

**South Ayrshire Council**

**Report by Chief Governance Officer  
to Cabinet  
of 17 February 2026**

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**Subject: Civic Government (Scotland) Act 1982 – Taxi and Private Hire Policy Review**

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**1. Purpose**

1.1 The purpose of this report is to seek Cabinet's agreement to carrying out a consultation with taxi and private hire trade on the Council's Policy, Guidelines and Code of Conduct applicable to the Licensing, Operation and Testing of Taxis and Private Hire Cars ('the Policy').

**2. Recommendation**

**2.1 It is recommended that the Cabinet:**

**2.1.1 notes the terms of this report;**

**2.1.2 requests the Chief Governance Officer to carry out a consultation with the taxi and private hire trade on the Policy in order to establish views on the following:**

**(i) the additional areas being considered for introduction into the Policy, which are:**

- **medicals for drivers;**
- **criminal record checks for non-UK national applicants and applicants that have spent a significant time abroad**
- **CCTV for vehicles**
- **extended time limits for retiral of electric and hybrid vehicles as taxi and private hire vehicles in South Ayrshire;**

**(ii) the current Policy and whether there are any further areas the trade would like the Council to consider reviewing;**

**2.1.3 requests the Chief Governance Officer to:**

**(i) seek the views of the Co-ordinator – Licensing and the Civic Licensing Standards Officer and Co-ordinator - Fleet regarding 2.1.2 (i) and any feedback received from the trade in terms of 2.1.2 (i) and (ii);**

- (ii) **seek the view of the Co-ordinator – Sustainability, Climate Change and Nature regarding extended time limits for retiral of electric and hybrid taxi and private hire vehicles; and**
- (iii) **request the Co-ordinator – Licensing to carry out a Policy wording review ensure it is clear and concise.**

### **3. Background**

- 3.1 Taxi and private hire vehicle operators and drivers are licensed under the Civic Government (Scotland) Act 1982 and operated under the Policy, Guidelines and Code of Conduct applicable to the Licensing, Operation and Testing of Taxi and Private Hire Cars (‘the Policy’). The Policy has regulated the licensing of taxis and private hire vehicles since Kyle and Carrick District Council, with South Ayrshire Council adopting the Policy on 29 April 1996, with a note for review in due course. There have been various amendments over the years, the most recent being an extension to the age limit at which a vehicle must cease to be used as a taxi or private hire vehicle which was approved by Cabinet on 25 September 2024. At this meeting, Members discussed whether it was appropriate for electric and hybrid vehicles to have an additional age limit and it was agreed to report back to Cabinet at a future date on this issue.
- 3.2 Whilst discussing this request, officers considered what other areas could be introduced into the Policy to both improve the regulation of licensing taxi and private hire vehicles and to bring the Policy up to date with government guidance. Officers noted duplications in the Policy and saw this as an opportunity to review the Policy wording to ensure it is clear, concise and user friendly. A discussion was held with Cllr Kilbride, who was then Policy Lead for Buildings, Housing and Environment, who agreed with the proposal to consider additional areas for introduction and to review the Policy wording.
- 3.3 Officers met with Councillor Bob Shields following his appointment as Policy Lead for Planning and Regulatory Services to agree the approach to this review.

### **4. Detail**

- 4.1 Officers have identified, in addition the requests on electric and hybrid cars, three additional areas they would like Cabinet to consider introducing to the Policy. These are:

#### **4.1.1 *Medicals for Drivers***

When a taxi or private hire driving licence is applied for, applicants are not required to undertake a medical examination or adhere to any standard other than what is required to hold a UK driving licence. If a licence holder discloses a medical issue to Licensing during the period of their licence, this is dealt with on a case by base basis. The DVLA has 2 standards, Group 1 and Group 2 which relate to the type of vehicle being driven, Group 1 generally covers cars and motorbikes, and Group 2 generally covers GGV (category C) large lorries and buses. The Scottish Government guidance for Taxi and Private Hire licensing (3 edition) advises that due to taxi and private hire drivers being occupational drivers who spend a considerable length of time at the wheel, local authorities

may wish to consider whether the Group 2 medical standard is appropriate for either all drivers or certain categories of drivers.

#### 4.1.2 ***Criminal Records Checks for Non-UK National Applicants (and applicants who have spent a significant time abroad)***

When a taxi or private hire driving licence is applied for, Police Scotland are consulted on the application and provide a criminal record check for the applicant. Police Scotland are unable to confirm the existence of any foreign offence for the applicant. The Scottish Government guidance for Taxi and Private Hire licensing (3 edition) advises that local authorities may wish to consider a policy on applicants from other countries. For example, a policy may require applicants to provide any details of any countries outside the UK that they have lived in for a period of 6 months or more since they were born and for each country disclosed, to provide a criminal record check for that country.

#### 4.1.3 ***CCTV for Vehicles***

Neither the Policy nor the conditions attached to a taxi or private hire vehicle licences include provisions on CCTV in vehicles. Licensing receive enquiries from time to time from licence holders who wish to install CCTV in their vehicle and are looking for guidance in terms of whether this is acceptable and the terms of use for the CCTV. Licensing refers a licence holder to the Information Commissioner's Office website for guidance and also give advice, if asked, on the positioning of the CCTV in the vehicle, but these are dealt with on a case-by-case basis and there are no standard terms which govern this area.

#### 4.1.4 ***Electric and Hybrid Vehicles***

The Policy does not distinguish between electric and hybrid vehicles on the one hand, and petrol/diesel vehicles on the other, and the time limit at which a vehicle must cease to be used as taxi or private hire is the same. At the Cabinet meeting on 25 September 2024, there was a discussion on whether it was appropriate to have a longer time limit for electric and hybrid vehicles due to emissions being lower for this type of vehicle and the initial cost of purchasing this type of vehicle was higher. This was agreed to be brought back to a future meeting.

4.1.5 For all three areas in 4.1.1 – 4.1.3, these areas have not been previously considered by the Council for inclusion in the Policy. It is appropriate to consider these areas now to ensure high public safety standards are maintained and to provide consistency and clarity to applicants and licence holders.

4.2 The Policy as it currently stands covers responsibilities of taxi and private hire drivers and operators, taxi and private hire specification and the test procedure for vehicles. The conditions of driver and operator licences in the Policy contain many of the same provisions and it is therefore proposed that a review of the Policy wording is carried out to remove duplications and to ensure Policy wording is sufficiently clear and concise. For the avoidance of doubt, this would generally not include substantive changes to the content of the Policy but would streamline the Policy into a clearer and more user-friendly format. Any proposed changes would be brought before Cabinet at the next stage in the review.

4.3 Licensing hold regular forum meetings with the taxi and private hire trade representatives (the “Taxi Forum”), and they are aware of the intention to consider the four areas in 4.1.1 – 4.1.4 for inclusion in the Policy. The Taxi Forum would welcome the opportunity to be consulted on these areas and the Policy in general. For example, the Policy states that a first aid kit and fire extinguisher must be carried in the vehicle. The general consensus of the Taxi Forum is that this requirement is not necessary, and they would like this requirement to be reviewed. This review of the Policy allows these requests to be simultaneously considered.

## **5. Legal and Procurement Implications**

5.1 The Civic Government (Scotland) Act 1982 makes provision for the licensing of taxis and private hire car operators and drivers and the Policy will adhere to the provisions of this legislation.

5.2 There are no procurement implications arising from this report.

## **6. Financial Implications**

6.1 The consultation exercise can be undertaken from within current resources.

## **7. Human Resources Implications**

7.1 Not applicable.

## **8. Risk**

### ***8.1 Risk Implications of Adopting the Recommendations***

8.1.1 There are no risks associated with adopting the recommendations.

### ***8.2 Risk Implications of Rejecting the Recommendations***

8.2.1 If Members reject the recommendations for consultation, the trade will not have the opportunity for their views to be heard and the Policy may not be the best version it can be. There is also a reputational risk to the Council of not engaging with stakeholders

## **9. Integrated Impact Assessment (incorporating Equalities)**

9.1 Officers will carry out a scoping exercise when reviewing the Policy to ascertain if a full integrated impact assessment is required and this will be included with the future report to Cabinet.

## **10. Sustainable Development Implications**

10.1 ***Considering Strategic Environmental Assessment (SEA)*** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

## 11. Options Appraisal

11.1 An options appraisal has not been included in this report as this report is seeking approval to consult only at this stage.

## 12. Link to Council Plan

12.1 The matters referred to in this report contribute to *Priority Two* of the Council Plan: Live, Work, Learn/ Work and Economy (Outcome 2).

## 13. Link to Shaping Our Future Council Yes No

13.1 Not applicable.

## 14. Results of Consultation

14.1 The report is seeking approval to consult therefore no consultation has been carried out at this stage.

14.2 Consultation has taken place with Councillor Bob Shields, Policy Lead for Planning and Regulatory Services, and the contents of this report reflect any feedback provided.

## 15. Next Steps for Decision Tracking Purposes

15.1 If the recommendations above are approved by Members, the Chief Governance Officer will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

Implementation	Due date	Managed by
Consultation commenced	28 February 2026	Service Lead – Legal and Licensing
Report to Cabinet on consultation	25 August 2026	Chief Governance Officer

**Background Papers** [Policy, Guidelines and Code of Conduct applicable to the Licensing, Operation and Testing of Taxis and Private Hire Cars](#)

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