

# LICENSING COMMITTEE INFORMATION SHEET

## 25 JANUARY 2023

Taxi Operator Licence Renewal – T167  
Licence Holder: - Gerrard Duncan Kennedy  
Vehicle: - ML70 LVJ

### INFORMATION NOTE

Renewal submitted 28/07/2022  
Determination date 27/07/2023  
Application for renewal of taxi operator licence. The application does not comply with the Committee's Policy which states that the licence holder must be the owner of the vehicle. The vehicle is owned by Rainbow Taxis. The application was submitted and paid for by Rainbow Taxis.

### CONSULTEES

- Police Scotland

### COMMITTEE GUIDELINES/POLICY

The holder of a taxi or private hire operator licence must be the owner of the licensed vehicle, the named keeper on the V5 registration document and the named Insurer 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 recognised leasing company or purchased on finance, the leasing company or finance company may be the registered keeper or owner of the vehicle.

Any change of insurer, or insurance cover, must be intimated forthwith to the licensing authority.

### 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.**