



Air Weapons and Licensing (Scotland) Act 2015

2015 asp 10

PART 3

CIVIC LICENSING

Taxis and private hire cars

63 Refusal to grant private hire car licences on grounds of overprovision

In section 10 of the Civic Government (Scotland) Act 1982 (“the 1982 Act”) (taxi and private hire car licences), after subsection (3) insert—

“(3A) Without prejudice to paragraph 5 of Schedule 1, the grant of a private hire car licence may be refused by a licensing authority if, but only if, they are satisfied that there is (or, as a result of granting the licence, would be) overprovision of private hire car services in the locality (or localities) in their area in which the private hire car is to operate.

(3B) It is for the licensing authority to determine the localities within their area for the purposes of subsection (3A) and in doing so the authority may determine that the whole of their area is a locality.

(3C) In satisfying themselves as to whether there is or would be overprovision for the purposes of subsection (3A) in any locality, the licensing authority must have regard to—

- (a) the number of private hire cars operating in the locality, and
- (b) the demand for private hire car services in the locality.”.