

## REFERRAL

### TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP

ABERDEEN, 6 December 2023.

#### 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 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.