022.

Once again the vehicle failed to meet specifications for the following reasons :-

1. The wheelchair space did not meet the required length of 1130mm (it was 1115mm) and it also did not meet the required height of 1340mm (it was 1120mm).
2. The longitudinal slope anywhere within the wheelchair space is required to not exceed 11 degrees (it was 15 degrees).
3. It is a requirement that there must be a means of preventing the vehicle being driven away whilst the ramp is deployed, nothing of this sort was installed in the vehicle.
4. Handrails and/or Handholds are required to be slip resistant and easily gripped (these were not).

Immediately following the inspection Mr Sood challenged the results with Inspection Centre staff and the Fleet Manager made the measurements above with Mr Sood in attendance to show him the actual measurements and where they were taken from.

Mr Sood then challenged the measurements again with the Enforcement Officer (in particular the slope/length of the wheelchair ramp- which was not one of the failure reasons).

He was advised again that his vehicle did not meet the required specifications and following a number of other contacts between Mr Sood and the Licensing Team, he was then advised to submit an application for the Grant of a Taxi Licence so that the Licensing Committee could determine his application and the validity of the vehicle he wished to licence.

DESCRIPTION

Grant of Taxi Licence

CONSULTEES

- Police Scotland

OBJECTIONS/REPRESENTATIONS

Legal

COMMITTEE GUIDELINES/POLICY

Licensing Committee policy states that any application for the grant of a Taxi Licence must be a Wheelchair Accessible Vehicle (WAV).

Any WAV being licensed must meet the WAV specification as approved by the Licensing Committee in 2014.

GROUND 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.