
EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates the use of premises for the carrying on of a business, part of which consists of taking bookings from members of the public for the hire of taxis or private hire cars, as an activity for which a licence is required under the Civic Government (Scotland) Act 1982 (“the Act”) (article 2). The licensing regime does not apply if the number of vehicles for which bookings are taken is less than 4.

The licensing provisions in Part I of the Act (including Schedule 1) will apply to such licences with the modifications set out in the Schedule to the Order—

- (a) granting a power to search unlicensed premises to authorised officers of the licensing authority (paragraph 2);
- (b) attaching certain mandatory conditions to the grant or renewal of licences relating to records of bookings taken (paragraph 3); and
- (c) providing additional definitions in Schedule 1 to the Act (paragraph 5).

The Order requires the designated activity to be licensed from 16th November 2009 but transitional provision is made where an application is made before that date for the grant of an appropriate licence (article 4). In such a case, the activity may be carried on (without a licence) until the licensing authority has made a decision on the licence and, where a decision to refuse an application is then appealed, until that appeal has been disposed of.

A regulatory impact assessment has been prepared in respect of this Order. A copy of it can be obtained from the Scottish Government Transport Directorate, Victoria Quay, Edinburgh, EH6 6QQ. A copy has also been published on the Scottish Executive web site at www.scotland.gov.uk.