

PERTH AND KINROSS COUNCIL

Licensing Committee

24 May 2018

LIMIT ON TAXI NUMBERS IN PERTH AND BLAIRGOWRIE

Report by Head of Legal & Governance Services (Report No. 18/188)

PURPOSE OF REPORT

This report outlines the findings and recommendations of a recent survey of demand for taxis in Perth and Blairgowrie and proposes that the limit of seventy taxis for Perth and twelve taxis for Blairgowrie should remain unchanged.

1. BACKGROUND / MAIN ISSUES

- 1.1 The Council is responsible for regulating taxi and private hire operators and drivers in the Perth and Kinross area. In terms of Section 10 (3) of the Civic Government (Scotland) Act 1982, an application for the grant of a taxi licence may be refused by a licensing authority for the purpose of limiting the number of taxis in respect of which licences are granted. However, applications can only be refused on this ground if the Council is satisfied that there is no significant demand for the services of taxis in their area which is unmet.
- 1.2 Before the Council can rely on this ground to refuse applications, it must be able to establish that there is no significant unmet demand for taxis in its area. This has been the subject of a number of court cases across Scotland over the years, which have clearly established that the most appropriate way in which Councils can assess demand is to carry out a survey at regular intervals. This is also reflected in the Scottish Government Best Practice Guidance at <https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance>. It is recommended that this takes place at least every three years.
- 1.3 The Council limits the number of taxi operator licences for Perth and Blairgowrie and has done so for many years. In 2010, the Council reviewed its policy of having a limit on taxis and considered whether the limit should be removed. This would have allowed unlimited numbers of taxis in Perth and Kinross. The Council decided, following that review, that it was necessary to continue to limit the number of taxis in Perth and Blairgowrie (report 11/15). The principle reason behind that decision was that there would be significant benefits to the public because having a limit supports continued investment in the taxi trade. Since then, surveys have been carried out at three yearly intervals. The last survey was carried out in 2015 and the outcome of this was that there continued to be no significant unmet demand for taxis within Perth and Blairgowrie. The current limit on taxi numbers in Perth is 70, and in Blairgowrie is 12.

- 1.4 A further survey of whether there is any significant unmet demand for taxi services in the Perth and Blairgowrie areas was carried out from October 2017 to March 2018. The survey was carried out by LVSA according to best practice in this field. Data was collected through consultation with stakeholders, the trade and members of the public. In addition, observations of activity at taxi ranks were undertaken to record volumes of taxis and passengers using each rank and whether any passengers had to wait for taxis to arrive at the ranks.
- 1.5 The survey concluded that there is no significant unmet demand for taxi services in Perth and Blairgowrie. The principal issue identified is a lack of availability of wheelchair accessible vehicles at some times of day and in some locations. This is an issue which has been identified in previous surveys.

A number of steps have already been taken to encourage the use of wheelchair accessible vehicles. We now offer a reduced fee to applicants who wish to licence a Wheelchair Accessible Vehicle. Training is also provided free of charge to drivers of those vehicles by the Centre of Inclusive Living which is funded by the Council. On completion of the training, the driver is provided with a distinctive red and white Taxi Driver Identity Badge. A report was submitted to the Licensing Committee on 26 October 2017 (17/349) which extended the age limit for Wheelchair Accessible Vehicles from 10 years to 12 years.

It is recommended in the report that the Council discuss the potential market size for wheelchair users and mobility impaired passengers with the trade, with the objective of encouraging investment towards this particular market sector. The recommendations of this report will be sent out to the trade and will be placed as an agenda item at the next taxi forum meeting in July 2018.

- 1.6 A copy of the report which outlines the findings is attached as Appendix A.

2. PROPOSALS

- 2.1 As the survey concludes that there is no significant unmet demand for taxi services in Perth or Blairgowrie at this time, it is proposed that the current limits on the number of taxi operator licences granted by the Council for these areas remain unchanged.
- 2.2 It is also proposed that the Council should implement the recommendation made in the report in relation to the market for wheelchair accessible vehicles. The matter will be discussed at the Forum in July and it is proposed that the Council engages further with the taxi trade and stakeholders to identify whether there are further steps which the Council should take to increase the availability to increase Wheelchair Accessible Vehicles.

3. CONCLUSION AND RECOMMENDATIONS

- 3.1 Following receipt of a survey that concludes that there is no unmet demand for taxis in the Perth and Blairgowrie area, it is recommended that the Committee:
- (i) Note the findings of the survey carried out by HKZ Services Ltd, trading as LVSA;
 - (ii) Agrees that the current limits of 70 operator licences and 12 Operator Licences granted by the Council for the areas of Perth and Blairgowrie respectively remain unchanged;
 - (iii) Agrees that the Council engage further with the taxi trade and stakeholders to identify whether there are further steps which the Council should take to increase the availability of wheelchair accessible vehicles.

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Approved

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
Resource Implications	
Financial	None
Workforce	None
Asset Management (land, property, IST)	None
Assessments	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	None
Sustainability (community, economic, environmental)	None
Legal and Governance	Yes
Risk	None
Consultation	
Internal	None
External	None
Communication	
Communications Plan	None

1. Strategic Implications

Community Plan/Single Outcome Agreement

The proposals set out in this report will support the delivery of the Perth and Kinross Community Plan/Single Outcome Agreement in terms of the following priorities:

- Promoting a prosperous, inclusive and sustainable economy
- Creating a safe and sustainable place for future generations.

Corporate Plan

The proposals set out in this report will support the delivery of the Corporate Plan in terms of the following priorities:

- Promoting a prosperous, inclusive and sustainable economy
- Creating a safe and sustainable place for future generations

2. Resource Implications

Financial

2.1 Not applicable

Workforce

2.2 Not applicable

Asset Management (land, property, IT)

Not applicable

3. Assessments

Equality Impact Assessment

Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

The proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) and are considered to be a positive step to encourage the provision of more Wheelchair Accessible Vehicles.

Strategic Environmental Assessment

Not applicable.

Sustainability

Not applicable.

Legal and Governance

The proposals are compatible with the requirements of the Civic Government (Scotland) Act 1982.

4. Consultation

Internal

4.1 Not applicable

External

4.2 Not applicable

5. Communication

Not applicable

6. Background Papers

Not applicable

Appendices

Appendix A – Copy of Unmet Demand Survey.