

PERTH AND KINROSS COUNCIL

Licensing Committee

24 February 2022

SURVEY OF UNMET DEMAND - PERTH AND BLAIRGOWRIE

Report by Head of Legal & Governance Services (Report No. G/22/45)

PURPOSE OF REPORT

This report outlines the findings and recommendations of a recent survey of unmet demand for taxis in Perth and Blairgowrie completed by LVSA (Licensed Vehicle Surveys & Assessment).

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 principal reason behind that decision was that there would be significant benefits to the public in having a limit because this supports continued investment in the taxi trade. Since then, surveys have been carried out at three yearly intervals to establish whether there is any unmet demand for taxi services. The last survey was carried out in 2017 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 with 3 further plates being awarded through appeals and 2 further plates awarded for use

by Operators for substitutions following non-fault accidents. The total number of taxi operator licences currently issued for Perth is therefore 75. The current limit in Blairgowrie is 12.

- 1.4 In July 2020, a further taxi demand survey was commissioned to establish the current position with regard to potential significant unmet demand and assess whether there had been any significant change since the 2017 survey.
- 1.5 The survey was carried out 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.
- 1.6 The Survey commenced in July 2020 during the Covid-19 pandemic. By that time, measures to mitigate the transmission of Covid were being relaxed and hospitality premises were reopening. It was recognised that conditions for carrying out a survey were still unusual even with measures being relaxed and a decision was made to commence some work but delay other aspects of the survey until conditions improved. It was felt that doing so would ensure that a robust survey could be completed. The Survey has now been completed and the Survey Report is attached.
- 1.7 The survey concludes that there is an unmet demand for taxi services in Perth and Blairgowrie. The principal issues identified are: -
 - Passenger waiting times at the ranks were significantly higher than the 2017 survey
 - A shortage of Wheelchair Accessible Vehicles at certain times of the day and in some locations. This is an issue which has been identified in previous surveys
- 1.8 A copy of the report which outlines the findings is attached as Appendix A.

2. PROPOSALS

Blairgowrie

- 2.1 In relation to Blairgowrie, the survey notes that while there is an unmet demand, there is no quantifiable number of taxi licences that could be added to the existing fleet which would meet the current unmet demand. This is because the existing Taxi Rank is not being used to any great extent, and the majority of fares are pre-booked.

It is therefore proposed that the current limit placed on taxi licences in Blairgowrie be removed. This is because the majority of the fares are pre-booked and the taxi rank is not being used to any great extent. There is, in effect, no significant demand for taxis as customer needs are met through pre-booking vehicles, rather than using a rank or flagging down. There is therefore no longer a need to have a limit in place.

In addition, any new taxi licences granted should be Wheelchair Accessible Vehicles and a condition added to the licence to ensure that for the lifetime of these new licences, any vehicle associated with the licence must be a Wheelchair Accessible Vehicle.

Perth

- 2.2 Within Perth, the survey concluded that in order to deal with the peak level of passenger queueing observed within the report findings, and the continuing shortage of Wheelchair Accessible Vehicles within the existing fleet, an additional 5 taxi operator licences should be issued.
- 2.3 It is therefore proposed that the Council increases the limit to 80 licences. Five of these licences are already in circulation, so increasing the limit to 80 will take account those five licences. It is also proposed that the Council should implement the recommendation made in the report in relation to the market for Wheelchair Accessible Vehicles. It is proposed that any new taxi operator licences granted in Perth in response to an increase in the limit should be Wheelchair Accessible Vehicles. A condition should be added to the licence to ensure that for the lifetime of these licences, any vehicle associated with the licence must be a Wheelchair Accessible Vehicle.
- 2.4 Should the Committee agree to increase the limit, and make a further 5 licences available, it is proposed that this would be publicised, with a deadline set for applications. A transparent method of allocation, through use of a lottery or draw, would be employed. Unsuccessful applicants would have any fees refunded to them.

3. CONCLUSION AND RECOMMENDATIONS

- 3.1 Following receipt of a survey that concludes that there is an unmet demand for taxis in the Perth and Blairgowrie area, it is recommended that the Committee:
- (i) Notes the findings of the survey carried out by HKZ Services Ltd, trading as LVSA;
 - (ii) Agrees that the current limit of 70 taxi operator licences in Perth be increased to 80;
 - (iii) Agrees that the additional 5 new licences should have a condition added to ensure that the vehicles associated with the licences are Wheelchair Accessible Vehicles for the duration of the licences;
 - (iv) Agrees that the additional 5 new licences be awarded by means of a lottery or draw;
 - (v) Agree that the current limit of 12 taxi operator licences for Blairgowrie be removed with immediate effect;
 - (vi) Agree that any new taxi licences granted for Blairgowrie should have an additional condition added to ensure that the vehicles associated with the licences are Wheelchair Accessible Vehicles for the duration of the licences.

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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, contributing towards improving access to taxi services for disabled people.

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

7. Appendices

Appendix A – Copy of Unmet Demand Survey.