

Agenda item	12.1
Report no	HLC/098/23

THE HIGHLAND COUNCIL

Committee: THE HIGHLAND LICENSING COMMITTEE

Date: 28 November 2023

Report title: Private Hire Car (PHC) Operator's licence – Highlander Cars (Ward 19 - Inverness South)

Report by: Acting Principal Solicitor – Regulatory Services

1. Purpose/Executive summary

1.1 Summary

This report relates to a licensed PHC 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 PHC 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 PHC. A licence for the same is issued by the Highland Council and is valid for the whole Council area.

4. Licence Holder

- 4.1** Highlander Cars hold a PHC operator's licence in respect of licence number 11 0092. The licence expires on 28 October 2024.

Mr John Fraser is detailed on the licence as being the director and day to day manager.

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 PHC 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 13 October 2023 a report in relation to Mr Fraser, t/a Highlander Cars, 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.
- 5.3** The report has been submitted due to Mr Fraser accruing a total of 43 points on PHC Operator Licence no. 11 0092 and for failing to maintain his licensed PHC to the standards required by the Licensing Authority.

6.0 Process

- 6.1** A copy of the report and all attachments have been sent to Mr Fraser 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 Fraser.

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 PHC operator's licence conditions are relevant to this case and can be accessed via the following link:

[Apply for a licence - Taxi and private hire | The Highland Council](#)

In terms of condition 1 of the PHC operator's licence conditions, 'The holder of a PHC operator's licence shall ensure that the PHC, 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: 7 November 2023

Author: Michael Elsey

Appendix 1: Trading Standards report

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/110092

Against: John Fraser t/a Highlander Cars Ltd

Age: 60 DOB: 05/09/1963

Address: 4 Meadowfield Avenue, Inverness. IV2 5HX.

Licence Held: Taxi Operators Licence 11 0092

Expiration Date: 28/10/2024

Current Vehicle: Peugeot Partner Premier VRM: SF12 GVN

Date of first registration: 08/05/2012

Mileage at last inspection: 218170

Previous Vehicle: Peugeot Partner VRM: SF14 UAM

Date of first registration: 04/07/2014

Mileage at last inspection: 190116

Penalty Points Total as of 06/10/2023: 43 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 Fraser has failed to maintain his licensed PHC 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 two vehicle inspections, carried out by the Highland Council approved contractor.

Background Information

The penalty points system was introduced on 1st 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 JOHN FRASER t/a HIGHLANDER CARS LTD, on licence number 11 0092. The licence has accrued 43 penalty points since 6th April 2022, for faults identified during two inspections of the licensed vehicle, carried out by the Council's contractor. This matter is reported as the penalty points total has accumulated to more than 20 points within a two-year rolling period.

Antecedents

Mr Fraser currently holds PHC operator's licence 11 0092 which was renewed on 28/10/2022 and is valid until 28/10/24.

Evidence relating to licence 11 0092

Inspection by the Council's contractor of the licensed vehicle on 6th April 2022 resulted in a failure with five faults being identified: EML light on, offside front lower ball joint worn, offside front outer driveshaft boot insecure, brake pedal rubber missing and emissions above plate limit. This failure accrued 16 penalty points.

(Production number 2. Taxi test report form dated 06/04/22).

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

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 3. Suspension notice dated 06/04/22).

The vehicle was presented for a retest on 22nd April 2022 and passed the inspection.

(Production Number 4. Taxi test report form dated 22/04/22).

On 27th September, a warning letter for accruing 10 points or more, as prescribed by the Penalty Points System was sent to Mr Fraser via post.

(Production Number 5. Warning Letter dated 27/09/22).

In October 2022 Mr Fraser substituted the vehicle on operator plate 11 0092 to another Peugeot Partner with VRM: SF12 GVN.

This vehicle had its 6 monthly inspection on 27th April 2023 and failed on the following faults: EML light on, nearside rear calliper leaking, nearside front outer cv boot split, rear exhaust leak at hanger, diesel smoke levels exceed plate limit, nearside front suspension arm bush excessively worn and offside headlamp aim incorrect (bulb not fitted correctly). The operator was issued 27 penalty points.

(Production Number 6. Taxi test report dated 27/04/23)

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

(Production Number 7. Suspension notice dated 28/04/23).

The vehicle was presented for a retest on 28th April 2023 but failed again as the diesel smoke levels exceeded the plate limit.

(Production Number 8. Taxi test report form dated 28/04/23).

The vehicle was presented for a 2nd retest on the 11th May 2023 and passed the inspection.

(Production number 9. Taxi test report form dated 11/05/23).

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 Fraser on 21st 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 Fraser explained that he has the vehicle pre inspected prior to the inspection carried out by the Council's contractor by Ness Motor Repairs Ltd. He advised that any work needing done to the vehicle is also carried out by them. Mr Fraser advised that he had paperwork to support this and duly provided this at a later date. Mr Fraser stated that he did not want the hassle of making representation to the Licencing Committee and if we were to take this action, he would surrender the operators' licence for the vehicle voluntarily.

Mr Fraser provided 10 different invoices from Dingbro Ltd showing parts purchased for the vehicle dated between 10th February 2023 and 2nd May 2023.

(Production number 10. Advice notes from Dingbro Ltd).

He also provided one invoice dated 24th February showing work carried out to the vehicle by Ness Motor Repairs Ltd.

(Production number 11. Job sheet from Ness Motor Repairs Ltd).

Despite the representations made by Mr Fraser to this Service and taking into account the results of two inspections carried out by the Council's contractor, Mr Fraser has accrued 43 points in little over a 12-month period. This is in contravention of the penalty points system detailed above where operators are subject to a report to the licencing committee when accruing 20 points within a 24-month rolling period.

Evidence held by Trading Standards:

Number	Description
1	Penalty Points Tariff
2	Taxi test report form dated 06/04/22.

3	Suspension notice dated 06/04/22
4	Taxi test report form dated 22/04/22
5	Warning Letter dated 27/09/22
6	Taxi test report dated 27/04/23
7	Suspension notice dated 28/04/23
8	Taxi test report form dated 28/04/23
9	Taxi test report form dated 11/05/23
10	Advice notes from Dingbro Ltd
11	Job sheet from Ness Motor Repairs Ltd

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	Wednesday 06 April 2022	INSPECTION LOCATION	Inverness MOT Centre, 36 Shore Street, Inverness
TIME OF INSPECTION	0930 hours	VEHICLE OWNER	Highlander Cars Ltd
INSPECTION REF NO.	-	ADDRESS	Highlander Cars, 4 Meadowfield Avenue Inverness
TAXI/PHC LICENCE NO.	PHC 92	POSTCODE & TEL. NO.	IV2 5HX 07734 899591
TYPE OF INSPECTION	6 mth Council	INSPECTION CARRIED OUT (Council Test/Combined Test/Retest etc)	
VEHICLE DETAILS		COUNCIL TEST	
REGISTRATION No.	SF14 UAM	RECEIPT NO(s)	4J6SC991722
MAKE & MODEL	Peugeot Partner	FEE PAID	£114.00
VEHICLE COLOUR	Silver	MILEAGE	190116
DATE OF FIRST REG	04/07/2014	FUEL TYPE	DIESEL
ENGINE SIZE	1560	TYRE SIZE	205/65 R15
CHASSIS NO	VF37 J9HPOEN507947	TAXI METER SERIAL NO	08161
NO OF PASSENGER SEATS	4	VEHICLE EXAMINER	Gareth MacMillan

ARE 'PRE-BOOKED ONLY' STICKERS BEING DISPLAYED ON EACH SIDE OF THE VEHICLE (PHC'S ONLY)	YES
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	TEST RESULTS	MOT CERTIFICATE NUMBER
MOT	N/A	
SAFETY ASPECTS	FAIL	
APPEARANCE & UTILITY	PASS	

Overall Test Result

FAIL

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)

EML light on	
Offside front lower ball joint worn	
Offside front outer driveshaft boot insecure	
Brake pedal rubber missing	
Emissions above plate limit 0.51 average reading 1.35	

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

Front brake pads worn	
Rear brake pads worn	
Nearside front lower ball joint slight play	
Rear exhaust heat shield not secured	

Examiners Signature G MacMillan

Date 06/04/2022

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	Highlander Cars Ltd
Address	4 Meadowfield Avenue
	Inverness
	IV2 5HX

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:	Peugeot Partner – SF14UAM
Licence No:	11 0092

- * 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:	EML light on Offside front lower ball joint worn Offside front outer driveshaft boot insecure Brake pedal rubber missing Emissions above plate limit 0.51 average reading 1.35
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* 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 06.04.2021

HIGHLAND COUNCIL – TAXI/PHC VEHICLE TEST REPORT FORM

DATE OF INSPECTION	Friday 22 April 2022	INSPECTION LOCATION	Inverness MOT Centre, 36 Shore Street, Inverness
TIME OF INSPECTION	1530 hours	VEHICLE OWNER	Highlander Cars Ltd
INSPECTION REF NO.	-	ADDRESS	Highlander Cars, 4 Meadowfield Avenue Inverness
TAXI/PHC LICENCE NO.	PHC 92	POSTCODE & TEL. NO.	IV2 5HX 07734 899591
TYPE OF INSPECTION	6 mth Council	<u>INSPECTION CARRIED OUT</u> (Council Test/Combined Test/Retest etc)	
VEHICLE DETAILS		<u>COUNCIL TEST</u>	
REGISTRATION No.	SF14 UAM	RECEIPT NO(s)	4J6SC992527
MAKE & MODEL	Peugeot Partner	FEE PAID	£114.00
VEHICLE COLOUR	Silver	MILEAGE	190129
DATE OF FIRST REG	04/07/2014	FUEL TYPE	DIESEL
ENGINE SIZE	1560	TYRE SIZE	205/65 R15
CHASSIS NO	VF37 J9HPOEN507947	TAXI METER SERIAL NO	08161
NO OF PASSENGER SEATS	4	VEHICLE EXAMINER	Gareth MacMillan

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

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

Examiners Signature G MacMillan

Date 22/04/2022

Mr John Fraser
4 Meadowfield Ave
Inverness
IV2 5HX

Please ask for
Direct dial
e-mail
Your ref
Our ref
Date

Bobby Smeaton
07557 197 667
Bobby.smeaton@highland.gov.uk
11 0092
27th September 2022

Dear Mr Fraser

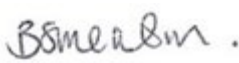
**Civic Government (Scotland) Act 1982
Taxi and Private Hire Car (PHC) Licensing Provisions
Trading Standards Penalty Points System**

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 11 0092, has accumulated 16 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



Bobby Smeaton
Enforcement Officer (Trading Standards)

Trading Standards

HIGHLAND COUNCIL – TAXI/PHC VEHICLE TEST REPORT FORM

DATE OF INSPECTION	Thursday 27 April 2023	INSPECTION LOCATION	Inverness MOT Centre, 36 Shore Street, Inverness
TIME OF INSPECTION	0830 hours	VEHICLE OWNER	Highlander Cars Ltd
INSPECTION REF NO.	-	ADDRESS	Highlander Cars, 4 Meadowfield Avenue Inverness
TAXI/PHC LICENCE NO.	PHC 92	POSTCODE & TEL. NO.	IV2 5HX 07734 899591
TYPE OF INSPECTION	6 mth Council	INSPECTION CARRIED OUT (Council Test/Combined Test/Retest etc)	
VEHICLE DETAILS		COUNCIL	
REGISTRATION No.	SF12 GVN	RECEIPT NO(s)	4J6SC9925308
MAKE & MODEL	Peugeot Premier	FEE PAID	£114
VEHICLE COLOUR	Silver	MILEAGE	218170
DATE OF FIRST REG	08/05/12	FUEL TYPE	DIESEL
ENGINE SIZE	1560	TYRE SIZE	205/65 R15
CHASSIS NO	VF37J9HPOCJ528387	TAXI METER SERIAL NO	12768
NO OF PASSENGER SEATS	4	VEHICLE EXAMINER	A HUGHES

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

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)

ENGINE LIGHT ON	OFFSIDE HEADLAMP AIM INCORRECT. BULB NOT FITTED CORRECTLY
NEARSIDE REAR CALIPER LEAKING	
NEARSIDE FRONT OUTER CV BOOT SPLIT	
REAR EXHAUST LEAK. AT HANGER	
DIESEL SMOKE LEVELS EXCEED PLATE LIMIT 0.51	
NEARSIDE FRONT SUSPENSION ARM BUSH EXCESSIVELY WORN	

Has the plate been removed from the vehicle: No

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

NEARSIDE FRONT WING DAMAGED	

C: Observations for information only

NEARSIDE NUMBER PLATE LIGHT NOT WORKING	
OIL LEAK	
SLIGHT EXHAUST LEAK FROM CENTRE	

HIGHLAND COUNCIL – TAXI/PHC VEHICLE TEST REPORT FORM

Examiners Signature ANDREW HUGHES

Date 27.04.2023

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	Highlander Cars Ltd
Address	4 Meadowfield Avenue
	Inverness
	IV2 5HX

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:	Peugeot Premier – SF12GVN
Licence No:	110092

- * 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:	ENGINE LIGHT ON NEARSIDE REAR CALIPER LEAKING NEARSIDE FRONT OUTER CV BOOT SPLIT REAR EXHAUST LEAK. AT HANGER DIESEL SMOKE LEVELS EXCEED PLATE LIMIT 0.51 NEARSIDE FRONT SUSPENSION ARM BUSH EXCESSIVELY WORN OFFSIDE HEADLAMP AIM INCORRECT. BULB NOT FITTED CORRECTLY
---	---

* 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 27-04-2023

HIGHLAND COUNCIL – TAXI/PHC VEHICLE TEST REPORT FORM

DATE OF INSPECTION	Friday 28 April 2023	INSPECTION LOCATION	Inverness MOT Centre, 36 Shore Street, Inverness
TIME OF INSPECTION	1700 hours	VEHICLE OWNER	Highlander Cars Ltd
INSPECTION REF NO.	-	ADDRESS	Highlander Cars, 4 Meadowfield Avenue Inverness
TAXI/PHC LICENCE NO.	PHC 92	POSTCODE & TEL. NO.	IV2 5HX 07734 899591
TYPE OF INSPECTION	Retest	<u>INSPECTION CARRIED OUT</u> (Council Test/Combined Test/Retest etc)	
VEHICLE DETAILS		<u>COUNCIL RETEST</u>	
REGISTRATION No.	SF12 GVN	RECEIPT NO(s)	N/A
MAKE & MODEL	Peugeot Premier	FEE PAID	N/A
VEHICLE COLOUR	Silver	MILEAGE	
DATE OF FIRST REG	08/05/12	FUEL TYPE	DIESEL
ENGINE SIZE	1560	TYRE SIZE	205/65 R15
CHASSIS NO	VF37J9HPOCJ528387	TAXI METER SERIAL NO	12768
NO OF PASSENGER SEATS	4	VEHICLE EXAMINER	Gareth MacMillan

ARE 'PRE-BOOKED ONLY' STICKERS BEING DISPLAYED ON EACH SIDE OF THE VEHICLE (PHC'S ONLY)	YES
--	------------

	TEST RESULTS	MOT CERTIFICATE NUMBER
MOT	N/A	N/A
SAFETY ASPECTS	FAIL	
APPEARANCE & UTILITY	FAIL	
Overall Test Result	FAIL	

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)

Diesel smoke levels exceed plate limit 0.51	

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

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

Nearside front wing damaged	

C: Observations for information only

Oil leak	
Slight exhaust blow from middle	
Nearside number plate light not working	

Examiners Signature G MacMillan

Date 28/04/2023

HIGHLAND COUNCIL – TAXI/PHC VEHICLE TEST REPORT FORM

DATE OF INSPECTION	Thursday 11 May 2023	INSPECTION LOCATION	Inverness MOT Centre, 36 Shore Street, Inverness
TIME OF INSPECTION	0900 hours	VEHICLE OWNER	Highlander Cars Ltd
INSPECTION REF NO.	-	ADDRESS	Highlander Cars, 4 Meadowfield Avenue Inverness
TAXI/PHC LICENCE NO.	PHC 92	POSTCODE & TEL. NO.	IV2 5HX 07734 899591
TYPE OF INSPECTION	6 mth Council	<u>INSPECTION CARRIED OUT</u> (Council Test/Combined Test/Retest etc)	
VEHICLE DETAILS		<u>COUNCIL</u>	
REGISTRATION No.	SF12 GVN	RECEIPT NO(s)	4J6SC9926263
MAKE & MODEL	Peugeot Premier	FEE PAID	£114
VEHICLE COLOUR	Silver	MILEAGE	218980
DATE OF FIRST REG	08/05/12	FUEL TYPE	DIESEL
ENGINE SIZE	1560	TYRE SIZE	205/65 R16
CHASSIS NO	VF37J9HPOCJ528387	TAXI METER SERIAL NO	12768
NO OF PASSENGER SEATS	4	VEHICLE EXAMINER	A HUGHES

ARE 'PRE-BOOKED ONLY' STICKERS BEING DISPLAYED ON EACH SIDE OF THE VEHICLE (PHC'S ONLY)	YES
--	------------

	TEST RESULTS	MOT CERTIFICATE NUMBER
MOT	N/A	N/A
SAFETY ASPECTS	PASS	
APPEARANCE & UTILITY	PASS	
Overall Test Result	PASS	

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.

NEARSIDE FRONT WING DAMAGED	

C: Observations for information only

BRAKE FLUID LOW	
NEARSIDE NUMBER PLATE LIGHT NOT WORKING	
OIL LEAK	
SLIGHT EXHAUST LEAK FROM CENTRE	

Examiners Signature ANDREW HUGHES

Date 11/05/2023

ADVICE NOTE
DINGBRO LTD

WHOLESALE DISTRIBUTORS OF MOTOR COMPONENTS, BODYSHOP SUPPLIES, PAINT, TRUCK AND TRAILER PARTS
Est. 1973

INVERNESS

53 HARBOUR ROAD
INVERNESS
IV1 1LY

TEL: 01463 236686
FAX: 01463 220308
EMAIL: inverness@dingbro.com
WEB: www.dingbro.com

TO HIGHLANDER CARS LTD T/A
JOHN FRASER
4 MEADOWFIELD AVENUE
INVERNESS
IV2 5HX

Advice No: **A072651195**
Account No: 16713
Order No: SF12GVN
Date: 18/04/23
Time: 16:31
Entered By: MAIRI ROSS / JOHN MACKAY

*** REPRINT ***

Quantity	Part Number	Description	Retail Price	Trade Price	Discount Value	Net Goods Each	Vat Code
Parts to fit: SF12GVN - (PEUGEOT PARTNER TEPEE S HDI 1.6D)							
1	6PK975	DAYCO RIBBED POLY VEE AUXIL	13.63	10.87	3.70	7.17	1

DELIVER TO NESS MOTOR REPAIRS

REPRINT

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REGISTERED OFFICE: 7 WHITEMYRES AVENUE, MASTRICK INDUSTRIAL ESTATE, ABERDEEN AB16 6HQ VAT REG. NO. 267 5097 28

FOR OTHER BRANCH INFORMATION AND MAPS PLEASE VISIT OUR WEBSITE

ADVICE NOTE

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TO HIGHLANDER CARS LTD T/A
JOHN FRASER
4 MEADOWFIELD AVENUE
INVERNESS
IV2 5HX

Advice No: **A072651109**
Account No: 15713
Order No: SF12 GVN
Date: 13/04/23
Time: 15:17
Entered By: SALLY MACLENNAN / JOHN MACKAY

*** REPRINT ***

Quantity	Part Number	Description	Retail Price	Trade Price	Discount Value	Net Goods Each	Vat Code
1	AEC2033	AUTO ELECTRO ALTERNATOR	283.03	223.69	44.74	178.95	1
1	AEC2033	** OLD UNIT CHARGE **	30.00			30.00	1

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TO HIGHLANDER CARS LTD T/A
JOHN FRASER
4 MEADOWFIELD AVENUE
INVERNESS
IV2 5HX

Advice No: **A072647971**
Account No: 16713
Order No: SF12GVN
Date: 07/04/23
Time: 14:19
Entered By: Barry Butcher / Allan Campbell

*** REPRINT ***

Quantity	Part Number	Description	Retail Price	Trade Price	Discount Value	Net Goods Each	Vat Code
Parts to fit:SF12GVN - (PEUGEOT PARTNER TEPEE S HDI 1.6D)							
1	TC1023	DELPHI STABILISER LINK BAR	20.61	16.35	4.74	11.61	1

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REGISTERED OFFICE: 7 WHITEMYRES AVENUE, MASTRICK INDUSTRIAL ESTATE, ABERDEEN AB26 6HQ VAT REG. NO. 267 5097 28

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TO HIGHLANDER CARS LTD T/A
JOHN FRASER
4 MEADOWFIELD AVENUE
INVERNESS
IV2 5HX

Advice No: **A072650108**
Account No: 16713
Order No: SF12 GVN
Date: 12/04/23
Time: 12:53
Entered By: SALLY MACLENNAN / Craig MacDonald

*** REPRINT ***

Quantity	Part Number	Description	Retail Price	Trade Price	Discount Value	Net Goods Each	Vat Code
Parts to fit:SF12GVN - (PEUGEOT PARTNER TEPEE S HDI 1.6D)							
1	4015669	LESJOFORS COIL SPRING	79.60	63.32	19.63	43.69	1

DELIVER TO NESS METALS HARBOUR ROAD

REPRINT

HEALTH & SAFETY INFORMATION - HAZARDOUS SUBSTANCES: Some of the products we supply may be hazardous to health and are therefore strictly supplied for bona-fide Trade customers only.
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TO HIGHLANDER CARS LTD T/A
JOHN FRASER
4 MEADOWFIELD AVENUE
INVERNESS
IV2 5HX

Advice No: **A072647941**
Account No: 16713
Order No: SF12GVN
Date: 07/04/23
Time: 18:26
Entered By: Gregor Nixon / MARK SIMPSON

*** REPRINT ***

Quantity	Part Number	Description	Retail Price	Trade Price	Discount Value	Net Goods Each	Vat Code
Parts to fit: SF12GVN - (PEUGEOT PARTNER TEPEE S HDI 1.6D)							
1	VKDA35341	SKF STRUT TOP MOUNTING KIT	29.23	23.38	6.55	16.83	1
1	VKDA35315	SKF STRUT TOP MOUNTING KIT	23.59	18.88	5.29	13.59	1

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TO
HIGHLANDER CARS LTD T/A
JOHN FRASER
4 MEADOWFIELD AVENUE
INVERNESS
IV2 5HX

Advice No: **A072614199**
Account No: 16713
Order No: SF12GVN
Date: 10/02/23
Time: 12:29
Entered By: DOUGIE CLOUSTON / MARK SIMPSON

*** REPRINT ***

Quantity	Part Number	Description	Retail Price	Trade Price	Discount Value	Net Goods Each	Vat Code
Parts to fit: SF12GVN - (PEUGEOT PARTNER TEPEE S HDI 1.6D)							
1	HU716/2X	MANN OE OIL FILTER	10.44	8.29	2.90	5.39	1
1	C3585	MANN OE AIR FILTER	22.17	17.61	6.16	11.45	1
1	H350WK	HENGST FUEL FILTER	32.92	24.69	8.64	16.05	1
1	CUK29003-2	MANN OE CABIN FILTER	37.03	29.41	10.29	19.12	1
1	PTC5L	COMMA PRO-TECH 5W-30	59.02	44.51	15.58	28.93	1

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TO HIGHLANDER CARS LTD T/A
JOHN FRASER
4 MEADOWFIELD AVENUE
INVERNESS
IV2 5HX

Advice No: **A072614516**
Account No: 15713
Order No: SF12GVN
Date: 11/02/23
Time: 08:07
Entered By: James Begg / MARK SIMPSON

*** REPRINT ***

Quantity	Part Number	Description	Retail Price	Trade Price	Discount Value	Net Goods Each	Vat Code
Parts to fit:SF12GVN - (PEUGEOT PARTNER TEPEE S HDI 1.6D)							
2	G1119	MONROE ORIGINAL OE SHOCK	94.55	72.88	29.15	43.73	1
1	SHAP196AR	SHAFTTEC DRIVESHAFT	150.56	120.04	43.21	76.83	1
1	SHAP196AR	** OLD UNIT CHARGE **	5.00			5.00	1

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TO HIGHLANDER CARS LTD T/A
JOHN FRASER
4 MEADOWFIELD AVENUE
INVERNESS
IV2 5HX

Advice No: **A072614201**
Account No: 16713
Order No: SF12GVN
Date: 10/02/23
Time: 12:30
Entered By: SALLY MACLENNAN / MARK SIMPSON

*** REPRINT ***

Quantity	Part Number	Description	Retail Price	Trade Price	Discount Value	Net Goods Each	Vat Code
Parts to fit: SF12GVN - (PEUGEOT PARTNER TEPEE S HDI 1.6D)							
1	TC1022	DELPHI BALL JOINT	19.22	15.25	4.42	10.83	1
1	TA2466	DELPHI TIE ROD END	34.59	27.45	7.96	19.49	1

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TO
 HIGHLANDER CARS LTD T/A
 JOHN FRASER
 4 MEADOWFIELD AVENUE
 INVERNESS
 IV2 5HX

Advice No: **A072661520**
 Account No: 16713
 Order No: SF12GVN
 Date: 02/05/23
 Time: 10:06
 Entered By: DOUGIE CLOUSTON / Donald Cameron

*** REPRINT ***

Quantity	Part Number	Description	Retail Price	Trade Price	Discount Value	Net Goods Each	Vat Code
1	RADD0057A	REDEX DIESEL 250ML	7.74	6.20	0.93	5.27	1
1	FORTE156	DPF CLEANER & REGENERATOR	20.60	16.38	1.64	14.74	1
Parts to fit: SF12GVN - (PEUGEOT PARTNER TEPEE S HDI 1.6D)							
1	DPFCN030TA	(EURO 5) DIESEL PARTICULATE	277.00	218.68	48.11	170.57	1
1	CMC69EU	AUTOGEM EXHAUST CLAMP	2.44	1.94	0.72	1.22	1

DELIVER TO NESS MOTOR REPAIRS PLEASE

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HEALTH & SAFETY INFORMATION - HAZARDOUS SUBSTANCES: Some of the products we supply may be hazardous to health and are therefore strictly supplied for bona-fide Trade customers only. To enable us to help please ask for data sheets for the products you purchase if you do not already have one. "REMEMBER" - READ THE LABEL - READ THE DATA SHEETS.

REGISTERED OFFICE: 7 WHITEMYRES AVENUE, MASTRICK INDUSTRIAL ESTATE, ABERDEEN AB16 6HQ VAT REG. NO. 267 5097 28

FOR OTHER BRANCH INFORMATION AND MAPS PLEASE VISIT OUR WEBSITE

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TO HIGHLANDER CARS LTD T/A
JOHN FRASER
4 MEADOWFIELD AVENUE
INVERNESS
IV2 5HX

Advice No: **A072659505**
Account No: 15713
Order No: SF12GVN
Date: 27/04/23
Time: 12:10
Entered By: Ali Gordon / JOHN MACKAY

*** REPRINT ***

Quantity	Part Number	Description	Retail Price	Trade Price	Discount Value	Net Goods Each	Vat Code
Parts to fit:SF12GVN - (PEUGEOT PARTNER TEPEE S HDI 1.6D)							
1	CA2976	BRAKE ENGINEERING BRAKE	108.33	86.35	34.54	51.81	1
1	CA2976	** OLD UNIT CHARGE **	5.00			5.00	1
1	ARM0058L	DRIVETEC TRACK CONTROL	69.10	54.99	15.95	39.04	1
1	JB1634	CV BOOT KIT	13.73	10.37	2.39	7.98	1

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ADVICE NOTE

Ness Motor Repairs Ltd

Unit 6
 23 Harbour Road
 Highland
 IV1 1SY

TEL: 01463240008

Highlander Cars

Contact Name:

Tel:
Mobile:
Email:

Thurs 2pm

Friday 3pm

Date Required:**Job / Booking Details:******* Jobsheet *****

Jobsheet No: 022004
 Jobsheet Date: Fri 24 Feb 2023
 Order No:
 Customer: HIG004
 No. Visits: 0

Vehicle: SF12GVN Year: 08/05/2012
 Make: PEUGEOT PARTNER TEPEE S HDI
 VIN: VF37J9HP0CJ528387
 Engine No: JBEE0121223
 Engine CC: 1560 Fuel Type: DIESEL
 Colour: SILVER
 Mileage:

MOT Expires: 08/10/2022
 Service Expires:

7 + 354.7

Check & Report**Quantity**

Modify ramp box, fit 2 x rear shock absorbers
 replace front shock and bottom ball joint

0.00
 6.50
 0.00

MOTs

MOT Tested the vehicle

1.00

Disclaimer: I authorise the repair details above to be undertaken, and further agree that I will pay for the cost of any non-warrantable repairs, at the agreed charge rate. It is understood that payment will be on a cash basis, unless prior arrangements for credit have been approved. Any additional work found to be necessary must be authorised by myself prior to commencement of any repair.

Customer Signature..... Date.....