



Midlothian

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

LICENSING OF TAXIS

NOTES FOR GUIDANCE

- 1 A Taxi Licence is required for the operation of a vehicle as a Taxi, i.e. a vehicle which plies for hire in Midlothian. Applications can be made on the relative application form, copies of which are available from the Council Office, Midlothian House, 40-46 Buccleuch Street, Dalkeith.
- 2 All questions must be answered. Failure to do so may result in the application being delayed or possibly conviction.
- 3 Completed application forms must be lodged with Midlothian Council, Midlothian House, 40- 46 Buccleuch Street, Dalkeith, EH22 1DN.

Fees payable by debit/credit card - T 0131 271 3529 – Licensing Section

- 4 Guidance Note

The Rehabilitation of Offenders Act 1974 refers to a conviction as any finding by a court that a person has committed a criminal offence.

Although you are not required to disclose any ATPs which are “spent” in terms of the 1974 Act, the Police may raise an objection on the basis of spent ATPs and the Council as licensing authority may decide to consider these if they are thought necessary to determine your application.

As an alternative to prosecution through the courts, a person may be given an ATP.

You would have been given an ATP in respect of an offence in the following circumstances:

- (a) you have been given a warning by a constable or a procurator fiscal;
- (b) you have accepted or are deemed to have accepted a conditional offer to pay a fixed penalty issued under section 302 of the Criminal Procedure (Scotland) 1995 Act (“the 1995 Act”) or a compensation offer issued under section 302A of the 1995 Act, and this includes, by implication, acceptance or deemed acceptance of a combined fixed penalty and compensation offer which can be made under section 302B of the 1995 Act;

- (c) you have had a work order made against you under section 303ZA of the 1995 Act, offering you the opportunity of undertaking unpaid work;
- (d) you have been given a fixed penalty notice under section 129 of the Antisocial Behaviour etc. (Scotland) Act 2004; or
- (e) you have accepted an offer from a procurator fiscal to undertake an activity or treatment or to receive services.

An ATP given in respect of categories (A) and (D) become spent at the time they are given whilst those in categories (B), (C) and (E) become spent after 3 months from the date on which they are given.

Many road traffic offences are dealt with through the issue of Fixed Penalties under the Road Traffic Offenders Act 1988. These are not ATPs and therefore can be considered by the Committee.

If you are uncertain as to the details/dates of any crimes or offences you should contact Disclosure (Scotland) Tel.No 0870 609 6006 or www.disclosurescotland.co.uk. The search attracts a fee payable to Disclosure Scotland.

Alternatively you can also call at any police office and pick up the appropriate Data Protection Form, requesting '*subject access*' to your record.

- 5 The application fee is £102.00. On receipt of the application, the Council will consult the Chief Constable and he will report on the background of the individual. If authority is given for the grant of the Licence a further fee of £461.00 is payable.
- 6 Following payment of the licence fee the applicant will be invited to make an appointment for the examination of the vehicle with the Taxi Examination Centre, 33 Murrayburn Road, Edinburgh (Telephone 0131-529-5800). The vehicle must be presented for examination within a period of eight weeks. Charges of **£77** will be made for re-inspections, **£137** will be made for cancellation of appointments at the Taxi Examination Centre and **£77** will be made for examinations to permit vehicles to go back on the road following 'Red Sticker' violations. (No inspections will be conducted on Friday afternoons).
- 7 When the vehicle has been examined and found satisfactory, the Identification Plates should be collected from Midlothian House and fitted before any licensed activity commences.

The conditions of fitness are as shown in **Appendix I**. Basically the vehicle must be of the standard metropolitan style with a partially glazed partition separating the passenger(s) from the driver. When presented for examination it should be free of road dirt, grease, etc. (The licensing, as Taxis, of 'People Carrier' type vehicles is approved subject to the normal conditions but exempting such vehicles from the need to comply with the condition relating to wheel turning circle.)

- 8 The holder of a taxi licence shall only be permitted to display on the taxi-sign, a triangular red pennant or flat measuring 20cm x 30cm (maximum) bearing the name of his company and its telephone number in letters and figures not less than 3cm in height of proportionate breadth and in a colour conspicuously different from that of

the pennant or flag, provided that the colour or dimensions of the letters and figures shall be subject to the approval of the Council.

- 9 The maximum permitted level of tint in the glass contained in the front windscreen and the doors for the front passenger and driver, when measured against the light meter at the Taxi Examination Centre, is 25% in terms of the Construction and Use Regulations; and the level in respect of all other window glass is 35% + or – 2%.
- 10 The Taxi should be Wheelchair accessible, otherwise, it will not be licensed.
- 11 Prospective licensees should indicate the identity of the driver(s) who will drive the vehicle.
- 12 Taxi licensees are required to keep a list of Taxi Drivers driving for them and copies thereof should be submitted every three months to the Council.
- 13 The fare tariff shown in **Appendix II** is applicable.
- 14 Any changes in material circumstances must be intimated by means of the appropriate application form and the relative fee of **£77**.
- 15 Vehicles must have an engine capacity of no less than 1600 cc., or a “Power to weight ratio equal to or greater than 0.0690hp per kg”, have four side doors and have a minimum rear seat cushion width of 1.07 metres. The conditions of fitness are as shown in Booklet.

Business Gateway Midlothian

If you are starting a business, or if you already run your own business and could use some extra support and advice please email BG@midlothian.gov.uk to register, an Adviser will then be allocated to provide a range of support services for businesses including support from a network of partners.

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ADVERTISING

Advertising on Taxis

Advertising on Taxis is not permitted without the prior written consent of the Council. To seek permission, an application for a variation of the prohibition to display signs for the purpose of advertising should be submitted.

Application for a variation of the prohibition to display signs for the purpose of advertising, can be made on the relative application form, copies of which are available from the Council Office, Midlothian House, 40-46 Buccleuch Street, Dalkeith. Completed application forms must be accompanied by (a) two copies of the proposed advertisement in full colour and samples of materials used or in the case of Full Livery, Full Colour Five View Artwork; and (b) cheques/postal orders made payable to Midlothian Council or cash. If application forms are delivered by hand, applicants or their agents should deliver them to Reception, Midlothian House, 40-46 Buccleuch Street, Dalkeith.

The application fees are as follows:-

Interior Advertisements	£28.00
Exterior doors (including interior advertising)	£72.00
'Superside'	£86.00
Full livery (including interior advertising)	£149.00

On receipt of the application, the Council will consult the Chief Constable.

If the proposal complies with the criteria contained in **Appendix III** hereto, the licensee will be asked to make the necessary arrangements to have the advertising material applied; and thereafter make arrangements with the Taxi Examination Centre to have the advertisement examined. The permission will take effect from the date of issue of approval by the Taxi Examination Centre; and will subsist for the duration of the advertising contract.

Depending on the extent of the advertising you may wish to consider advising (a) DVLC and (b) your insurance company of the changes which are being considered.

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MIDLOTHIAN COUNCIL

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

FARE TARIFF WITH EFFECT FROM 02 NOVEMBER 2022

Taxi Fares

For 1 or 2 passengers	Tariff 1	Tariff 2	Tariff 3
For the initial hire not exceeding 339m For the initial period of waiting time of 60 seconds For a combination of time and distance	£3.00	£3.80	£4.50
For each additional 168.3m For each additional 30 seconds of waiting time For a combination of additional time and distance	£0.25	£0.25	£0.40

Tariff 1 – Monday – Friday 6am – 6pm

Tariff 2 – 6pm to 6am Monday to Friday and from 6pm on Friday to 6am Monday

Tariff 3 - Christmas and New Year – Between 6pm on 24 December and 6am on 27 December and 6pm on 31 December and 6am on 3 January

Only 2 children under 12 years will be reckoned as one passenger. No extra fare will be charged for one child under 5 years. Each passenger must be properly seated.

Extra Payments

When more than 2 passengers - £0.20 each
Cleaning Fee – Travel Sickness - £50.00

Pre-bookings – Call Out Charge - £0.60
Cancellation Fee - £2.00

Airport Charges

It will be the responsibility of the passenger(s) to meet and charges imposed by an airport for waiting, setting down and picking up

NOTES:

- 1 Fares applicable only in Midlothian.
- 2 Any hire which terminates outwith Midlothian – fare by agreement before journey.

APPENDIX III

APPENDIX - ADVERTISING ON TAXIS

- 1 Advertisements may only be displayed in the interior of taxis on the underside of the tip up seats and across the bulkhead above the dividing glass screen.
Advertisements on the exterior of taxis will be categorised as either door or full livery. Door advertisements may only be fitted to the lower panels of the front and rear doors. No material may be placed on the dividing glass screen other than notices approved by the Council.
- 2 Only one corporate image company or brand may be advertised on the interior of a taxi and no secondary advertising of any kind will be permitted on the outside of a taxi including in this prohibition the name of the company preparing the taxi or the advertising agency.
- 3 The permitted sizes of advertisements are as follows:-

Bulkhead	61cm x 8cm
Tip up seats	33cm x 30.5cm
Single door	76cm x 46cm
Double door	185cm x 46cm
- 4 Materials used for advertisements must be of a quality not easily defaced or detached. No paper based materials or water soluble adhesive paste shall be used. Advertisements must be affixed directly to the body of the taxi or initially attached to an approved magnetic panel which is then attached to the taxi.
- 5 Interior advertisements on the underside of the tip-up seats must be encapsulated in clear non-flammable plastic and bulkhead advertisements must be manufactured of rigid laminated plastic or such other shatterproof material approved from time to time by the Cab Inspector.
- 6 All advertisements must comply with the British Code of Advertising Practice issued by and amended from time to time by the Advertising Standards Authority. Each application will be considered on its own merits but advertisements will not be approved if they contain political, ethnic, religious, sexual or controversial texts; advertise tobacco products; display nude or semi-nude figures; are likely to offend public taste; depict men, women or children as sex objects; depict direct and immediate violence to anyone shown in the advertisement or anyone looking at it; advertise any racist group or organisation which intends to promote the group/organisation and/or any of its activities.
- 7 Until final approval is given an advertisement cannot be displayed or in the case of full livery the taxi cannot ply for hire.