
COMMITTEE	Licensing
DATE	2 September 2014
DIRECTOR	Ewan Sutherland (Acting)
TITLE OF REPORT	Taxi Licensing and Taxi Inspection Centre
REPORT NUMBER:	CG/14/101
CHECKLIST RECEIVED	Yes/No

1. PURPOSE OF REPORT

The purpose of the report is to advise members of the roles and responsibilities of the Litigation and Licensing Team and the Taxi Inspection Centre in the delivery of the taxi licensing function.

2. RECOMMENDATION

The Committee is recommended to note the report.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

4. OTHER IMPLICATIONS

None

5. BACKGROUND/MAIN ISSUES

The Committee at its meeting in November 2013 instructed a report in relation to the roles and responsibilities of the Litigation and Licensing Team and the Taxi Inspection Centre in the delivery of the taxi licensing function. There has been a restructure of Legal Services which involved a recruitment process and police reform which saw the creation of Police Scotland in succession to the previous territorial police forces.

The administration of the taxi licensing function falls within the remit of the Litigation and Licensing Team as do all other civic government licensing and alcohol and gambling licensing matters dealt with by the Licensing Board. The team is not yet fully staffed but has been operating as envisaged by the Legal Services restructure for some months.

The team's role is to process all applications from receipt to issue of the licence or refusal, including undertaking statutory consultation, liaising with statutory consultees such as the police as well as the applicant, providing guidance, but not legal advice, to applicants, agents and members of the public, determining applications under delegated powers and referring others to the Licensing Committee where required, providing legal advice to the Committee, arranging and servicing various hearings as required, and Licensing Urgent Business Committee meetings. To enable it to undertake its role the team is dependant on timeous and accurate input from all parties involved in the process including applicants, the Taxi Inspection Centre and Police Scotland.

Licensing enforcement is also the responsibility of the Litigation and Licensing Team. This role has been considerably enhanced following the establishment of Police Scotland and its decision no longer to provide a taxi inspector. That role had been a mixed role which included the statutory police function and a large element of non police function. The statutory police function continues to be carried out by Police Scotland who carry out background checks on applicants in order to assess their fitness and properness to be licence holders and to submit objections or letters of representation where considered appropriate as well as checking, where necessary, vehicles which are the subject of applications to ensure their legitimacy. The police will also deal with any complaints of a criminal nature allegedly caused by licence holders. They may also from time to time seek suspension of licences and appear at the resultant hearings in support of their allegations. Also from time to time the police may, and often in association with the Enforcement Officer, carry out enforcement checks on vehicles to ensure that standards are maintained.

The non statutory work formerly carried out by the police on a civilian basis is now handled by the Litigation and Licensing Team which undertakes investigation of taxi complaints, referring those of a criminal nature to Police Scotland, taking action as necessary depending on the outcome, investigation of enforcement issues, the administration of the street knowledge test for drivers and makes regular reports to Committee on enforcement matters.

The role of the Taxi Inspection Centre which is under the management of Fleet Services is to carry out vehicle testing and related matters and to provide information on this to the Litigation and Licensing Team to

assist the processing of applications. The Taxi Inspection Centre ensures compliance with the hackney testing schedule, which includes making sure the vehicles are roadworthy and legal. This consists of two hackney tests per year. These appointments are generated and sent by the Taxi Inspection Centre. This team ensures that all Aberdeen City Taxis have current road tax, insurance and MOTs.

The taxis are examined using methods and tolerance criteria contained in the Class 4 MOT testing manual and the additional Aberdeen City Council Taxi Testing supplement.

The methods of inspection adopted for each part of the test does mirror how an MOT is carried out.

The testing bays and examiners are equipped with the same tools and equipment as Authorised MOT garage. These tools are used during the test in the same manner as an MOT.

There is a copy of the test manual published on the Aberdeen City Council website.

If any presenter feels they have not had the correct result from the test, then they can appeal to the office staff and a more senior member of staff will give a second opinion on the test result. This may overturn the decision of the tester and the result would be changed to reflect this.

Another role the Taxi Inspection Centre offers is a payment centre for the trade for licence renewals, badges, substitutions, variations etc. many applications are lodged with the Centre and this team logs the information prior to sending the applications to Litigation and Licensing to process. The Inspection Centre stocks and supplies roof signs and plates, and is responsible for updating the database and informing the Litigation and Licencing Team of any breaches of policy. The Inspection Centre also has an enforcement role with regards to unroadworthy vehicles presented for test and the revocation of a licence plate in such cases.

In order for the system to work effectively it is necessary that a close and regular link continue between the Taxi Inspection Centre and the Litigation and Licensing Team as well as Police Scotland.

6. IMPACT

Corporate – None

Public – This report is likely to be of interest to the public as taxi licensing is of interest to the public.

7. MANAGEMENT OF RISK

It is important that all parties involved fulfil their roles and responsibilities in order to deliver the licensing function effectively.

8. BACKGROUND PAPERS

None

9. REPORT AUTHOR DETAILS

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