

Business Operations and Partnerships Department
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Date: 3 June 2025
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TO: Councillors P Edlin (Chair); Provost M Montague; Councillors D Macdonald; A Morrison; K Campbell; C Lunday; and C Merrick (Vice Chair)

LICENSING COMMITTEE

A meeting of the Licensing Committee will be held in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on **Tuesday 10 June 2025 at 10.00am**.

A pre-meeting for Elected Members will take place in the Council Chamber at 9.30am.

The agenda of business is listed below.

Louise Pringle

LOUISE PRINGLE
DIRECTOR OF BUSINESS OPERATIONS AND PARTNERSHIPS

- 1. REPORT APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF INTEREST**
- 3. VEHICLE AGE LIMITS**
Report by Chief Officer (Legal & Procurement) (copy attached, pages 3 – 8)

Resolution to Exclude Press and Public

It is recommended that the committee passes the following resolution:-

"That under Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the press and public be excluded from the meeting for the undernoted item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 6 and 14 of Part I of Schedule 7A of the Act as appropriate".

Paragraph 6 – Information relating to the financial or business affairs of any particular person (other than the authority) – all items.

Paragraph 14 – Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime – all items.

4. **PRIVATE LANDLORD REGISTRATION**
Report by Director of Environment (copy attached, pages 9 – 12).
5. **PRIVATE HIRE DRIVER'S LICENCE – APPLICATION FOR GRANT**
Report by Chief Officer (Legal & Procurement) (copy attached, pages 13 – 20).
6. **PRIVATE HIRE OPERATOR LICENCE – ALLEGED BREACH OF LICENSING CONDITIONS**
Report by Chief Officer (Legal & Procurement) (copy attached, pages 21 – 28).

A recording of the public part of the meeting will also be available following the meeting on the Council's YouTube Channel

<https://www.youtube.com/user/eastrenfrewshire/videos>

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EAST RENFREWSHIRE COUNCIL

LICENSING COMMITTEE

10th June 2025

Report by Clerk to the Licensing Committee

Vehicle Age Limits

PURPOSE OF REPORT

1. To seek Committee's approval to remove the age limits for taxi and private hire vehicles at initial licensing together with the upper age threshold for taxi and private hire vehicles.

RECOMMENDATIONS

2. That the Committee:-
 - i) Removes the age threshold for taxi and private hire vehicles at initial point of licensing (currently set at 5 years).
 - ii) Removes the upper age threshold for taxi and private hire vehicles.

BACKGROUND

3. Licensed vehicles within East Renfrewshire are currently subject to age restrictions both at the point of initial licensing and thereafter during the licensed period. Different age limits apply in respect of these points in time.
4. No vehicle can currently be licensed for the first time if it is 5 years from first registration or older. Further, no vehicle can remain licensed if it is older than 10 years from first registration. The only exception is that wheelchair accessible vehicles can be of any age at both first licensing and thereafter.

REPORT

5. Given the current economic climate, licence holders have made representations seeking to have the age limits removed. This will minimise the need for expenditure on new vehicles which currently acts as a deterrent to drivers renewing licences and reduces availability of taxis/private hires to local residents. It is argued that general MOT inspection allied to ongoing annual examination by Council examiners ensures both the mechanical roadworthiness of the vehicles and their cosmetic appearance irrespective of

age and that this is a more accurate reflection of a car's quality and safety than the age of the vehicle in itself.

6. The legislation dealing with the issuing of Private Hire Car vehicle licences (The Civic Government (Scotland) Act 1982) details that:-

S. 11 (1) The holder of a taxi or private hire car licence ***shall present the taxi or private hire car for inspection and testing by or on behalf of the licensing authority within such period and at such place as they may by notice reasonably require.***

(2) ***An authorised officer of a licensing authority*** (as respects a taxi or private hire car licensed for the area of the authority) , an authorised civilian employee ***or a constable shall have power at any reasonable time to inspect and test, for the purpose of ascertaining its fitness, a licensed taxi or private hire car*** or, for the purpose of testing its fitness or accuracy, any taximeter ***and if he is not satisfied as to the safety of the taxi or private hire car for the carriage of passengers*** or as to the fitness or accuracy of the taximeter he may by notice in writing—

- (a) require the holder of the taxi or private hire car licence to make the taxi, private hire car or taximeter, as the case may be, available for further inspection at such reasonable time and place as may be specified in the notice;
- (b) suspend the licence until such time as an authorised officer of the licensing authority, an authorised civilian employee or a constable is so satisfied

7. In accordance with the aforementioned legislation the Licensing Conditions associated with East Renfrewshire Council Private Hire and Taxi licences state that:-

“The holder of an Operator’s Licence shall require the private hire car to undergo and pass an annual inspection by the Council. On receiving the requisite notice, in writing, from the Council he/she shall produce his/her private hire car for examination at such time and place as may be reasonably required by the Council.”

It is submitted that the consistent use of annual vehicle inspections will ensure the expectations of the taxi fleet of the council are upheld. This is obviously supported by the requirement of every vehicle to undergo an annual MOT inspection, which is of course regulated outwith the realms of the council.

8. It is the writer’s position that the private hire/taxi vehicle inspections carried out to the existing fleet are carried out with precision and rigor. The licensing authority are serious in their approach to any breach of this particular licence

condition. Further, the vehicle inspection reviews not only the exterior or mechanical parts of the motor vehicle that might generally be tested during an MOT but also has stringent criteria for the appropriate presentation of the interior of the vehicle, ensuring the aesthetic enjoyment of the passengers to be carried as a whole. The licensing authority are committed to upholding the standards expected of a vehicle licensed by East Renfrewshire Council. To assist the Committee with their decision a “checklist” of the items inspected at the vehicle inspection is attached (Appendix 1).

9. The additional requirement authorising that a vehicle can be called in to be inspected by the local authority inspector (i.e. the Civic Government Enforcement Officer), the DVLA and the police at any time adds additional insurance in this matter. It means that if there is a concern for the general roadworthiness of a vehicle within the period of the one-year annual inspection then this can be acted upon at the “*reasonable request*” of any of these authorised individuals.
10. In the Taxi and Private Hire Car Licensing: Guidance – third edition which offers “best practice” advice to local licensing authorities it is conceded that

“the setting of an age limit beyond which a licensing authority will not licence vehicles is somewhat arbitrary and disproportionate particularly as it is perfectly possible for a well-maintained older vehicle to be in good condition”.

CONCLUSION

On the basis that routine inspection will ensure both the mechanical safety and cosmetic appearance of licensed vehicles, there appears no fundamental reason why age limits should not be removed. This will both assist drivers to maintain a living in difficult economic times and ensure a sufficiency of licensed vehicles for the benefit and use of the East Renfrewshire public.

RECOMMENDATIONS

11. That the Committee:-

- i) Removes the age threshold for taxi and private hire vehicles at initial point of licensing.
- ii) Removes the upper age threshold for taxi and private hire vehicles.

Report Author: Gerry Mahon Clerk to the Committee and Chief Officer – Legal and Procurement

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1. Vehicle Inspection Checklist

Taxi/ Private Hire Inspection Certificate

Reg No:	Make:	Plate No:	Model:
Mileage:		Passengers:	
Chassis:	Colour:	6 Monthly:	

1 st Inspection		Re-Inspection		Meter Check	
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ITEMS TESTED	PASS	FAIL	DEFECTS/ COMMENTS
DRIVERS COMPARTMENT			
1. CLEANLINESS			
2. DRIVERS SEAT			
3. DRIVERS VIEW OF ROAD			
4. HEATING & VENTILATION			
5. FIRE APPLIANCE			
6. RADIO			
INTERIOR & PASS. COMPARTMENT			
1. CLEANLINESS			
2. DISPLAY OF SIGNS			
3. INTERIOR LIGHTS			
4. INTERIOR TRIM & SEATS			
5. WINDOWS & GLASS			
6. STEP & ENTRANCE			
7. DOORS & FITTINGS			
VEHICLE EXTERIOR			
1. DIMENSIONS			
2. BODY			
ENGINE & LUGGAGE COMPARTMENT			
1. BONNET			
2. BATTERY			
3. ENGINE & ANCILLARIES			
4. FUEL SYSTEM			
5. BOOT			
6. LUGGAGE COMPARTMENT			
ELECTRICAL & TRANSMISSION			
1. ELECTRICAL			
2. TRANSMISSION			
ROAD TEST & ASSOCIATED CHECKS			
1. STEERING & SUSPENSION			
2. ROAD TEST			
3. METER CHECK			
4. WHEELCHAIR FACILITIES			

Overall Result of Taxi Inspection

(Including items tested during DOT Class IV test or East Renfrewshire Council Equivalent)

FAIL	Signed:	Date:
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PASS	Signed:	Date:
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ADVISE:

East Renfrewshire Council Taxi / PLG Inspection

Vehicle Reg Mark:		Make & Model:		Colour:
VIN or Chassis No:		Mileage:		Year:
A. Items Tested	Pass	Fail	Defects / Comments	
Lighting Equipment				
Front & Rear Lamps etc				
Headlamps				
Headlamp Aim				
Stop Lamps				
Rear Reflectors				
Direction Indicators & Hazard Lights				
Steering & Suspension				
Steering Control				
Steering Mechanism/System				
Power Steering				
Transmission Shafts				
Wheel Bearings				
Front Suspension				
Rear Suspension				
Shock Absorbers				
Brakes				
ABS Warning System/Controls				
Condition of Service Brake System				
Condition of Parking Brake System				
Service Brake Performance				
Parking Brake Performance				
Tyres & Wheels				
Tyre Size/ Type				
Tyre Condition				
Roadwheels				
Seatbelts & Restraints				
Mountings/ Condition/ Operation				
General				
Driver's View of the Road				
Horn				
Exhaust System				
Exhaust Emissions				
General Vehicle Condition				
Mirrors				
Fuel System				
Registration Plates & VIN Numbers				
Electrical System				
Engine & Gearbox				

Signed:

(Inspector)

Date:

Name:

(In Capitals)