

## **TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP**

ABERDEEN, 27 June 2018. Minute of Meeting of the TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP. Present:- Councillor Reynolds, Chairperson; and Councillor McRae; and Chris Douglas (Aberdeen Taxis), Stewart Duncan (Airport Taxis), Graeme McColl (Aberdeen Taxi Group) and Roy McHardy (GMB).

In attendance:- Sean Cremer (Finance), Sheila Barclay and William Whyte (Fleet Services), Karen Gatherum, David McKane, Sandy Munro and Jennifer Wilson (Licensing), Kate Lines and Allison Swanson (Committee Services), PC Steve Sharp (Police Scotland), and Ms Jemma Forrest and Mr Jon Matthews (Aberdeen International Airport) (for article 2 only).

### **AGENDA ORDER**

1. The Chairperson proposed that item 8 on the agenda (Aberdeen International Airport) be brought forward to be considered as the first item to allow representatives from the airport to depart following consideration of the item.

**The Taxi and Private Hire Consultation Group resolved:**  
to concur with the Chairperson's proposal.

### **ABERDEEN INTERNATIONAL AIRPORT**

2. The Chairperson welcomed Ms Jemma Forrest and Mr Jon Matthews from Aberdeen International Airport to the meeting who had been invited to attend as representatives of Aberdeen International Airport for this item of business only.

Mr Munro advised the Consultation Group that the item was on the agenda to discuss the current airport zone and whether this was still required during the current decline in the taxi driver numbers.

The Consultation Group then heard from Mr Matthews who advised of the taxi operation arrangements at Aberdeen International Airport since the airport had taken over the operation of the airport taxi fleet in June 2018. Mr Matthews explained that work had been undertaken to improve the service offered to passengers by (1) increasing the numbers in the fleet with the aim to increase numbers to 125 for 2019; and (2) enforcing a shift pattern. They had also introduced improved respite facilities for taxi drivers and this had led to a better working relationship.

He went on to explain that due to the nature of the airport schedule there would always be peaks and troughs in demand and that the current zoning policy reflected this unique situation; allowed the airport to offer a better service to passengers; and they would not wish for the existing zone to be removed. Mr Matthews highlighted the implications for the airport and the city should the zone be removed and advised that Police Scotland and the Civil Aviation Authority were supportive of the zone being retained.

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The Group was advised that the airport zone had originally been introduced to ensure taxis returned to the airport after passengers had been dropped off in the city; to maintain a taxi presence at the airport; and to ensure the best service for visitors.

The Group discussed the green light for non-airport zoned, noting that when the green light was on, support from taxi offices was actively sought with telephone calls to booking offices made to alert the trade of a shortfall in available cars. The green light was open to all licensed vehicles, not just specific companies. Improvements in communication, including looking at new technology was being looked at with the aim to further improve the service for the airport and passengers.

In response to a query regarding the enforcement of non-airport zoned taxis operating within the boundary, Mr David McKane said that any breach would be in relation to the airport byelaws, not taxi plate regulations.

Mr Roy McHardy, GMB Union, asked if Aberdeen City Council was the only local authority retaining zoning following a UK Government recommendation to remove zoning as a restrictive policy.

**The Taxi and Private Hire Consultation Group resolved:**

- (i) to note that officers would investigate whether Aberdeen City Council was the only remaining local authority retaining taxi zones and whether there were any legal implications in retaining the zone;
- (ii) to note that all parties were supportive of the airport zone continuing and agreed therefore that no recommendation to remove the zone should be submitted to the Licensing Committee; and
- (iii) to thank Ms Forrest and Mr Matthews for their attendance and the updates provided.

**MINUTE OF MEETING OF 13 MARCH 2018**

3. The Consultation Group had before it the minute of its previous meeting of 13 March 2018.

**The Taxi and Private Hire Consultation Group resolved:**

to approve the minute.

**TAXI FARE REVIEW**

4. The Consultation Group had before it an information note which outlined the advertised tariff changes which would be considered at the Licensing Committee on 9 July 2018, with the recommendation that the new tariff take effect on 31 July 2018, with the meter update event taking place on 31 July and 1 August 2018, subject to the meter suppliers being available to undertake the update.

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Ms Karen Gatherum, Paralegal, advised that only one response had been received during the consultation period regarding the yardage and this feedback would be reported to the Committee and could be incorporated in to the new tariff. Mr Graeme McColl advised that he would contact the taxi meter suppliers' availability to update meters on 1 August and would confirm this with Mr McKane by email.

**The Taxi and Private Hire Consultation Group resolved:**

- (i) to note that Mr McColl would liaise with Mr McKane regarding the availability of meter suppliers to update taxi meters following the decision of the Licensing Committee on 9 July 2018; and
- (ii) to note the proposed new tariff rates which would be considered by the Licensing Committee on 9 July 2018.

**ENFORCEMENT OFFICER REPORT**

5. With reference to article 3 of the minute of the meeting of the Consultation Group of 13 March 2018, the Consultation Group had before it an information note which provided an overview of the activity of the Enforcement Officers regarding taxi enforcement operations since the previous meeting.

Speaking in furtherance of the note, Mr McKane, Enforcement Officer, advised that smoking within vehicles was now being enforced in conjunction with Environmental Health and Enforcement Officers were also working in conjunction with the Aberdeenshire Licensing Team and Police Scotland with regards to other enforcement activities.

In relation to the breakdown of current numbers of licensed vehicles and drivers, Mr McHardy asked if the number of drivers with a wheelchair accessible vehicle but who had an exemption to carry wheelchair passengers could be included in future enforcement reports. Mr McKane advised that there were approximately 50 exempt drivers and explained that the exemption period could be indefinite or for a set period of time depending on the specific medical exemption. Those drivers requesting an exemption had to undertake a specific medical test relating to their exemption. He explained that fitness to drive and fitness in respect of an exemption required two separate medical assessments and an exemption could not be refused if there was a valid medical reason and assessment provided by the Council's Occupational Health Provider. Mr McHardy raised concerns that wheelchair users might have to wait for an accessible vehicle and then find the first one available might have a driver exemption which would be in contradiction of their expectations in quality of service from the taxi trade.

With regard to the hackney test and MOT failures, Mr McKane advised that since the latest update to MOT testing, any hackney insurance disc which was displayed within the arc of the window wipers was an MOT fail and would therefore also be a hackney fail. The testing manual will be updated to reflect this and would be communicated to drivers.

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Where a disk was not displayed the vehicle would be issued with a fourteen day re-presentation notice. Any proposal to remove the requirement to display a taxi disc would need to be submitted to the Licensing Committee for approval.

**The Taxi and Private Hire Consultation Group resolved:**

- (i) to note that the Licensing Team would communicate the latest update to MOT and hackney test requirement with regards to the positioning of taxi discs to the trade;
- (ii) and
- (iii) to otherwise note the update.

**DRIVER MEDICALS - UPDATE**

6. The Consultation Group had before it an information note which provided an update on the increase in drivers needing to attend medical assessments, the increase in costs and a guide to costs involved for some additional medical assessments.

Ms Jennifer Wilson, Licensing Team Leader, advised the Group with increasing numbers of taxi drivers reaching the age of 65 years upon which they were required to undertake a medical assessment the costs of medical assessments had increased as detailed in the note and she expected that the costs would also increase in the forthcoming years.

With regards to the Council's Occupational Health Provider, she advised that the Council had invited tenders for the Council wide occupational health requirements, not just the taxi medical assessments, and that OH Assist was still providing medical assessments in the interim.

**The Taxi and Private Hire Consultation Group resolved:**

to note the update.

**DVLA LEVEL 2 DRIVERS' MEDICAL AND INCREASING DRIVER NUMBERS**

7. The Consultation Group had before it a request from Mr McColl to discuss the DVLA Group 2 Drivers' Medical and at this point in proceedings, Mr McColl suggested it be considered in conjunction with his request to discuss ways to increase driver numbers as he felt the Group 2 medical standards was adversely impacting on current taxi driver numbers and was also discouraging new drivers in to the trade.

Mr McColl advised that he was aware of numerous drivers who were now leaving the trade because they had been required to undertake the Group 2 medical as they had either reached the age of 65 or they had declared health issues and had not passed the medical. He suggested that this was unfair to the longer term drivers and detrimental to the trade and passengers and asked if all drivers should have to take the Group 2 medical test to ensure parity across the trade.

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Mr Sandy Munro, Solicitor advised of the current medical process for all taxi drivers, wherein he explained that drivers were currently self-declaring known health issues as legally required under standard driving licence conditions and all declarations as well as any driver who had reached the age of 65 were all undertaking the required medical. Mr Munro advised of the benefits of continuing with the current policy and highlighted the implications on the local authority and the taxi trade should the medical standard be reduced, as well as the implications should all taxi drivers be required to undertake a DVLA Group 2 medical assessment.

Mr McColl made reference to his request to discuss driver numbers (item 7 of the agenda, Increasing Taxi and Private Hire Driver Numbers – Request for Discussion from Mr McColl refers) and suggested that the current drop in numbers was good for the remaining drivers but in the long term believed it would have a negative impact which he felt was being made worse with the DVLA Level 2 requirements.

Mr McColl highlighted the increasing costs to the trade in terms of additional medical assessment fees and referred to the current deficit in the Taxi Trade Accounts which he believed would continue to increase, particularly if numbers of drivers continued to fall.

Ms Wilson advised that the majority of licensing authorities had adopted the DVLA Group 2 medical test for those drivers who fell within the requirements for additional testing on the ground of public safety. She explained that although it was guidance for taxi drivers to meet Group 2 standards, the DVLA might look at making this mandatory for drivers in the future.

She further advised that the Licensing Committee had requested a review of the current policy on medical standards for taxi and private hire drivers and this was scheduled to be submitted to the Licensing Committee in August 2018.

Mr Munro advised that the licensing team were liaising with licensing officers from Aberdeenshire Council who were currently investigating whether drivers could obtain their Group 2 assessment through their GP rather than go through the Council's occupational health provider. Mr Munro also confirmed that benchmarking against other local authorities would be undertaken.

With regards to the number of drivers in the trade, Mr McHardy suggested the number of drivers was reducing because the downturn in trade and increase in driver costs, including medicals meant it was no longer economical to drive a taxi. He made reference to the decision taken at the meeting of the Licensing Committee of 5 June regarding the decision to delay the implementation of the full wheelchair accessible vehicle policy and felt that this change in policy had now created a two tier system where the accessible vehicle fleet faced higher costs than the saloon fleet. The Consultation Group was advised that the decision taken at the Licensing Committee now reflected the different requirements of mobility impaired passengers.

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The Group discussed ways to promote the taxi trade and to highlight the shortage of drivers in the city.

**The Taxi and Private Hire Consultation Group resolved:**

- (i) to note that the Licensing Team would continue to monitor the position with regards the DVLA possibly enforcing a Group 2 test across the taxi and private hire trade and any information received from the Scottish Government and would keep the Group appraised;
- (ii) to note that a review of the current policy on medical standards for taxi and private hire drivers would be submitted to the Licensing Committee in August 2018; and
- (iii) to otherwise note the current position

**TAXI AND PRIVATE HIRE DRIVERS TEST - INTERPRETERS - REQUEST FOR DISCUSSION FROM GRAEME MCCOLL**

8. The Consultation Group had before it a request from Mr McColl to discuss the use of interpreters for drivers applying for licences and during their street knowledge test. Mr McColl advised that he felt that drivers should have a minimum standard of spoken English to operate a taxi or private hire driver licence and he was concerned there was the possibility of inequality in testing if some drivers offered additional support due to language barriers; he felt that a poor standard of English would be detrimental to the overall level of service offered to passengers.

In response to Mr McColl's query with regards to funding any interpreters the Group was advised that funding would come from the Equalities Team and that no requests for a paid translator had been received to date. The Group was further advised that letters were translated if required within the Council at no cost and with consideration of the existing equalities legislation. Mr Munro advised that following a recent case elsewhere in the UK, a licence could now be refused if no English was spoken.

Mr Stuart Duncan suggested that English was a requirement of the taxi trade and asked whether the ability to understand English should also be applied to all aspects of the trade, such as written letters, receipts being issued to drivers etc, not just when they were driving a taxi or private hire car.

The Chairperson made reference to the UK Citizenship Test and Foreign Commonwealth Office standard of English for non-EU student visa applications as a possible source of information.

**The Taxi and Private Hire Consultation Group resolved:**

to request officers to clarify the standard of English required by the Foreign and Commonwealth Office and to advise members by email.

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## UPDATED ACCOUNTS

9. With reference to article 4 of the minute of the meeting of the Consultation Group of 13 March, 2018, the Consultation Group had tabled before it a further breakdown of the current taxi trade accounts.

Mr Sean Cremer, Accountant, advised that the rebate from medical assessments had been incorporated in to the updated accounts and that the accounts incorporated peaks and troughs in income and expenditure across a three year period. He advised that within reason the deficit would be absorbed by the Council's revenue accounts, this could not be factored in on an ongoing basis and discussions would need to be held with the trade to look at options for reducing the current deficit.

Mr McColl raised concerns that the substantial deficit of £86,000 which currently equated to a deficit of £62.50 per driver, per annum, could increase to £100,000 by 2019 and that he felt the trade would need to meet independently to discuss the way forwards as the Council could not continue to offer a licensing service at a loss.

The increase in the level of enforcement in response to requests from the trade was noted and appreciated by the trade.

**The Taxi and Private Hire Consultation Group resolved:**

to note the updated taxi trade accounts and that discussions would need to be held to look at options for reducing the current deficit in the taxi trade accounts.

## AOCB

10. The Consultation Group had tabled before it an information note which provided the membership of the Group as at 12 September 2017, and were advised that a request to fill the vacancy for the Licensed Taxi Offices representative had been received from Mr Russell McLeod, Managing Director of Rainbow Taxis.

**The Taxi and Private Hire Consultation Group resolved:**

**to note the request by Mr McLeod to join the Consultation Group as the Licensed Taxi Offices representative and to recommend that this be approved by the Licensing Committee and if approved that the Licensing Team Leader be instructed to notify all Taxi Offices of the appointed representative.**

## DATE OF NEXT MEETING

11. The Consultation Group were advised that the next meeting of the Taxi and Private Hire Car Consultation Group was scheduled to be held at 10.00am on Wednesday, 3 October 2018 in the Town House.

**- Councillor John Reynolds, CHAIRPERSON.**

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Wednesday, 27 June 2018