



## **NOTICE OF THE MEETING OF THE LICENSING SUB-COMMITTEE**

**THURSDAY 12 JANUARY 2023, 10.00am  
VIA DIGITAL MEETING FACILITY**

---

### **Agenda of Business**

#### **Apologies**

#### **Declarations of Interest**

*Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.*

1. Minutes for Approval – Licensing Sub-Committee, 8 December 2022 **(pages 1-6)**
2. Changes to the Taxi and Private Hire Car Guidance – Report by the Head of Corporate Support **(pages 7-10)**

#### **PRIVATE**

3. Consideration of the Fitness and Propriety of an Existing Landlord – Report by the Head of Corporate Support
  - a. *One landlord required to attend* **(pages 11-19)**

#### **NOTE:** Access to Information.

The Committee will exclude the public from item 3 in terms of paragraph 2 (information relating to individual tenants) and paragraph 6 (information relating to the business affairs of particular persons) of Schedule 7A to the Local Government (Scotland) Act 1973.

**Monica Patterson  
Chief Executive  
John Muir House  
Haddington**

**5 January 2023**





**MINUTES OF THE MEETING OF THE  
LICENSING SUB-COMMITTEE**

**THURSDAY 8 DECEMBER 2022  
ONLINE DIGITAL MEETING FACILITY**

**1**

---

**Committee Members Present:**

Councillor C Cassini  
Councillor J Findlay  
Councillor C McFarlane  
Councillor C McGinn (Convener)

**Council Officials Present:**

Mr I Forrest, Senior Solicitor  
Ms S Fitzpatrick, Team Manager – Licensing and Landlord Registration

**Others Present:**

None

**Clerk:**

Ms B Crichton, Committees Officer

**Apologies:**

Councillor J McMillan  
Councillor T Trotter

**Declarations of Interest:**

None

On the occasion of PC Graeme Bairden's retirement from Police Scotland, the Convener placed on record his thanks on behalf of the Licensing Sub-Committee for PC Bairden's work with the Sub-Committee and licensing colleagues, and wished him well in his retirement.

**1. MINUTES FOR APPROVAL – LICENSING SUB-COMMITTEE, 10 NOVEMBER 2022**

The minutes were agreed as an accurate record of the meeting.

**SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION**

The Sub-Committee agreed to exclude the public from item 2 in terms of Paragraph 2 (information relating to individual tenants) and paragraph 6 (information relating to the business affairs of particular persons) of Schedule 7A to the Local Government (Scotland) Act 1973.

**2a. CONSIDERATION OF THE FITNESS AND PROPRIETY OF AN EXISTING LANDLORD – REPORT BY THE HEAD OF CORPORATE SUPPORT**

The Sub-Committee agreed that no action would be taken and the landlord registration would be allowed to continue.

**2b. CONSIDERATION OF THE FITNESS AND PROPRIETY OF AN EXISTING LANDLORD – REPORT BY THE HEAD OF CORPORATE SUPPORT**

The Sub-Committee agreed to continue the report to the January 2023 meeting.











**REPORT TO:** Licensing Sub-Committee  
**MEETING DATE:** 12 January 2023  
**BY:** Head of Corporate Support  
**SUBJECT:** Changes to the Taxi and Private Hire Car Guidance



**2**

---

**1 PURPOSE**

- 1.1 The report seeks approval to amend the existing Taxi and Private Hire Car (PHC) guidance to mirror neighbouring Council schemes, thereby meeting updated accessibility standards, reducing the industry carbon footprint and encouraging a better public perception of the taxi trade in East Lothian.

**2 RECOMMENDATIONS**

- 2.1 Restrict the type of vehicle that can be licensed as a taxi and include features deemed essential under the Disability Discrimination Act (2005) as amended phased in by 1 April 2025.
- 2.2 Restrict the type of vehicle that can be licensed as a Private Hire Car. This recommendation would reduce Private Hire Car CO2 emissions significantly, phased in by 1 April 2025.

**3 BACKGROUND**

- 3.1 East Lothian Council's Taxi and PHC guidance notes are under review to bring them in line with current legislation. This proposed change would take effect immediately in relation to replacement taxi vehicles. The first consideration is that of suitable vehicles for use as a taxi meeting the requirements of the Disability Discrimination Act 2005. Motor vehicles of a type or model which holds a valid European Whole Vehicle Type Approval as an M1 vehicle, is purpose built for use as a Licenced Vehicle, and is Euro 6 emissions compliant will be deemed suitable. A list of currently available base vehicles is as follows;

- Mercedes-Benz Vito
- Ford Transit Custom
- LTI TX5
- Renault Traffic

- 3.2 In addition, these vehicles can only be licensed as taxis if they meet the new accessibility standards. These standards require that all vehicles must have the following features installed to the satisfaction of the Licensing Authority:
- Side-loading access
  - Wheelchair access by means of a suitable ramp
  - Hi-visibility interior features
  - Interior grab rails
  - A step
  - A loop system for the hard of hearing
  - Auto door locks which operate when the vehicle is moving.
- 3.3 In relation to the arrangements for taxis converting to the new standard, the Council should recommend that all taxi vehicles must be changed for one of the approved vehicle types and comply with the above accessibility standard by 1 April 2025. Licenses for taxi vehicles not meeting the new standards, as at that date, will be suspended. Current restrictions on vehicle age at replacement will still stand.
- 3.4 In relation to restricting the type of vehicle used as a private hire car in line with neighbouring council bodies, the approved criteria for PHC vehicles are that they must have a minimum of four separate doors (excluding rear-facing doors), have exactly four passenger seats if it is a saloon vehicle, or exactly eight passenger seats for multi passenger vehicles (MPVs).
- 3.5 A saloon car type vehicle must have a minimum back seat cushion width of 125cm.
- 3.6 Diesel/petrol powered vehicles and alternative fuelled vehicles such as electric and hydrogen will have a minimum power output of 94 hp/75PS.
- 3.7 All saloon type vehicles should have a maximum CO2 emission level of 150g/km for diesel vehicles and a maximum CO2 emission level of 165g/km for petrol vehicles and be Euro 6 compliant. This includes hybrid solutions.
- 3.8 Vehicles with 8 seats (MPVs) must have a CO2 emission level not exceeding 225g/km for either diesel or petrol powered vehicles and be Euro 6 compliant. This includes hybrid solutions.

## **4 POLICY IMPLICATIONS**

- 4.1 None.

## **5 INTEGRATED IMPACT ASSESSMENT**

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

## **6 RESOURCE IMPLICATIONS**

- 6.1 Financial – None.  
6.2 Personnel – None.  
6.3 Other – None.

## **7 BACKGROUND PAPERS**

- 7.1 Conditions of Fitness of Taxis and Private Hire Cars in East Lothian, May 2021.  
7.2 Disability Discrimination Act (2005) as amended.  
7.3 The Equality Act (2010) as amended.  
7.4 Statutory Guidance, Access to taxis and private hire vehicles for disabled users, published 20 June 2022.

<b>AUTHOR'S NAME</b>	Alan Kelley
<b>DESIGNATION</b>	Transport Compliance Officer
<b>CONTACT INFO</b>	akelley@eastlothian.gov.uk
<b>DATE</b>	19/10/2022

