

TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP

ABERDEEN, 6 December 2023. Minute of Meeting of the TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP. Present:- Councillor Al-Samarai, Chairperson; and Councillors Boulton, Clark, Delaney, Henrickson and Lawrence; and Alan Catto (Independent Driver), Chris Douglas (Aberdeen Taxis), Stewart Duncan (Airport Taxis), Russell McLeod (Rainbow City Taxis), Luke Hulse (Independent Driver), Peter Cambell (Railway Station and Unite Union) and Hussein Patwa (Disability Equity Partnership).

In attendance:- PC Ian Duthie and PC Gary Forbes (Police Scotland), John Weir and Derek Jamieson (Fleet Services, Operations), Sandy Munro, Dave McKane, Alexa Last and Daniel Wright (Licensing and Planning Team) and Mark Masson and Gogo Okafor (Committee Services)

WELCOME AND APOLOGIES

1. The Chair welcomed everyone to the meeting.

The Chair advised that this would be PC Duthie's last meeting as he was moving to another role within Police Scotland.

The Consultation Group resolved:-

to thank PC Duthie for his valuable input into the work of the Consultation Group and note that PC Forbes would be attending future meetings as his replacement.

DECLARATIONS OF INTEREST OR TRANSPARENCY STATEMENTS

2. There were no Declarations of Interest or Transparency Statements intimated.

MINUTE OF PREVIOUS MEETING OF 30 AUGUST 2023 - FOR APPROVAL

3. The Consultation Group had before it the minute of its previous meeting of 30 August 2023.

In relation to article 7 (Easement of Taxi Restrictions at Aberdeen Railway Station), the Consultation Group heard Sandy Munro, Legal Adviser provide an update, noting (1) that ScotRail Management at the Railway Station had confirmed that any Taxi and Private Hire vehicle driver, whether they are permit holders or not, could drop off any passengers at the clearly marked drop off points at the station, provided that the destination of their journey was the Railway Station; (2) that a pre-booked hire where the passenger was disabled or elderly may be collected within the station, but not at the rank regardless of whether the driver was a permit holder or not and that this would be monitored by CCTV; (3) that a response was awaited from ScotRail Management in respect of seeking clarity on the location of the drop off points, and when this is known, all licensed drivers would be contacted by the Licensing Team and provided with the aforementioned information; and (4) that licence holders would also be encouraged to report any concerns/issues which they may experience from permit holders.

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The Consultation Group resolved:-

- (i) to note the information provided;
- (ii) to note that Peter Cambell was the representative on the Consultation Group for the Railway Station taxi licence drivers/permit holders; and
- (ii) to otherwise approve the minute as a correct record.

ENFORCEMENT REPORT

4. The Consultation Group had before it for consideration, the Enforcement Officer's report which provided details relating to Taxi/Private Hire Car issues and information.

Dave McKane highlighted the main issues from his report, making reference to (a) current numbers of licensed vehicles and drivers; (b) the street knowledge test statistics during the period 16 August to 28 November 2023; and (c) the time taken by the Licensing Team to produce and issue licences.

During discussion the following was raised and noted:-

- that members were receiving complaints from residents in relation to the availability of taxis and where taxis were not turning up for pre-booked appointments, noting that this was largely due to there being less taxi drivers since pre-covid and the time (2-3 years) it would take to fully recover from this position, including issues such as the cost of purchasing vehicles, particularly WAVs; and
- that Aberdeen Inspired had approached the Council wishing to discuss the situation and impact of taxi and private hire car shortages in the city centre and how this could be resolved, noting that the best way to have this discussion would be to add it as an agenda item for a future meeting of the Group.

The Consultation Group resolved:-

- (i) to note the report;
- (ii) to note that the Taxi Demand Survey would be submitted to the Licensing Committee in early 2024 for consideration; and
- (iii) that Aberdeen Inspired be invited to the next meeting of the Consultation Group.

MIXED FLEET DISCUSSION - SANDY MUNRO

5. The Consultation Group had before it a paper from Sandy Munro, Legal Adviser which sought discussion and feedback in relation to a Mixed Taxi Fleet.

The discussion points were as follows:-

- Arriving at a reasonable split percentage;
- Method of maintaining the split;
- Reasonable length of notice of availability of a saloon plate; and
- Means of ensuring saloon plates are properly surrendered.

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Mr Munro advised (1) that he sought early engagement with the taxi trade on the above key points; (2) explained that any feedback/suggestions would be presented to a future meeting of the Group for discussion; (3) that a formal consultation process would be conducted with the taxi trade and public and a report on the Mixed Fleet Policy would be submitted to the Licensing Committee for consideration and approval.

The Consultation Group resolved:-

that this item including any feedback from taxi trade members would be presented to the next meeting for discussion.

SAFEKAB APPLICATION UPDATE- CHRIS DOUGLAS

6. The Consultation Group had before it a paper from Chris Douglas which provided an update in relation to the Safekab Application.

The paper advised that (1) the sister company, Inverness Taxis had successfully launched the Safekab Application which had been well received in the Highlands and indeed by government at local and national level with Chris Douglas' business partner Gavin Johnstone invited to speak at Westminster with regards to the Application and safety aspects; (2) Aberdeen Taxis had not launched the Application due to not having confidence in the amount of available cars or resources to service the demand; and (3) it was an impossible situation to deal with at present and that it would be detrimental to the Application and its service/reach to launch it in the current climate.

Mr Douglas reiterated much of the points from the paper and intimated that the Application in the Highlands had received approximately 7000 downloads.

The Consultation Group resolved:-

to note the update.

REQUEST FOR AN ADDITIONAL TAXI TRADE MEMBER REPRESENTATIVE ON THE GROUP - RUSSELL MCLEOD

7. The Consultation Group had before it a request from Russell McLeod for an additional taxi trade member representative on the group.

The paper advised that (1) Douglas Cowie had recently been appointed as Head of Operations at ComCab Aberdeen; (2) as Aberdeen Airport (Stewart Duncan), Aberdeen Taxis (Chris Douglas) and Rainbow Taxis (Russell McLeod) were all effectively represented on the group, then it would be fair that ComCab were represented as well; (3) although all current members had "titles" as to who they represent, it would be fair to say that all get involved in all subjects, whether it was their topic, or not.

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During discussion, the following was noted:-

- that at present, there were two vacancies on the group, namely for an Independent Taxi Driver representative and a GMB Union representative;
- that ComCab being a Licensed Taxi Office was already being represented on the group by Russell McLeod;
- that an additional taxi trade member representative in this regard would not meet the criteria of any of the two vacancies and that he did not represent a specific and recognised different interest group;
- that any significant changes to the remit of the group would require Licensing Committee approval, by way of a report to be submitted and considered; and
- that the remit of the group did not provide any details on whether designated substitutes were permitted or expected.

Mr McLeod suggested that Douglas Cowie could be a representative in relation to Taxi Trade Disability Liaison.

The Consultation Group resolved:-

- (i) to request that the Licensing Committee consider receiving a report at their meeting in April 2024 on the request for an additional representative from the taxi trade as the Taxi Trade's Disability Liaison member, namely Douglas Cowie (ComCab); and
- (ii) to note that the Clerk would update the remit of the group to include information on substitutions.

KNOWLEDGE TEST WORKING GROUP - STEWART DUNCAN

8. The Consultation Group had before it a paper by Stewart Duncan in relation to a request to establish a Street Knowledge Test Working Group.

The paper advised that the taxi trade still feel that they need to review the Knowledge Test, not to dilute it, but to bring it up to date given the current Knowledge Test criteria was 20 years old; and suggested that a "sub/working group" be established to explore possibilities.

During discussion the following was raised and noted:-

- that the Street Knowledge Test was previously reviewed and approved at the Licensing Committee meeting in September 2022;
- that there was only an 8-10% pass rate and the content of the test including places of interest may be outdated or no longer exist; and
- that a working group could include elected members, licensing officers, taxi trade members and other representation including Police Scotland and meet twice in 2024.

The Consultation Group resolved:-

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to note that Sandy Munro would liaise with Stewart Duncan on the establishment of an informal Street Knowledge Test Group.

FIRST MEETING 2024 - WHAT HAS BEEN ASKED AND ACHIEVED - RUSSELL MCLEOD

9. The Consultation Group had before it a paper from Russell McLeod which advised that it may be beneficial that a 'report card' outlining what had been achieved during 2023 be prepared and submitted to the first meeting of the group in 2024.

The Consultation Group resolved:-

to agree that a '2023 report card' be prepared by the taxi trade members and submitted to the next meeting of the group.

VISIT ABERDEENSHIRE DESTINATION TRAINING - CHRIS DOUGLAS

10. The Consultation Group had before it a paper by Chris Douglas in relation to destination training on behalf of Visit Aberdeenshire.

The paper (1) sought assistance in terms of circulating destination training on behalf of Visit Aberdeenshire to the wider taxi trade which would benefit the city and its image; (2) indicated that the training would be provided by the marketing team at Visit Aberdeenshire and would be an excellent tool for licenced drivers to use; and (3) advised that Mr Douglas would furnish the Licencing Team with the details if they were receptive to circulating it to the taxi trade.

The Consultation Group resolved:-

to note that Sandy Munro would make arrangements that the link to the destination training would be circulated to the taxi trade.

EXECUTIVE HIRE TRANSPORT IN THE CITY - CHRIS DOUGLAS

11. The Consultation Group had a paper by Chris Douglas in relation to the Council's position regarding Executive Hire transport.

The paper advised (1) that at present there were companies who operated Executive Hire services without an operator's licence or vehicle licence for the car or driver; (2) that it was his understanding that the legislation dictated that any hire and reward activity must be licenced unless it was for a wedding or funeral with the intention/exception of the 24 contract exemption clause; (3) that recently at Offshore Europe an ex-taxi driver who was known to have lost his licence was working for a long established Executive Hire company picking up corporate clients from the taxi rank in an unlicensed vehicle under the banner of 'an executive hire'; (4) that it raised the question as to what was

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enforceable and what was not with regards to licenced activity; and (5) that the trade would like to increase Executive Hire offerings but stay within the guidance of the legislation, however at present it did not appear to be the status quo in the city.

The Consultation Group heard from Sandy Munro, Legal Adviser who explained that legislation at present states that as long as the vehicle was hired under a contract for exclusive hire for a period of not less than 24 hours, then it would not fall into the licensable activity category. He intimated that an amendment to the legislation had been passed recently to remove that exemption, however it was not in force yet, and there was no indication when that would be enforceable by the Licensing Authority.

At this juncture, PC Duthie encouraged the taxi trade members to report details of any illegal (un-licensed) taxi drivers to Police Scotland, noting that only one complaint had been received since the last meeting.

The Consultation Group resolved:-

to request that the Licensing Committee consider whether it would be appropriate to write to the Scottish Government requesting that the recently passed legislation be expedited as soon as possible in order for Local Authorities to address the number of complaints being received regarding the un-licensed Executive Hire loophole.

REQUEST TO INCREASE THE AGE OF VEHICLE - CHRIS DOUGLAS

12. The Consultation Group had before it a paper by Chris Douglas which requested an increase to the Age of Vehicle Policy.

The paper advised that other cities had successfully increased the age in which a private hire non Wheelchair Accessible Vehicle could be licensed (Glasgow was now 7 years); and requested that Aberdeen following suit given it currently sat at 5 years or less at first licensing or substitution.

In addition Mr Douglas said that increasing the age would hopefully encourage people into the taxi trade

The Consultation Group heard Sandy Munro, Legal Adviser indicate that following a recent check with other local authorities, the following information was received:-

- Glasgow City Council age limit was still 5 years;
- Edinburgh and Dundee Council's do not have an age limit although in Dundee all new vehicles must be electric;
- Perth had a maximum age limit of 10 years, therefore vehicles would need to be replaced once it was over 10 years of age;
- Highland, Stirling and North Lanarkshire Councils were 5 years or less; and
- South Lanarkshire was 7 years or less.

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Mr Munro indicated that most authorities have an upper age limit cap, however Aberdeen did not, therefore as long as the vehicle passed the bi-annual inspection it could continue to be re-licensed.

The Consultation Group resolved:-

to note that the Age of Vehicle Policy was due to be reviewed in 2024, and that the taxi trade could submit their views during the consultation period, following which the Licensing Committee could consider any changes to the policy.

2024 MEETING DATES

13. The Consultation Group had before it their meeting dates for 2024, as follows:-
- 6 February;
 - 2 May;
 - 4 September; and
 - 13 November.

The Consultation Group resolved:-

to note the 2024 meeting dates, all to be held in the Town House at 10.00am.

- **COUNCILLOR GILL AL-SAMARAI, Chairperson**