

TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP

ABERDEEN, 30 August 2023. Minute of Meeting of the TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP. Present:- Councillor Delaney, Acting Chairperson; and Councillors Boulton, Henrickson and MacGregor (as substitute for Councillor Al-Samarai); and Alan Catto (Independent Driver), Chris Douglas (Aberdeen Taxis), Stewart Duncan (Airport Taxis), Russell McLeod (Rainbow City Taxis), Luke Hulse (Independent Driver) and Hussein Patwa (Disability Equity Partnership).

In attendance:- PC Ian Duthie (Police Scotland), Derek Jamieson (Fleet Services, Operations), Sandy Munro, Dave McKane, Alexa Last and Daniel Wright (Licensing and Planning Team), Will Hekelaar (Strategic Place Planning), Jon Henderson and Gary Ewen (Taxi Marshalls, SGL) and Mark Masson and Gogo Okafor (Committee Services)

WELCOME AND APOLOGIES

1. The Acting Chair welcomed everyone to the meeting.

An apology for absence was intimated on behalf of Councillor Al-Samarai (Chairperson) and Councillor Clark.

DECLARATIONS OF INTEREST OR TRANSPARENCY STATEMENTS

2. Members were requested to intimate any declarations of interest or transparency statements in respect of the items on today's agenda, thereafter the following were intimated:-

- (1) Councillor Boulton advised that she had a connection in relation to agenda item 5 (Signposting to Alternative Taxi Operators - Hussein Patwa), item 6 (Promoting Taxi Driver Equality and Disability Awareness - Hussein Patwa) and 7 (Easement of Taxi Restrictions at Aberdeen Railway Station - Hussein Patwa) by virtue of her being a member of the Disability Equity Partnership, however having applied the objective test, she did not consider that she had an interest and would not be withdrawing from the meeting; and
- (2) Councillor Delaney advised that he had a connection in relation to agenda item 5 (Signposting to Alternative Taxi Operators - Hussein Patwa), item 6 (Promoting Taxi Driver Equality and Disability Awareness - Hussein Patwa) and 7 (Easement of Taxi Restrictions at Aberdeen Railway Station - Hussein Patwa) by virtue of him being a member of the Disability Equity Partnership, however having applied the objective test, he did not consider that he had an interest and would not be withdrawing from the meeting.

MINUTE OF PREVIOUS MEETING OF 5 APRIL 2023 - FOR APPROVAL

3. The Consultation Group had before it the minute of its previous meeting of 5 April 2023.

The Consultation Group resolved:-

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to 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 1 April to 16 August 2023; and (c) the behaviour of drivers working from Aberdeen Railway Station.

During discussion the following was noted:-

- that the reduction of taxis and taxi drivers was less than usual; and
- that there had been very few complaints submitted to the Licensing Team regarding the behaviour of the taxi driver permit holders at the Railway Station, although there was mention of a larger group of drivers using an online App to jump queues at the station, however officers have spoken with representatives at the Railway to ensure that all their taxi drivers were given the opportunity to use the App.

The Consultation Group resolved:-

- (i) that future reports provide a breakdown of the Street Knowledge Tests in terms of how many applicants were sitting the tests; and
- (ii) to otherwise note the information within the report.

SIGNPOSTING TO ALTERNATIVE TAXI OPERATORS - HUSSEIN PATWA

5. The Consultation Group had before it a paper from Hussein Patwa which sought consideration of signposting passengers to alternative taxi operators if the taxi operator they had called was unable to meet their desired demand.

Mr Patwa advised that the Disability Equity Partnership's (DEP) proposal sought the adoption and implementation of a voluntary agreement whereby operators above a certain size who were unable to meet immediate or expected demand for timed reservations would offer customers the contact details for alternative providers within the city who may be able to accommodate their request.

Mr Patwa indicated that DEP did not expect operators to source, store or provide any real-time information as to the potential availability of alternative providers, nor to be accountable for any delay or disappointment customers may face should be alternative provider be unable to accommodate the request.

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In addition, Mr Patwa made reference to representatives of the deaf community who had expressed specific concerns given the challenges around making reservations by phone. He explained that they had requested consideration of whether a modified implementation of the above proposal could be embedded into existing Web or App booking platforms which they used as an alternative with the option to disseminate information on potential alternative operators via text or other instant messaging being welcome.

The Consultation Group resolved:-

to note that the Taxi Operators on the Consultation Group would meet with DEP representatives to discuss the above proposal further.

PROMOTING TAXI DRIVER EQUALITY AND DISABILITY AWARENESS - HUSSEIN PATWA

6. The Consultation Group had before it a paper from Hussein Patwa which sought consideration of the promotion of driver equality and disability awareness.

Mr Patwa highlighted the key points from his paper making reference to some issues since 2020 where the Disability Equity Partnership (DEP) had received increasing reports from those they supported that the quality of service experienced had been with drivers from ethnic minority backgrounds and was divergent to what they would normally expect, specifically:-

- failure to explain and provide valid evidence of a current exemption to the carriage of wheelchairs and/or guide dogs; and
- lack of awareness on the needs or assistance requirements of disabled people (e.g. sighted guiding).

Mr Patwa highlighted in detail, three interventions which may be considered as a way forward, namely the dissemination of information, dedicated awareness sessions and integration with existing licensing/maintenance processes.

During the discussion, the following was noted:-

- that there were a number of schemes to assist drivers in the past, however given that they were not made compulsory and/or a condition of their licence, many did not choose to participate;
- that officers were currently looking at training for drivers and feedback had been generally supportive, however there was a difficulty in identifying training providers. The intention was that a future report would be submitted to the Licensing Committee and any training package would include aspects highlighted within the DEP paper including disability awareness and equality;
- that it was anticipated that any future driver training package agreed, including the potential for online training, would be a condition of the driver's licence, with existing licence holders having to undergo training prior to the renewal of their

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licence, although they would be encouraged to undergo the training as soon as is practicable;

- that there was a great deal of excellent information/material available online which would benefit drivers and could be circulated to members of the Consultation Group; and
- that a level 5 SQA qualification was required by Glasgow City Council for all applicants seeking a taxi and private hire driver licence.

The Consultation Group resolved:-

- (i) to note the information provided; and
- (ii) to note that Hussein Patwa would provide a link https://www.bluelamptrust.org.uk/disability_awareness/ which provided information on a bespoke disability awareness package that was developed for use with taxi operators and local authorities – to be circulated by email to all members of the Group.

EASEMENT OF TAXI RESTRICTIONS AT ABERDEEN RAILWAY STATION - HUSSEIN PATWA

7. The Consultation Group had before it a paper by Hussein Patwa which sought consideration of easement of taxi restrictions at Aberdeen Railway Station.

Mr Patwa made reference to the current situation at the station where there was currently insufficient supply within the pool of permit holders to meet demand at the railway station, particularly during peak periods which resulted in a situation where passengers experienced long waits for taxis, or alternatively were required to arrange to be picked up or dropped off by a different operator out with the station.

Mr Patwa explained that this presented accessibility issues for a small number of passengers, particularly those who depend on assistance provided by railway station staff, resulting from insurance and liability constraints that generally prohibit such staff from operating or providing support on land external to the station premises.

Mr Patwa indicated that there were tensions between permit holders and non-permit holders on occasions where the latter had chosen to defy current restrictions in order to meet the accessibility requirements of their customers and in addition, disabled passengers using a pickup or drop-off location out with the station environs faced increased walking distances and, due to the lack of staffing or alternative patrols, had found these locations challenging from a safety perspective.

Mr Patwa outlined DEP's proposal that envisaged a conditional easement to the prevailing restrictions allowing those passengers with a genuine, equality-based need to be picked up or dropped off by any taxi driver, regardless of permit or status, within the confines of Aberdeen Railway Station and its environs.

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During the discussion, the following was noted:-

- that the taxi trade were supportive of the proposal, noting that many non-permit holders avoided entering the railway station;
- that the taxi rank at the station was a 'private taxi rank' operated by Aberdeen Railway Station, however it was the understanding of officers that any passengers who had mobility issues were permitted entry to the station to be dropped off or collected; and
- that access to the station should also be given to elderly passengers.

The Consultation Group resolved:-

- (i) that officers would seek to determine what the situation was at the railway station, noting that it was operated by Aberdeen Railway Station and would email members of the Group in this regards in due course;
- (ii) that the Licensing Team would also communicate the outcome of (i) above with all taxi and private hire drivers, including those who hold permits at the railway station; and
- (iii) that any complaints/concerns relating to the behaviour of taxi driver railway station permit holders (and others), should be reported to the Licensing Team.

LOW EMISSION ZONE AND WHEELCHAIR ACCESSIBLE TAXIS - PETER CAMPBELL

8. The Consultation Group had before it a request submitted by Peter Cambell in relation to the Low Emission Zone and Wheelchair Accessible Vehicles.

The paper submitted (a) advised that Unite the Union members had requested an exemption for Wheelchair Accessible Taxis in Aberdeen which would currently not meet the emissions limit (ie any Taxis manufactured before 2016 or euro 5 engine spec); (b) indicated that there was a very high number of these vehicles operating in the Aberdeen fleet due to the lack of work during Covid and mileage not being as high as it normally would be; (c) explained that the number of taxis in general was perceived to be low and losing these vehicles would have a detrimental effect on the service the trade could provide; (d) advised that a lot of drivers were saying if they had to replace their vehicle they would drop out of the trade completely, therefore a 2 year exemption would really help drivers recover and be in a better position to prepare for the new low emission zones; and (e) indicated that Blue badge holders had been given an exemption by ACC and the wheelchair accessible vehicle drivers provided a valuable service to members of the public who were infirm or wheelchair bound.

The Consultation Group resolved:-

to note that a report was to be considered by the Licensing Committee meeting on 6 September 2023, relating to an additional time-limited exemption from the Low Emission

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Zone which had been granted to drivers of taxis and private hire cars. (Report can be found [here](#) at item 8.1).

REMOVAL OF SECTION 30 ON THE USE OF SCANNERS - PETER CAMPBELL

9. The Consultation Group had before it a request submitted by Peter Cambell to remove Section 30 on the use of scanners.

The paper (a) advised that he was seeking the removal of Section 30 of the taxi driver licence conditions which related to the use of scanners, as it was outdated and not required anymore, given that no current taxi firms use CB radios and therefore work could not be intercepted by anyone with a scanner device; and (b) indicated that on the flip side, a lot of taxi drivers had been using a Radio App called Zello on their mobile phones to keep in contact, unfortunately however, the Enforcement Officer had indicated that he classed this App as a scanner and therefore the use of it in taxis would be a breach of their licence.

The Consultation Group resolved:-

to note that the Licensing Team would investigate the request submitted by Peter Cambell and would advise members accordingly at a future meeting if deemed necessary.

REVIEW OF THE PUBLISHED WAV SPECIFICATIONS FOR PUBLIC HIRE VEHICLES - CHRIS DOUGLAS

10. The Consultation Group had a paper before them submitted by Chris Douglas which sought a review of the published Wheelchair Accessible Vehicle (WAV) specifications for public hire vehicles.

Chris Douglas made reference to his paper advising that he was seeking a possible review of the published WAV specifications for public hire vehicles to update the guidance to be in line with current taxi and private hire Equality Act 2022 legislation. He indicated that this would offer drivers some certainty when investing in a vehicle and working towards a mixed fleet policy. He intimated that this would offer absolute clarity to drivers on what the "list of approved type vehicles" was.

In response Sandy Munro, Licensing Team advised that a list of approved type vehicles would not cover vehicles which may have been converted or altered, therefore the dimensions would be different to Council guidance which was less stringent to that provided by the Scottish Government. He intimated that dimensions may be reviewed and consulted upon when addressing the mixed fleet situation to be reported to Committee, however at this time officers would not be kept on taking forward this request.

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Mr Munro provided an update on the timeframe for reporting on a mixed fleet indicating that it was the intention that a report in this regard would be submitted to Committee In December 2023.

The Consultation Group resolved:-

to note the request and the information provided, but to take no further action at this time.

STREET KNOWLEDGE TEST - REQUEST TO AMEND ROUTES MODULES AND RESITS - RUSSELL MCLEOD

11. The Consultation Group had before it a paper from Russel McLeod which sought consideration to amend routes modules and resits of the Street Knowledge Test.

Russell McLeod spoke to his paper and advised that currently the Street Knowledge Test pass marks were 75%, however on the Routes module, applicants were given five routes, of which they must get four correct. He intimated that the taxi trade believed that this should be reduced to four routes, with applicants having to get three out of four correct, which would make the whole test pass rate 75%. In addition, he requested that consideration be given to allow applicants who have passed two out of four modules be allowed to re-sit the other two, rather than one failed module currently. He explained that the taxi trade did not feel that this diluted the test and if an applicant only scored 20/40 on first occasion, then 31/40, on second, they effectively have been given 51 correct answers. Therefore we need to encourage applicants to keep going and not to discourage them from succeeding.

On the same topic, Mr McLeod sought to ascertain whether there was a way that the Council could assist with recruitment of Taxi Drivers by possibly advertising on their website (Taxi & Private Hire section) to encourage potential Taxi Drivers, given that there are Taxi Schools in Aberdeen that could help them to reach a level where they could pass the Aberdeen Street Knowledge Test.

The Consultation Group resolved:-

to note that the Licensing Team would look to reduce the Routes module to four routes instead of five but will take no further action on other modules of the Street Knowledge Test at this time.

TAXI DRIVER / VEHICLE LICENCES - RUSSELL MCLEOD

12. The Consultation Group had before it a paper from Russell Mcleod in relation to Taxi Driver and Vehicle Licences which advised that there still seemed to be a lengthy back log of licences being sent to drivers, which had caused issues with drivers renewing insurance.

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Mr McLeod spoke to his paper and sought to ascertain whether there was any way that this could be accelerated.

Sandy Munro, Licensing Team acknowledged that there had been delays in issuing licences due to resource restrictions and that he would make enquiries to resolve the situation.

The Consultation Group resolved:-

to note that officers would look into the matter in order to improve the situation.

LEZ COMPLIANCE - EXEMPTION PERIOD - RUSSELL MCLEOD

13. The Consultation Group had before it correspondence from Russell McLeod in relation to LEZ Compliance and an Exemption period. It explained that there seemed to be general knowledge circulating that taxis were to be given a 12 month extension to comply with LEZ compliance due in June 2024, and sought clarification in this regard.

The Consultation Group resolved:-

- (i) to note that this item had been dealt with under article 8 of this minute; and
- (ii) to otherwise note that there would be an exemption for taxi and private hire vehicles which would only apply for one year and drivers were expected to use this additional time to ensure vehicles were fully compliant by 1 June 2025.

LWB WAV - RUSSELL MCLEOD

14. The Consultation Group had before it correspondence from Russell McLeod relating to Long Wheeled Based WAV Vehicles.

Russell McLeod spoke to his paper advising that he had recently purchased LWB WAV vehicles, which were capable of conveying four passengers plus a wheelchair passenger, therefore five passengers in total. He sought to ascertain whether there was a way that this could be stated on the vehicle plate, noting that simply stating that the vehicle was licenced to carry five passengers may cause confusion.

In response, Dave McKane, Licensing Team clarified the position by advising that if the vehicle was capable of carrying four seated passengers and one wheelchair passenger, then the vehicle licence would state five passengers in total.

The Consultation Group resolved:-

to note the information provided.

**PORT OF ABERDEEN SOUTH HARBOUR TAXI ARRANGEMENTS UPDATE -
VYCKI RITSON**

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15. The Consultation Group had before it a briefing paper by Vycki Ritson, Roads Team which provided an update in relation to the taxi and private hire car operations at the Port of Aberdeen South.

The briefing paper advised (a) that the first cruise ship called at Port of Aberdeen South on 2 May 2023; (b) that prior to this call, advice had been provided by the Port that, due to ongoing works within the site, all taxi and private hire pick ups and drop offs from the site would be undertaken within the site; (c) that it was stipulated that these were preorganised journeys only, with all vehicles being required to report to security for marshalling within the site and that the Port indicated that this system would remain in place for the remainder of the season; (d) that following the initial call at the site, this process seemed to work for all involved, however refinement of the site layout was required based on this first experience; (e) that this arrangement had been operating throughout the season though advances had been made to the harbour construction which had resulted in all quays now being operational; (f) that work was ongoing within the site, and the surrounding footway and road network was nearing completion with the official opening now being announced 22 September 2023; and (g) that with this first season nearing completion and the works around the site progressing well, officers would now engage with the Port to develop an operational plan for the coming year which would include any necessary traffic regulation orders that would be required for the surrounding road network.

The Consultation Group resolved:-
to note the update.

NIGHT TIME TAXI RANKS

16. The Consultation Group heard from Russell McLeod who provided an update on the situation relating to the night time ranks and the work of the Taxi Marshalls.

Mr McLeod wished to thank the Taxi Marshalls for the work they have undertaken to clear people from the side ranks and onto the night time ranks on Union Street, indicating that reports being fed back by drivers in this regard had been positive.

Gary Ewen, Taxi Marshall Team sought to ascertain whether the operating times could be extended, specifically that Taxi Marshalls commence duties at 11.45pm on a Saturday night so that staff could be deployed and ready to start at 12am, noting also that they work till 4am but the ranks on Union Street do not close until 5am.

PC Ian Duthie acknowledged that there may be budgetary constraints, but was supportive of the request to extend Taxi Marshall operating times in conjunction with the closure times of licensed premises.

The Consultation Group resolved:-

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- (i) to thank the Taxi Marshall Team for their work to improve the situation for all concerned at the night taxi ranks; and
 - (ii) to note that Sandy Munro would liaise with City Warden Team colleagues in relation to the issues raised above.
- **COUNCILLOR STEVE DELANEY, Acting Chairperson.**