

TAXI CONSULTATION GROUP

ABERDEEN, 5 October 2016. Minute of Meeting of the TAXI CONSULTATION GROUP. Present:- Councillor Carle, Convener; and Councillors MacGregor, Malone and Reynolds; and Gordon Anderson (Independent Drivers), Tommy Campbell (Unite the Union), Stewart Duncan (Airport Drivers) and Graeme McColl (Aberdeen Taxi Group).

In attendance:- Ruth O'Hare and Karen Gatherum (Licensing and Litigation); David McKane and Izy Deans (Enforcement Officers, Licensing and Litigation); and Kate Lines and Allison Swanson (Democratic Services).

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

MINUTE OF PREVIOUS MEETING

1. The Consultation Group had before it the minute of its previous meeting of 9 June 2016.

The Taxi Consultation Group resolved:
to approve the minute.

BEDFORD ROAD - PROHIBITION OF TAXIS

2. The Consultation Group had before it a request from Councillor Reynolds, the Depute Provost, that the Group discuss the implications, if any, on taxi drivers and passengers resulting from the current prohibition of taxi access at the bus gate at Bedford Road.

The Group heard from Councillor Reynolds who explained that he had received complaints from taxi drivers that passengers had been complaining to them about the increase in journey distance now required and the subsequent increases in fares being charged, as a result of the introduction of the bus gate at Bedford Road.

The taxi trade representatives present concurred with the statement by Councillor Reynolds and further advised of the impact on the journey times and cost implications on passengers, since the introduction of this bus gate. As a result of this, the taxi trade requested that all bus gates within the city, allow access to all taxis, in particular taxis displaying yellow plates.

Members also proposed that an alternative to amending access to the existing bus gates to include taxis, would be reclassifying bus gates to bus lanes and recommended that both options be explored by officers.

With regards enforcement of bus gates, Mr McKane, Enforcement Officer, advised that monitoring of the bus gates was carried out by the camera enforcement unit and that vehicle registrations that were not on a list submitted to the unit received fines for

TAXI CONSULTATION GROUP
5 October 2016

unlawful use. Mr McKane confirmed that the gate at Dubford Road did allow for taxi access with registration plate monitoring undertaken to ensure drivers not complying with the restrictions were fined, however on occasion, taxi drivers were fined and had to obtain a refund.

The Taxi Consultation Group resolved:

- (i) to recommend that the Communities, Housing and Infrastructure Committee instruct the Roads Infrastructure Manager to submit a report detailing the options for allowing taxis to have access to all bus gates in the city, in particular the bus gate on Bedford Road, including details on the statutory process which would be required, to a future meeting of that Committee; and
- (ii) to request that the decision of the Communities, Housing and Infrastructure Committee be reported back to the Group in due course.

TAXI FARE REVIEW

3. With reference to article 8 of the minute of its previous meeting of 9 June 2016, the Consultation Group heard from Mrs O'Hare who reminded Members that a table detailing the updated taxi fare formula upon, as well the calculation that the taxi fare review would be based on had been circulated to all Members in advance of the meeting for their respective comments. She then advised that at present officers would be recommending to a future meeting of the Licensing Committee that taxi fares remain at the current level. Should the Licensing Committee approve this recommendation, this proposal would then be issued for consultation, following which the Licensing Committee would make a final decision on taxi fares.

Thereafter, Mr Campbell, Unite the Union, recommended the taxi fares remain with the exception that the start fare of £3.40 be increased to £4.40 during the operating hours from 12 midnight Friday to 5am Saturday and 12 midnight Saturday to 5am Sunday.

The Taxi Consultation Group appreciated that given the airport was a commercial organisation, the Council could not change the airport charge, however it discussed ways in which any future increase in the charge levied by the airport could be considered timeously by the Council in order for the financial impact on taxi drivers to be mitigated. The taxi trade representatives explained the potential financial impact of the recent £1 increase on taxi drivers operating at the airport and requested that ways to mitigate the impact of any future increase be explored as part of the current review of taxi fares.

In response, officers advised that they were now liaising with airport management and had highlighted the impact of the increase on taxi drivers; detailed the lengthy process the Council had to undertake in order to change the fare structure; and requested that any future proposed increase be communicated to the trade and the Council at the earliest opportunity to enable officers to take steps for the Council to consider if, and how, it wished to mitigate any impact on taxi drivers. Trade representatives welcomed

TAXI CONSULTATION GROUP
5 October 2016

this, however intimated that this was dependent on the goodwill of the airport and would still request that the Licensing Committee consider ways in which any future increase could be mitigated.

The Licensing Team were thanked for their work in undertaking the fare review and Mr McColl asked that the formulae be looked at as part of the next fare review as the current formulae meant that fares would be unlikely to increase in future years. It was also proposed that the surcharges and tariffs be simplified at this time.

The Taxi Consultation Group resolved:

- (i) to recommend that the Licensing Committee request the Licensing Team Leader, as part of the current taxi fare review, to explore ways in which any future increase in airport access charges could be mitigated by the Council in a timely manner;**
- (ii) to note that a report on the review of taxi fares would be submitted to a future meeting of the Licensing Committee and that the comments of the Taxi Consultation Group would be reflected within that report; and**
- (iii) to recommend that the Licensing Committee instruct the Licensing Team Leader to undertake a review of the existing taxi fare formulae, including surcharges, following the completion of the current taxi fare review.**

TAXI RANKS - SUBMITTED BY GORDON ANDERSON

4. The Taxi Consultation Group heard from Mr Anderson, Independent Drivers, who explained that recently due to the decrease in demand for taxis, the taxi rank space currently available, in particular the taxi rank on Back Wynd, did not accommodate the number of vehicles operating, and as a result taxi drivers were having to drive around until a space became available, which had a financial and environmental impact, or they were parking just outwith an existing rank and likely to be fined or moved on. In light of this position, Mr Anderson requested that the provision and location of taxi ranks be reviewed to ensure that (1) the taxi ranks were in the most convenient and logical place for passengers; and (2) there was sufficient taxi rank space and an alternative location, or dual purpose holding rank, for taxis to go to when a taxi rank was at capacity.

Members discussed the availability and location of existing taxi ranks and presented options to ensure taxi ranks were visible to the public and of sufficient capacity, namely: the re-allocation of parking spaces to taxi spaces on Union Terrace; the relocation of blue badge spaces on Back Wynd onto Schoolhill, extension of existing taxi ranks on Back Wynd and Chapel Street; the use of park and ride schemes by taxis; and the creation of a dual purpose taxi holding rank. The general consensus of the taxi trade representatives was that at present there was not sufficient taxi rank space and the locations of the current ranks could be improved. To support this view, Mr McColl, Aberdeen Taxi Group, reminded Members that the most recent Taxi Demand Survey concluded that there was not sufficient taxi rank space.

TAXI CONSULTATION GROUP
5 October 2016

Members recommended that the Licensing Committee agree to instruct officers to undertake a taxi rank review and should this be approved emphasised the importance of the Roads Department being fully involved from the outset, as well as the Group itself.

The Taxi Consultation Group resolved:

to recommend that the Licensing Committee instruct the Licensing Team Leader to undertake a full review of taxi rank provision and location within the city, in consultation with the Roads Infrastructure Manager and all appropriate parties, to identify where suitable additional taxi ranks could be provided if appropriate and to report back on the outcome of the review to a future meeting of that Committee for consideration of the findings.

Prior to consideration of the next item on the agenda, Mrs O'Hare proposed that the Group consider items 6 (Special Meeting – Taxi Testing Requirements) and 7 (Taxi Inspection Centre) as one item. The Group agreed to this proposal.

SPECIAL MEETING – TAXI TESTING REQUIREMENTS AND TAXI INSPECTION CENTRE

5. With reference to article 2 of the minute of its previous meeting of 9 June 2016, the Taxi Consultation Group heard from Mrs O'Hare who advised that following the Group's last meeting, the Licensing Committee had considered the Group's request that a small working group be established to review the taxi testing manual and the appeals process, and the Committee had agreed that a special meeting of the Taxi Consultation Group be held for this purpose and that relevant organisations be invited to attend for that meeting only. On this basis, she advised that the meeting to discuss this matter was scheduled for 10am on Thursday, 24 November in the Town House.

With regards attendees for this meeting she advised that all members of the Taxi Consultation Group would be invited and that Members should email the clerk with details of any relevant organisations they felt should be invited to participate for that single item meeting only. In response, it was proposed that a representative from every taxi office attend, as well as appropriate officers.

With regards issues raised at the previous meeting regarding the taxi inspection centre and retesting delays, the Group was advised that the Licensing Service was endeavouring to have an Enforcement Officer present at the inspection centre on a full time basis. This service had commenced over the past three weeks and it was hoped that this would result in an improved service to the trade and reduced delays in vehicles being retested, in that the Enforcement Officer would be able to retest and approve vehicles which had failed for non mechanical simple faults, such as a side light bulb. Mr McKane advised that where a vehicle fault would also result in an MOT failure that these vehicles would still need to be booked in for a re-test.

TAXI CONSULTATION GROUP
5 October 2016

Mr McColl referred to the failure certificate and highlighted that there appeared to be an inconsistency in the re-test fee of £33 being applied, for example where a meter clock might be out. Mr McKane advised that the charging of the re-test fee should be consistent and explained that the re-test certificate was a general failure certificate and that reference to the £33 fee appeared on all failure certificates issued and that this might be causing inconsistency regarding charging of the fee. Therefore, he undertook to review the certificate and to make any amendments as appropriate to address the situation where fees were being incorrectly charged for certain failures. Members also discussed the interpretation of the testing manual and emphasised the importance of this being applied consistently.

The Taxi Consultation Group resolved:

- (i) to note that a Special Meeting of the Group would be held on 24 November 2016 at 10am to discuss the taxi testing manual and appeals process only and to request that Members advise the Clerk by email of proposed appropriate organisations to be invited to this meeting only by the first week of November and thereafter that the Clerk would issue invites to all;
- (ii) to request the Enforcement Officers to submit statistics relevant to the taxi inspections and the taxi inspection centre, i.e. the number of re-tests, waiting times for tests and re-tests; reasons for failed tests, for discussion at the special meeting;
- (iii) to note that the Enforcement Officers would review the general failure certificate issued and would report to the special meeting whether any amendments were to be made to ensure the re-test charge of £33 was applied consistently; and
- (iv) to otherwise note the update provided.

TAXI DRIVER TRAINING

6. With reference to article 13(A) of the minute of its meeting of 1 March 2016, the Taxi Consultation Group heard from Mrs O'Hare who advised that the initial consultation period in respect of taxi driver training had concluded and 43 responses had been received out of 1500 questionnaires being circulated to the trade.

In terms of the responses received, Mrs O'Hare advised that these had been mixed, with some drivers being in favour of training and others feeling there was no requirement for this. Mrs O'Hare advised that an interim report detailing the results of the consultation would be presented to a future meeting of the Licensing Committee, at which point the Committee would consider the responses and whether it wished to (1) take no further action in respect of taxi driver training; or (2) propose a specific training requirement for taxi drivers which would then be consulted upon.

Mr McColl advised that training had been discussed at a meeting of the Aberdeen Taxi Group at which drivers had queried the type or standard of training proposed, and had raised concerns about the cost of the training and loss of earnings. The general

TAXI CONSULTATION GROUP
5 October 2016

consensus had been that drivers did not mind undertaking training, but they did mind the potential financial burden resulting from this and questioned whether the Council would incur the cost of any training agreed. With regards the low response rate, Mr McColl suggested that responses might have been higher if greater detail on the training proposed had been included within the questionnaire and if a social media platform had been used.

Members discussed the rationale for introducing training, during which it was advised that should the service provided by a taxi driver not be satisfactory all passengers had a means to raise concerns and the Council had a process for addressing such issues and therefore the merit of training was questioned. It was also suggested that training would need to be mandatory to result in a reasonable uptake and that questions on customer service could be added to the street knowledge test.

The Taxi Consultation Group resolved:

to note that a report on outcome of the initial consultation responses in respect of taxi driver training would be submitted to the Licensing Committee in due course and to otherwise note the update provided.

TAXI BOOKING APPS

7. With reference to article 6 of the minute of its previous meeting of 9 June 2016, the Taxi Consultation Group heard from Mrs O'Hare who reminded Members that the Scottish Government had recently completed a consultation on the impact of modern technology on the licensing regime for taxis and private hire cars , including the taking of bookings, booking offices and fares . The outcome of this consultation was awaited, however since the previous meeting the Licensing Service had received a number of emails regarding booking apps and sought the views of the trade regarding the impact of modern technology on the taxi trade.

Mr McColl advised that the four main taxi offices in Aberdeen were already offering the public the opportunity to book via an app and that moving forward the Council would require to determine whether it was a requirement of current legislation for companies wishing to operate in the city to have a physical booking office or whether this could be achieved electronically. He also provided details of the multi-functional apps currently and the difficulties which might arise and of which the Council would need to take cognisance.

Mrs O'Hare explained that legislation had not caught up with technology as recognised by the recent Scottish Government consultation and there had been debate regarding the requirement for a physical booking office, however she advised that the intention of a booking office was to ensure proper record keeping and there was no requirement for this to be achieved by means of having a physical booking office. All drivers required to be licenced and should there be any concerns regarding the use of an app, the

TAXI CONSULTATION GROUP
5 October 2016

Licensing Committee could apply conditions to a driver using a virtual booking office to ensure accurate record keeping.

The Taxi Consultation Group resolved:

to note the information and to request that the outcome of the Scottish Government consultation on the impact of modern technology on the licensing regime for taxis and private hire cars be reported to a future meeting of the Group.

MYSTERY SHOPPER ENFORCEMENT

8. The Group were advised that an email had been received suggesting the use of a 'Mystery Shopper' to research the quality of service received by passengers.

Mr McKane advised that the licensing authority which had used a mystery shopper was significantly larger than Aberdeen and had used a mystery shopper following specific concerns raised, however the authority had not provided details of those concerns. He advised that there was no scope within the enforcement team to carry out a mystery shopper exercise, nor was it deemed necessary at this time as any complaints regarding a driver were already investigated on receipt of the complaint.

Trade representatives advised that taxi drivers had licence conditions which they were required to comply with and that passengers had a means to report any concerns with the service provided by a taxi driver and therefore did not feel that mystery shopper enforcement was required or would add anything to the service currently provided. In addition, there were concerns that the use of a mystery shopper was not evidence led and the outcome would be the perception of the mystery shopper.

The Taxi Consultation Group resolved:

to note the information and take no further action.

ENFORCEMENT OFFICER UPDATE

9. The Taxi Consultation Group heard from Mr McKane who provided an overview of the activity of the Enforcement Officers since the previous meeting.

He advised that a new Licensing Inspector had been appointed at the Aberdeen Division of Police Scotland and that they continued to work closely with the Licensing Section at Police Scotland, as well as the City Wardens. Specifically, he provided details of an operation to target the use of unofficial taxi ranks, including the layby at the Station Hotel. He advised that enforcement would involve moving drivers on and where necessary and issuing warning letters.

TAXI CONSULTATION GROUP
5 October 2016

Mr McColl advised that use of the layby was historical and that the taxi drivers had originally been advised that a rank outside the hotel would be introduced for use, provided drivers were not poaching trade from the station taxi drivers.

The Group discussed the existing provision for taxi drop offs and collection, including the difficulties experienced by passengers accessing the public drop off area within the railway station drop off zone and College Street Car Park. It was suggested that the requested taxi rank review consider and address the reasons for unofficial ranks.

The Taxi Consultation Group resolved:

- (i) to request that the Enforcement Officers report the outcome of the operation targeting the use of unofficial taxi ranks to the next meeting of the Group; and
- (ii) to otherwise note the update provided.

CCTV MONITORING OF TAXI RANKS

10. The Taxi Consultation Group heard from Mrs O'Hare who advised that the Licensing Team had received an email asking that they consider whether there was an appetite for taxi drivers to be able to monitor spaces available at taxi ranks by accessing the CCTV system through an 'app' and sought the Group's view on this. Members discussed the suggestion, during which the consensus that this was not required.

The Taxi Consultation Group resolved:

to note the information provided and to agree that it saw no merit, at this time, in taxi drivers being able to monitor taxi rank spaces through an app.

AOCB

11. (A) Temporary Suspension of Airport Taxis Operating Within the City Zone.

With reference to article 10 of the minute of its previous meeting of 9 June 2016, the Taxi Consultation Group heard from Mr Campbell who proposed that the temporary suspension of airport taxis operating in the city zone in light of the continued downturn in taxi business. Mr Duncan, Airport Drivers, advised that daily records were taken and the number of airport taxis operating in the city centre was minimal at this time. The Convener reminded Members that this matter had been discussed at its previous meeting and at that time the Group was advised that this was a matter for the Licensing Committee to consider, however data from taxi marshals for the last 12 month period was awaited and the operation of airport taxis within the city centre would be considered as part of the taxi demand survey due to be undertaken next year.

TAXI CONSULTATION GROUP
5 October 2016

The Taxi Consultation Group resolved:

to note that taxi marshal data for the last 12 months was awaited and that the operation of airport taxis in the city centre would be considered as part of the taxi demand survey to be undertaken next year.

(B) Taxi Meter Recalibrations

In response to a query raised by Mr Campbell, Mr McColl advised that the two year maximum period imposed on taxi meters for calibration and / or resealing was set by the meter manufacturers themselves and there was no way to extend the period to reduce costs to taxi drivers.

The Taxi Consultation Group resolved:

to note the information provided by Mr McColl.

(C) CCTV Charges for CCTV Equipped Taxis

In response to a query raised by Mr Campbell, Mr McKane advised the Group that taxi drivers needed to pay the £60 fee to Aberdeen City Council to vary a licence to introduce CCTV in addition to the £25 fee to register with the Data Information Commissioner.

The Taxi Consultation Group resolved:

to note the information provided.

(D) Taxi Funds from the General Fund

With reference to Article 3 of the minute of its previous meeting of 9 June, 2016, Mr McColl asked for an update on the request to transfer taxi funds from the General Fund. Mrs O'Hare advised that she had received no further update on this matter.

The Taxi Consultation Group resolved:

to request the Licensing Team Leader to confirm with the appropriate Finance officer the status of the request to transfer taxi funds from the General Fund.

(E) Air Weapons and Licensing (Scotland) Act 2015

Mr McColl sought an update on the implementation of the Air Weapons and Licensing (Scotland) Act 2015. Mrs O'Hare advised there was no present update concerning the implementation of the relevant provisions of the Act but the Group would be advised accordingly.

TAXI CONSULTATION GROUP
5 October 2016

The Taxi Consultation Group resolved:
to note the current position.

VALEDICTORY

12. The Convener advised the Group that Mrs O'Hare was leaving the Council and this was her last meeting of the Group. On behalf of the Group, he thanked Mrs O'Hare for her advice and support over the past few years and wished her well in her new post.

The Consultation Group resolved:
to concur with the remarks of the Convener.

- **Councillor Scott Carle, Convener.**

DRAFT