

Agenda item	<b>9.1</b>
Report no	<b>HLC/060/23</b>

## **THE HIGHLAND COUNCIL**

**Committee:** THE HIGHLAND LICENSING COMMITTEE

**Date:** 1 August 2023

**Report title:** Taxi Operator's licence – Vladut Tamirjan (Ward 15 - Inverness Ness-Side)

**Report by:** Acting Principal Solicitor – Regulatory Services

### **1. Purpose/Executive summary**

#### **1.1 Summary**

This report relates to a licensed taxi operator who has been reported for a breach of licence conditions.

This item is subject to a formal hearing procedure.

### **2. Recommendation**

**2.1** Members are asked to determine in accordance with the Council's hearings procedure, whether the licence holder continues to be a fit and proper person to hold a taxi operators' licence and/or whether the carrying out of the activity to which the licence relates is likely to cause a threat to public safety. Upon determining this, members are asked to decide whether any action should be taken against the licence holder in the form of a suspension or revocation of his licence.

### **3. Background**

- 3.1** The Highland Council has resolved that in terms of the Civic Government (Scotland) Act 1982 (the “Act”) a licence will be required for the operation of a taxi. A licence for the same is issued by the Highland Council and is valid for the whole Council area.

### **4. Licence Holder**

- 4.1** Vladut Tamirjan is a licensed taxi operator. His licence expires on 8 November 2025.

### **5. Highland Council Penalty Points System for Taxi and Private Hire Operators**

- 5.1** Highland Council (Trading Standards) introduced a Penalty Points System on 01 July 2006 to assist in the assessment of the level of compliance shown by each operator in relation to conditions 1 and 2 of a Taxi operator’s licence. When the points on an operator’s licence reach 20 or more during a two year rolling period, the operator becomes the subject of a report to the Highland Licensing Committee.
- 5.2** On 4 July 2023 a report in relation to Mr Tamirjan was received from the Council’s Trading Standards Service who are responsible for the enforcement of the licensing scheme for taxi/private hire cars and their drivers. A copy of the report received from Trading Standards is attached as Appendix 1 together with copies of productions which are attached as Appendix 2.
- 5.3** The report has been submitted due to Mr Tamirjan accruing a total of 28 points on Taxi Operator Licence no. 11 880 and for failing to maintain his licensed taxi to the standards required by the Licensing Authority.
- 5.4** Members will note that the Trading Standards report refers to licence number 21 0325. Administratively, applications for taxi operators licences are processed in the area in which the applicants/licence holders reside. Mr Tamirjan used to reside in Dingwall and his taxi operators licence was previously issued by the Dingwall Licensing office. This was licence no. 21 0325. He then moved to Inverness and his renewal application, which was submitted in July 2022, was processed by the Inverness Licensing office. The licence was issued on with an Inverness licence number, 11 880. Licence no 21 0325 is therefore no longer relevant and can confirm that he only has one taxi operators licence, 11 880.

### **6.0 Process**

- 6.1** A copy of the report and all attachments have been sent to Mr Tamirjan who, in terms of Paragraph 4(2) of the Civic Government (Scotland) Act 1982, has been invited to attend and will be provided with an opportunity to be heard by the Committee. A copy of the procedure which will be followed at the meeting has also been sent to Mr Tamirjan.

### **7. Consideration of action to be taken**

- 7.1** In terms of Section 11 of Schedule 1 of the Civic Government (Scotland) Act 1982 a Licensing Authority may suspend a licence(s) on the following grounds:
- (a) if in their opinion the holder of the licence is no longer a fit and proper person to hold the licence(s);
  - (b) the carrying on of the activity to which the licence relates has caused, is causing or is likely to cause undue public nuisance or a threat to public order or public safety;
- or

(c) a condition of the licence has been contravened.

**7.2** If Members are not of a mind to suspend the licence, the Committee could require the operator to present his vehicle for inspection on a more frequent period than the current 6 or 12 months inspection regime e.g. every 3 months. This would allow Trading Standards an opportunity to undertake more regular monitoring of the vehicle.

## **8. Policies and Conditions**

**8.1** The standard taxi operator's licence conditions are relevant to this case and can be accessed via the following link:

[https://www.highland.gov.uk/downloads/file/3516/taxi\\_operator\\_conditions\\_of\\_licence](https://www.highland.gov.uk/downloads/file/3516/taxi_operator_conditions_of_licence)

In terms of condition 1 of the Taxi operator's licence conditions, 'The holder of a taxi operator's licence shall ensure that the taxi, including all body work, upholstery, and fittings, is maintained in a safe and serviceable condition and, subject to prevailing road conditions, is in a clean condition and of smart appearance.

## **9. Implications**

**9.1** Not applicable.

Date: 11 July 2023

Author: Michael Elsey

A copy of the report received from Trading Standards is attached as Appendix 1 together with which are attached as Appendix 2.

Appendix 1: Trading Standards report

Appendix 2: Copies of productions

# **CIVIC Government (Scotland) Act 1982**

## **Penalty Points System for Licensed Taxi and Private Hire Car (PHC) Operators and Drivers**

**Reference No TS/CG(S)/APP/110880**

Against: Vladut Tamirjan Age: [REDACTED] DOB: [REDACTED]  
Address [REDACTED]

Licence Held: Taxi Operators Licence 11 0880 (Previously 21 0325)

Expiration Date: 08/11/2025

Current Vehicle: Ford Galaxy VRM: DS17 ZSZ

Date of first registration: 10/05/2017

Mileage at last inspection: 73929

Previous vehicle: Ford Galaxy VRM: FL13 ZZW

Date of first registration: 03/07/2013

Mileage at last inspection: 170275

Previous vehicle: BMW 5 Series VRM: SH59 XRC

Date of first registration: 23/11/2009

Mileage at last inspection: 109104

Penalty Points Total as of 07/03/2023: 28 Points

Reporting Officer: Bobby Smeaton

Designation: Enforcement Officer

Address: Highland Council  
Trading Standards  
38 Harbour Road  
Inverness,  
IV1 1UF

Telephone Number: 01463 644574

**It is reported that:**

Mr Tamirjan has failed to maintain his licensed taxi to the standard required by the Licensing Authority, Highland Council, contrary to condition 1 of the Taxi Operator's Conditions of Licence, as demonstrated by the result of three vehicle inspections, carried out by the Highland Council approved contractor.

**Background Information**

The penalty points system was introduced on 1<sup>st</sup> July 2006. Its purpose is to assist Trading Standards in the evaluation of how well licensed operators maintain their vehicles.

Points accumulate when faults are found during the Council's inspection of licensed vehicles or during 'on the spot' inspections by Trading Standards staff. An appeal system is in place, which allows an Operator to question the allocation of points.

When the points total reaches 20 or more during a two-year rolling period, the Operator becomes the subject of a report to the Licensing Committee.

*(Production Number 1. Penalty points tariff).*

## **Summary of Facts and Evidence**

This report relates to the licensed vehicle(s) operated by VLADUT TAMIRJAN, on licence numbers 11 0880 and 21 0235. The vehicle on 11 0880 was a Ford Galaxy, vehicle registration mark FL13 ZZJ and prior to this was BMW 5 Series SH59 XRC. The second vehicle was also licenced on 21 0325. The licences have accrued 28 penalty points between them since 15<sup>th</sup> November 2021, for faults identified during three inspections of the licensed vehicle(s), carried out by the Council's contractor. This matter is reported as the penalty points total has accumulated to more than 20 points between both licences within a two-year rolling period. The Licence 21 0325 was surrendered at the time it changed to 11 0880.

## **Antecedents**

Mr Tamirjan currently holds taxi operator's licence 11 0880 which was renewed on 09/11/2022 and is valid until 08/11/2025. Mr Tamirjan previously held taxi operators licence 21 0325. The present vehicle is the fourth vehicle to be operated over both licences.

## **Evidence relating to licence 21 0325**

Inspection by the Council's contractor of the licensed vehicle on 15<sup>th</sup> November 2021 resulted in a failure with three faults being identified: offside rear driveshaft boot leaking, handbrake readings below legal requirement and offside rear tyre below legal limit. In the opinion of the examiner the vehicle was dangerous to drive. This failure accrued 12 penalty points.

A suspension notice in terms of Section 11 of the Civic Government (Scotland) Act 1982, was issued to Mr Tamirjan.

This notice effectively prohibited the use of the vehicle as a licenced taxi until such time that the faults were rectified and the vehicle re-inspected by the Council contractor.

*(Production number 2. Taxi test report form dated 15/11/21).*

*(Production Number 3. Suspension notice dated 15/11/21).*

The vehicle was presented for a retest on 23<sup>rd</sup> November 2021 and passed the inspection.

*(Production Number 4. Taxi test report form dated 23/11/2021).*

On 10<sup>th</sup> February 2022, a warning letter for accruing 10 point or more, as prescribed by the Penalty Points System was sent to Mr Tamirjan via post.

*(Production Number 5. Warning Letter dated 10/02/22)*

The vehicle was inspected again on 2<sup>nd</sup> June 2022 and failed on the handbrake limits being below the legal requirement. The operator was issued 5 penalty points.

A suspension notice in terms of Section 11 of the Civic Government (Scotland) Act 1982, was issued to Mr Tamirjan.

*(Production Number 6. Taxi test report dated 02/06/22)*

*(Production Number 7. Suspension notice dated 02/06/22).*

The vehicle was presented for a retest on 10<sup>th</sup> June 2022 and passed the inspection.

*(Production Number 8. Taxi test report form dated 10/06/2022).*

### **Evidence relating to licence 11 0880**

Mr Tamirjan substituted the vehicle on his operators licence on the 9<sup>th</sup> November 2022 to Ford Galaxy VRM: FL13 ZZP.

This vehicle was presented for its 6 monthly inspection on 7<sup>th</sup> March 2023 and failed on the following safety aspects:

1. Nearside front sidelight not working
2. Exhaust emissions above plate limit
3. Central middle row seatbelt not functioning
4. Nearside front anti roll bar dust cover split

The operator was issued 11 penalty points in respect of these faults.

A suspension notice in terms of Section 11 of the Civic Government (Scotland) Act 1982, was issued to Mr Tamirjan.

*(Production Number 9. Taxi test report dated 07/03/23)*

*(Production Number 10. Suspension notice dated 07/03/23)*

The vehicle was presented for a retest on 14<sup>th</sup> March 2023 and passed the inspection.

*(Production Number 11. Taxi test report dated 14/03/23)*

On 10/05/2023 Mr Tamirjan substituted the vehicle on taxi operators licence 11 0880 to Ford Galaxy FL17 DSZ.



Current operating protocols of the penalty points system require that when an Operator reaches 20 or more points, they are interviewed by Trading Standards Staff, to ascertain if there is any reason that points should not have been allocated to the licence prior to being reported to the Licensing Committee.

Trading Standards Staff interviewed Mr Tamirjan on 21<sup>st</sup> June 2023. He was duly notified that the points on his PHC operator's licence had exceeded the threshold and asked if he had any mitigating circumstances for this. Mr Tamirjan did not have any mitigating circumstances and had not had the vehicle checked over by a suitable garage prior to submitting the vehicle for its taxi inspection. He was therefore informed that the matter would be reported to the licensing committee for their consideration.

Mr Tamirjan stated that the vehicle which most recently accrued points had been replaced and expressed his willingness to have the current vehicle pre-inspected in future to avoid potential penalty points accruing on his operators licence going forward.

Mr Tamirjan stated that he was not previously aware of the penalty points system in place. TS staff advised Mr Tamirjan that this information is given to operators at the point of issue of their licence and that it is available on the Highland Council website.

#### Evidence held by Trading Standards:

Number	Description
1	Penalty Points Tariff
2	Taxi test report form dated 15/11/21
3	Suspension notice dated 15/11/21
4	Taxi test report form dated 23/11/21
5	Warning Letter dated 10/02/22
6	Taxi test report dated 02/06/22

- 7 Suspension notice dated 02/06/22
- 8 Taxi test report form dated 10/06/22
- 9 Taxi test report form dated 07/03/23
- 10 Suspension notice dated 07/03/23
- 11 Taxi test report dated 14/03/23

**This leaflet is designed to explain the penalty points system in operation within Highland Council and provide basic guidance to Taxi and PHC operators and drivers on its use. It is not a complete or an authoritative statement of the law relating to taxi and PHC businesses.**

## **1. What is it?**

- 1.1. The Penalty Points System (the system) is an evaluation tool used by Trading Standards staff to determine whether the licensed vehicle of a Taxi/PHC operator or driver, when examined over a period of time, has reached a point where the matter justifies referral to the Licensing Committee.

## **2. Why was it introduced?**

- 2.1. The system was introduced in 2006 following concerns expressed by Members of the Civic Government Licensing Working Group about the level of safety related failures recorded during the routine vehicle examinations undertaken by the Council's appointed contractor.
- 2.2. In addition to the real public safety concerns that existed, the time spent by Trading Standards staff suspending unsafe vehicles from use and chasing up licensees to remedy other defects found, was seen as wasteful and inefficient.
- 2.3. Trading Standards have used the system since then to maintain the general standard of Taxi's and PHC's operating within Highland.

## **3. What is the principle of the system?**

- 3.1. The system is a way of demonstrating to licensees any failures to maintain and otherwise operate a licensed vehicle, including unacceptable actions or omissions by a licensed driver. The system encourages self-regulation and by routine scrutiny provides a fair process for all licensed operators/drivers.
- 3.2. In addition, it provides a clear decision making process for Trading Standards staff to report a matter to the Licensing Committee. The system can be seen as being fair and transparent. Members can also be confident that a consistent approach is being taken and that the behaviour of one licensee can be easily compared against that of other licensees as well as against the standard set by the Council.

## **4. How does it work in practice?**

- 4.1. The current Penalty Points Tariff is annexed to this document. The tariff was drawn up by reference to existing DVSA guidelines on the categorisation of vehicle safety defects. Other non-safety elements of the tariff were agreed by the Civic Government Licensing Working Group members.
  - 4.1.1. The tariff was last reviewed by the Civic Government Licensing Working Group during 2009.
- 4.2. Different categories of licence holder will be liable to have Penalty Points allocated for different events or defects found. This is due to the very specific responsibilities that are applicable to licence categories; examples of this are as follows: -

4.2.1. A licensed Operator has overall responsibility for the vehicle and will therefore be liable for safety defects discovered which should have been detected by appropriate routine maintenance.  
A licensed driver also has some responsibility for the safety of the vehicle, but whilst it is seen as reasonable that he/she should carry out an examination of the vehicle at the start of a shift and detect tyres that are below the legal tread depth, he/she is not liable for defects which would take a mechanic to identify.

4.2.2. A licensed operator cannot be liable for the failure of a licensed driver to display his identity badge. In such circumstances penalty points will only be allocated to the driver.

4.2.3. In some cases e.g. the “bald tyres” scenario, both driver and operator would be allocated penalty points as both have equal liability.

4.3. Vehicle defects are recorded on the Trading Standards database. These include defects discovered during:

- Routine Council examinations
- inspections carried out on taxi ranks and elsewhere while vehicles are in use
- complaint investigations, and
- any necessary follow-up actions e.g. warnings issued where remedial work has not been carried out as required.

This record entry is automatically translated into the relevant number of Penalty Points according to the agreed tariff.

4.4. A licensee can appeal to Trading Standards operational staff against the allocation of penalty points and, in cases where circumstances justify, an adjustment to the allocated points will be made.

A further route of appeal to the Trading Standards Team Leader is also available, should this be necessary.

## 5. What is the Formal Action Trigger Point?

5.1. The “**Formal Action Trigger Point**” has been set at a total of 20 Penalty Points during any 2 year period.

5.2. If any licensee accumulates 10 points or more they will be formally notified in writing of this fact and given the opportunity to discuss the matter with a member of Trading Standards staff.

5.3. Where the “**Formal Action Trigger Point**” is reached or exceeded, the preparation of a report to the Licensing Committee will be triggered.

5.4. Licensees are then notified in full of the faults or problems which have led to the penalty points accumulated and are given the opportunity, before the report is submitted, to make representations to the Trading Standards Manager in relation to the matter.

5.5. A report would only go ahead if the Trading Standards Manager is content that such a report is justified.

## 6. What information will the report to the Licensing Committee contain?

6.1. The report will identify the licensee to which the case relates. This could be a licensed operator, licensed driver or both.

- 6.2. Where a report is made against a licensed operator who is also a driver, the report may only be in relation to one of the licences he/she currently possesses.
- 6.3. The Penalty Points accumulated by the licence will be identified, as will the full facts including vehicle inspection reports, complaint outcomes, warnings issued and any other evidence relevant to the case. It is on the basis of the total evidence and not simply on the Penalty Points total that the case will be submitted.

# Annex: Penalty Points Tariff

Applicability				Defect				Penalty Points
Operator		Driver		Category	Sub-Category	Descriptor	Code	
Taxi	PHC	Taxi	PHC					
✓	✓	✓	✓	Safety	Tyres/Wheels	High Risk / Obvious	TA7	7
✓	✓			Safety	Tyres/Wheels	Med-High Risk / Detectable by Routine Maintenance	TA5	5
✓	✓			Safety	Tyres/Wheels	Med Risk / Undetectable by Routine Maintenance	TA2	2
✓	✓	✓	✓	Safety	Brakes	High Risk / Obvious	TB7	7
✓	✓			Safety	Brakes	Med-High Risk / Detectable by Routine Maintenance	TB5	5
✓	✓			Safety	Brakes	Med Risk / Undetectable by Routine Maintenance	TB2	2
✓	✓	✓	✓	Safety	Steering / Suspension	High Risk / Obvious	TC7	7
✓	✓			Safety	Steering / Suspension	Med-High Risk / Detectable by Routine Maintenance	TC5	5
✓	✓			Safety	Steering / Suspension	Med Risk / Undetectable by Routine Maintenance	TC2	2
✓	✓	✓	✓	Safety	General	High Risk / Obvious	TD7	7
✓	✓			Safety	General	Med-High Risk / Detectable by Routine Maintenance	TD5	5
✓	✓			Safety	General	Med Risk / Undetectable by Routine Maintenance	TD2	2
✓	✓	✓	✓	Safety	Lighting	High Risk / Obvious	TE7	7
✓	✓			Safety	Lighting	Med-High Risk / Detectable by Routine Maintenance	TE5	5
✓	✓			Safety	Lighting	Med Risk / Undetectable by Routine Maintenance	TE2	2
✓	✓			Documents, etc.	Insurance	Not Present (Insurance Valid)	TF1	1
✓	✓			Documents, etc.	MOT	Not Present (MOT Valid)	TG2	1
✓	✓			Documents, etc.	Registration Document V5	Not in operators name	TH1	1
✓	✓			Documents, etc.	Registration Document V5	Not Present	TI1	1
✓	✓ If meter fitted			Documents, etc.	Tariff Card	Not Present / Illegible	TJ3	3
		✓	✓	Documents, etc.	Drivers ID Card	Not Present	TK5	5
		✓	✓	Documents, etc.	Drivers ID Card	Incorrectly Displayed	TK3	3
✓	✓			Documents, etc.	Licence plate	Not Present	TL5	5
✓	✓			Documents, etc.	Licence plate	Incorrectly Displayed	TL3	3
✓				Documents, etc.	Taxi Sign	Not Present / Incorrectly Displayed	TM3	3
✓	✓ If meter fitted	✓	✓	Taximeter	Meter	Unsealed (Not 'False or Unjust' and with Reasonable Excuse)	TN3	3
✓	✓			Safety+ Standards	Fire extinguisher	Not Present	TO1	1
✓	✓			Safety+ Standards	Fire extinguisher	Unacceptable Standard	TP1	1
✓	✓			Safety+ Standards	First aid kit	Not Present	TQ1	1
✓	✓			Appearance/	Spare Wheel	Not Present	TR1	1

Applicability				Defect				Penalty Points
Operator		Driver		Category	Sub-Category	Descriptor	Code	
Taxi	PHC	Taxi	PHC					
				Utility				
✓	✓	✓	✓	Appearance/Utility	External Cleanliness	Unacceptable Standard	TS1	1
✓	✓			Appearance/Utility	External Appearance	Unacceptable Standard	TT1	1
✓	✓			Appearance/Utility	Advertising	Unacceptable Standard (Honest, Decent & Truthful)	TU2	2
✓	✓	✓	✓	Appearance/Utility	Internal Cleanliness	Unacceptable Standard	TV2	2
✓	✓			Appearance/Utility	Internal Appearance	Unacceptable Standard	TV1	1
✓	✓			Appearance/Utility	Controls & Fittings	Unacceptable Standard	TW1	1
✓	✓	✓	✓	Appearance/Utility	Drivers Cleanliness / Appearance	Unacceptable Standard	TX1	1
✓	✓	✓	✓	Licensee Behaviour	Other Breach of Conditions / Act	Written Warning	TY5	5
✓	✓	✓	✓	Licensee Behaviour	Other Breach of Conditions / Act	Oral Warning/ Written Notice	TY3	3
✓	✓			Licensee Behaviour	Accident Damage	Failure to Report	TZ2	2

## HIGHLAND COUNCIL – TAXI/PHC VEHICLE TEST REPORT FORM

DATE OF INSPECTION	15.11.2021	INSPECTION LOCATION	Riverford Garage, Conon Bridge
TIME OF INSPECTION	11 am	VEHICLE OWNER	Vladut Tamirjan
INSPECTION REF NO.	R&C 2120	ADDRESS	[REDACTED]
TAXI/PHC LICENCE NO.	T/21/325	POSTCODE & TEL. NO.	[REDACTED]
TYPE OF INSPECTION	Combined	INSPECTION CARRIED OUT	combined
<b>VEHICLE DETAILS</b>		(Council Test/Combined Test/Retest etc)	
REGISTRATION No.	SH59 XRC	RECEIPT NO(s)	4j6sc9994347
MAKE & MODEL	BMW 520D	FEE PAID	134.00
VEHICLE COLOUR	Silver	MILEAGE	109104
DATE OF FIRST REG	23.11.2009	FUEL TYPE	diesel
ENGINE SIZE	1995 cc	TYRE SIZE	225/45/17
CHASSIS NO	WBANX32070C041866	TAXI METER SERIAL NO	180938
NO OF PASSENGER SEATS	4	VEHICLE EXAMINER	P foster

ARE 'PRE-BOOKED ONLY' STICKERS BEING DISPLAYED ON EACH SIDE OF THE VEHICLE (PHC'S ONLY)	YES/NO
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	TEST RESULTS	MOT CERTIFICATE NUMBER
MOT	fail	
SAFETY ASPECTS	fail	<b>*WARNING</b> In the opinion of the examiner, the vehicle is dangerous to drive because of the defects listed in box A above <small>*Delete if not applicable.</small>
APPEARANCE & UTILITY	pass	
<b>Overall Test Result</b>	<b>fail</b>	

**IMPORTANT: PLEASE READ THE NOTES OVERLEAF FOR INFORMATION AS TO WHAT ACTION (IF ANY) IS REQUIRED TO BE UNDERTAKEN BY YOU THE VEHICLE OPERATOR**

**A: SAFETY ASPECTS (FAIL POINTS)**

o/s/r driveshaft boot leaking	o/s/r tyre below legal limit (middle)
Handbrake readings below requirement	

**Has the plate been removed from the vehicle: Yes/No**

**B: FAULTS (Appearance & Utility Standard) MUST be rectified within 21 days.**


**C: Observations for information only**


Examiners Signature...p foster..... Date..15/11/21.....



**CIVIC GOVERNMENT (SCOTLAND) ACT 1982**  
**SECTION 11(2) STATUTORY NOTICE**

(Taxi and Private Hire Cars)  
(Safety of Vehicles and Fitness/Accuracy of Taximeters)

*Licence Holders Details*

Name   
Address

Authorised Officer's Full Name; I,  Being an Officer authorised by Highland Council for the purposes of Section 11 of the Civic Government (Scotland) Act 1982

Official Address

Hereby give you notice that I am not satisfied that

Vehicle Details:   
Licence No:

- \* Is safe for the carriage of passengers
- \* is fitted with a taximeter which is fit for its purpose and/or accurate

The reason for my said conclusions are:

\* Your Licence (identified above) to operate a \*(Taxi/Private Hire Car), is hereby suspended with immediate effect.

You have a period of 28 days from the date of this Notice to satisfy an authorised officer of the Council or a Police Officer that the above matters have been rectified. Failure to do so will result in the automatic suspension of the unexpired portion of the duration of the said licence.

\* You are required to submit the said vehicle \*(and taximeter) for further inspection and test at:

Time and place

Signature of Authorised Officer   
Date

## HIGHLAND COUNCIL – TAXI/PHC VEHICLE TEST REPORT FORM

DATE OF INSPECTION	23.11.2021	INSPECTION LOCATION	Riverford Garage, Conon Bridge
TIME OF INSPECTION	12 noon	VEHICLE OWNER	Vladut Tamirjan
INSPECTION REF NO.	R&C 2120	ADDRESS	[REDACTED]
TAXI/PHC LICENCE NO.	T/21/325	POSTCODE & TEL. NO.	[REDACTED]
TYPE OF INSPECTION	RETEST	INSPECTION CARRIED OUT (Council Test/Combined Test/Retest etc)	retest
<b>VEHICLE DETAILS</b>			
REGISTRATION No.	SH59 XRC	RECEIPT NO(s)	6sc4821593
MAKE & MODEL	BMW 520D	FEE PAID	59.00
VEHICLE COLOUR	Silver	MILEAGE	109642
DATE OF FIRST REG	23.11.2009	FUEL TYPE	diesel
ENGINE SIZE	1995 cc	TYRE SIZE	225/45/17
CHASSIS NO	WBANX32070C041866	TAXI METER SERIAL NO	180938
NO OF PASSENGER SEATS	4	VEHICLE EXAMINER	P foster

ARE 'PRE-BOOKED ONLY' STICKERS BEING DISPLAYED ON EACH SIDE OF THE VEHICLE (PHC'S ONLY)	YES/NO
---	--------

	TEST RESULTS	MOT CERTIFICATE NUMBER
MOT	pass	
SAFETY ASPECTS	pass	673258330793 22/11/2022
APPEARANCE & UTILITY	pass	
<b>Overall Test Result</b>	<b>pass</b>	

**IMPORTANT: PLEASE READ THE NOTES OVERLEAF FOR INFORMATION AS TO WHAT ACTION (IF ANY) IS REQUIRED TO BE UNDERTAKEN BY YOU THE VEHICLE OPERATOR**

**A: SAFETY ASPECTS (FAIL POINTS)**


**Has the plate been removed from the vehicle: Yes/No**

**B: FAULTS (Appearance & Utility Standard) MUST be rectified within 21 days.**


**C: Observations for information only**


Examiners Signature...p foster.....

Date...23/11/21.....

Mr Vladut Tamirjan  
[Redacted]

Please ask for

Direct dial

e-mail

Your ref

Our ref

Date

*Bobby Smeaton*  
[Redacted]

Bobby.smeaton@highland.gov.uk

21 0325

V086241

28 June 2023

Dear Mr Tamirjan

**Civic Government (Scotland) Act 1982  
Taxi and Private Hire Car (PHC) Licensing Provisions  
Trading Standards Penalty Points System**

Trading Standards operates a Penalty Points System to help in the assessment of the level of compliance shown by each Operator in relation to Conditions 1 and 2 of an Operator's licence which require your licensed vehicle to be maintained to the Council's standard. Faults identified either by the Council's Contractor during inspection or by Trading Standards staff during spot checks attract penalty points. These points are totalled over a two-year rolling period and should the total pass 20 points the operator will be reported to the appropriate Licensing Committee for breach of Licence Conditions.

Your licensed vehicle, plate number 21 0325, has accumulated 12 points. Should further points be added so that the total becomes 20 or more, before two years from the date of the first points accrued, please be aware that you will find yourself the subject of a report to your Licensing Committee.

Should you have any queries please do not hesitate to contact me.

Yours sincerely

[Redacted]  
Bobby Smeaton  
Enforcement Officer

## HIGHLAND COUNCIL – TAXI/PHC VEHICLE TEST REPORT FORM

DATE OF INSPECTION	02.06.2022	INSPECTION LOCATION	Riverford Garage, Conon Bridge
TIME OF INSPECTION	11:00 am	VEHICLE OWNER	Vladut Tamirjan
INSPECTION REF NO.	R&C 2152	ADDRESS	
TAXI/PHC LICENCE NO.	T/21/325	POSTCODE & TEL. NO.	
TYPE OF INSPECTION	Standard	INSPECTION CARRIED OUT	council
<b>VEHICLE DETAILS</b>		(Council Test/Combined Test/Retest etc)	
REGISTRATION No.	SH59 XRC	RECEIPT NO(s)	Sc10432630
MAKE & MODEL	BMW 520D	FEE PAID	114.00
VEHICLE COLOUR	Silver	MILEAGE	128058
DATE OF FIRST REG	23.11.2009	FUEL TYPE	diesel
ENGINE SIZE	1995 cc	TYRE SIZE	225/45/17
CHASSIS NO	WBANX32070C041866	TAXI METER SERIAL NO	180936
NO OF PASSENGER SEATS	4	VEHICLE EXAMINER	P foster

ARE 'PRE-BOOKED ONLY' STICKERS BEING DISPLAYED ON EACH SIDE OF THE VEHICLE (PHC'S ONLY)	YES/NO
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	TEST RESULTS	MOT CERTIFICATE NUMBER
MOT	n/a	
SAFETY ASPECTS	fail	
APPEARANCE & UTILITY	pass	
<b>Overall Test Result</b>	<b>fail</b>	

**IMPORTANT: PLEASE READ THE NOTES OVERLEAF FOR INFORMATION AS TO WHAT ACTION (IF ANY) IS REQUIRED TO BE UNDERTAKEN BY YOU THE VEHICLE OPERATOR**

**A: SAFETY ASPECTS (FAIL POINTS)**

Handbrake readings below limits	

**Has the plate been removed from the vehicle: Yes/No**

**B: FAULTS (Appearance & Utility Standard) MUST be rectified within 21 days.**


**C: Observations for information only**


Examiners Signature...p foster.....

Date...2/6/22.....

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982**  
**SECTION 11(2) STATUTORY NOTICE**

(Taxi and Private Hire Cars)  
(Safety of Vehicles and Fitness/Accuracy of Taximeters)

*Licence Holders Details*

Name

Vladut Tamirjan

Address

*Authorised Officer's Full Name;*

I,

Jordan Mclean

Being an Officer authorised by Highland Council for the purposes of Section 11 of the Civic Government (Scotland) Act 1982

*Official Address*

Of, Highland Council, Trading Standards Unit, 38 Harbour Road, Inverness, IV1 1UF

Hereby give you notice that I am not satisfied that

Vehicle Details: BMW 520D – SH59XRC

Licence No: 21 0325

\* Is safe for the carriage of passengers

\* is fitted with a taximeter which is fit for its purpose and/or accurate

The reason for my said conclusions are:

**Handbrake readings below limits**

\* Your Licence (identified above) to operate a \*(Taxi/Private Hire Car), is hereby suspended with immediate effect.

You have a period of 28 days from the date of this Notice to satisfy an authorised officer of the Council or a Police Officer that the above matters have been rectified. Failure to do so will result in the automatic suspension of the unexpired portion of the duration of the said licence.

\* You are required to submit the said vehicle \*(and taximeter) for further inspection and test at:

Time and place

Council Inspection Garage upon rectification of faults

Signature of Authorised Officer J McLean

Date 02.06.2022

## HIGHLAND COUNCIL – TAXI/PHC VEHICLE TEST REPORT FORM

DATE OF INSPECTION	10.06.2022	INSPECTION LOCATION	Riverford Garage, Conon Bridge
TIME OF INSPECTION	2:30 pm	VEHICLE OWNER	Vladut Tamirjan
INSPECTION REF NO.	R&C 2152	ADDRESS	[REDACTED]
TAXI/PHC LICENCE NO.	T/21/325	POSTCODE & TEL. NO.	
TYPE OF INSPECTION	RETEST	INSPECTION CARRIED OUT (Council Test/Combined Test/Retest etc)	retest
<b>VEHICLE DETAILS</b>			
REGISTRATION No.	SH59 XRC	RECEIPT NO(s)	4J6SC995115
MAKE & MODEL	BMW 520D	FEE PAID	£54.00
VEHICLE COLOUR	Silver	MILEAGE	129001
DATE OF FIRST REG	23.11.2009	FUEL TYPE	diesel
ENGINE SIZE	1995 cc	TYRE SIZE	225/45/17
CHASSIS NO	WBANX32070C041866	TAXI METER SERIAL NO	180936
NO OF PASSENGER SEATS	4	VEHICLE EXAMINER	P foster

ARE 'PRE-BOOKED ONLY' STICKERS BEING DISPLAYED ON EACH SIDE OF THE VEHICLE (PHC'S ONLY)	YES/NO
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	TEST RESULTS	MOT CERTIFICATE NUMBER
MOT	n/a	
SAFETY ASPECTS	pass	
APPEARANCE & UTILITY	pass	
<b>Overall Test Result</b>	<b>pass</b>	

**IMPORTANT: PLEASE READ THE NOTES OVERLEAF FOR INFORMATION AS TO WHAT ACTION (IF ANY) IS REQUIRED TO BE UNDERTAKEN BY YOU THE VEHICLE OPERATOR**

**A: SAFETY ASPECTS (FAIL POINTS)**


**Has the plate been removed from the vehicle: Yes/No**

**B: FAULTS (Appearance & Utility Standard) MUST be rectified within 21 days.**


**C: Observations for information only**


Examiners Signature...p foster.....

Date...10/6/22.....

## HIGHLAND COUNCIL – TAXI/PHC VEHICLE TEST REPORT FORM

DATE OF INSPECTION	Tuesday 07 March 2023	INSPECTION LOCATION	Inverness MOT Centre, 36 Shore Street, Inverness
TIME OF INSPECTION	1130 hours	VEHICLE OWNER	Vladut Tamirjan
INSPECTION REF NO.	-	ADDRESS	[REDACTED]
TAXI/PHC LICENCE NO.	IV 880	POSTCODE & TEL. NO.	[REDACTED]
TYPE OF INSPECTION	6 mth Council	INSPECTION CARRIED OUT (Council Test/Combined Test/Retest etc)	COMBINED TEST
<b>VEHICLE DETAILS</b>			
REGISTRATION No.	FL13 ZZW	RECEIPT NO(s)	4J6SC9922760
MAKE & MODEL	Ford Galaxy	FEE PAID	£134.00
VEHICLE COLOUR	Grey	MILEAGE	170275
DATE OF FIRST REG	31/03/13	FUEL TYPE	DIESEL
ENGINE SIZE	1997	TYRE SIZE	225/50R17
CHASSIS NO	WFCMXXGBWMD82875 1	TAXI METER SERIAL NO	14-10475
NO OF PASSENGER SEATS	0	VEHICLE EXAMINER	Gareth MacMillan

ARE 'PRE-BOOKED ONLY' STICKERS BEING DISPLAYED ON EACH SIDE OF THE VEHICLE (PHC'S ONLY)	
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	TEST RESULTS	MOT CERTIFICATE NUMBER
MOT	FAIL	
SAFETY ASPECTS	FAIL	
APPEARANCE & UTILITY	PASS	
<b>Overall Test Result</b>	<b>FAIL</b>	

**IMPORTANT: PLEASE READ THE NOTES OVERLEAF FOR INFORMATION AS TO WHAT ACTION (IF ANY) IS REQUIRED TO BE UNDERTAKEN BY YOU THE VEHICLE OPERATOR**

**A: SAFETY ASPECTS (FAIL POINTS)**

Nearside front side light not working	
Exhaust emission above plate limit	
Central middle row seat belt buckle not functioning	
Nearside front antiroll bar dust cover split	

**Has the plate been removed from the vehicle: No**

**B: FAULTS (Appearance & Utility Standard) MUST be rectified within 21 days.**


**C: Observations for information only**

Offside and nearside rear trailing arm bushes worn	
Offside and nearside front tyres worn	

Examiners Signature G MacMillan

Date 07/03/2023

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982**  
**SECTION 11(2) STATUTORY NOTICE**

(Taxi and Private Hire Cars)  
(Safety of Vehicles and Fitness/Accuracy of Taximeters)

*Licence Holders Details*

Name

Vladut Tamirjan

Address



*Authorised Officer's Full Name;*

I,

Jordan Mclean

Being an Officer authorised by Highland Council for the purposes of Section 11 of the Civic Government (Scotland) Act 1982

*Official Address*

Of, Highland Council, Trading Standards Unit, 38 Harbour Road, Inverness, IV1 1UF

Hereby give you notice that I am not satisfied that

Vehicle Details: Ford Galaxy – FL13 ZZW

Licence No: 11 0880

\* Is safe for the carriage of passengers

\* is fitted with a taximeter which is fit for its purpose and/or accurate

The reason for my said conclusions are:

Nearside front side light not working  
Exhaust emission above plate limit  
Central middle row seat belt buckle not functioning  
Nearside front antiroll bar dust cover split

\* Your Licence (identified above) to operate a \*(Taxi/Private Hire Car), is hereby suspended with immediate effect.

You have a period of 28 days from the date of this Notice to satisfy an authorised officer of the Council or a Police Officer that the above matters have been rectified. Failure to do so will result in the automatic suspension of the unexpired portion of the duration of the said licence.

\* You are required to submit the said vehicle \*(and taximeter) for further inspection and test at:

Time and place

Council Inspection Garage upon rectification of faults

Signature of Authorised Officer

J McLean

Date

07.03.2023



## HIGHLAND COUNCIL – TAXI/PHC VEHICLE TEST REPORT FORM

DATE OF INSPECTION	Tuesday 14 March 2023	INSPECTION LOCATION	Inverness MOT Centre, 36 Shore Street, Inverness
TIME OF INSPECTION	1645 hours	VEHICLE OWNER	Vladut Tamirjan
INSPECTION REF NO.	-	ADDRESS	[REDACTED]
TAXI/PHC LICENCE NO.	IV 880	POSTCODE & TEL. NO.	
TYPE OF INSPECTION	RETEST	INSPECTION CARRIED OUT (Council Test/Combined Test/Retest etc)	COMBINED RETEST
<b>VEHICLE DETAILS</b>			
REGISTRATION No.	FL13 ZZW	RECEIPT NO(s)	4J31N9965370
MAKE & MODEL	Ford Galaxy	FEE PAID	£59.00
VEHICLE COLOUR	Grey	MILEAGE	171158
DATE OF FIRST REG	31/03/13	FUEL TYPE	DIESEL
ENGINE SIZE	1997	TYRE SIZE	225/50R17
CHASSIS NO	WFCMXXGBWMD82875 1	TAXI METER SERIAL NO	14-10475
NO OF PASSENGER SEATS	0	VEHICLE EXAMINER	Gareth MacMillan

ARE 'PRE-BOOKED ONLY' STICKERS BEING DISPLAYED ON EACH SIDE OF THE VEHICLE (PHC'S ONLY)	
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	TEST RESULTS	MOT CERTIFICATE NUMBER
MOT	PASS	8927 8622 6305
SAFETY ASPECTS	PASS	<u>EXPIRY DATE 13.03.2024</u>
APPEARANCE & UTILITY	PASS	
<b>Overall Test Result</b>	<b>PASS</b>	

**IMPORTANT: PLEASE READ THE NOTES OVERLEAF FOR INFORMATION AS TO WHAT ACTION (IF ANY) IS REQUIRED TO BE UNDERTAKEN BY YOU THE VEHICLE OPERATOR**

**A: SAFETY ASPECTS (FAIL POINTS)**


Has the plate been removed from the vehicle: No

**B: FAULTS (Appearance & Utility Standard) MUST be rectified within 21 days.**


**C: Observations for information only**

Offside and nearside rear trailing arm bushes worn	

Examiners Signature G MacMillan

Date 14/03/2023

