
ARGYLL AND BUTE COUNCIL

**PLANNING, PROTECTIVE SERVICES AND
LICENSING COMMITTEE**

CUSTOMER SERVICES

23 JANUARY 2019

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

TAXI AND PRIVATE HIRE CAR SURVEY

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to ask members whether they wish to commission a further survey in relation to whether there is unmet demand for taxis and /or over provision of private hire car vehicles within the local authority area.

2.0 RECOMMENDATIONS

- 2.1 Members are asked to note the contents of this report.
- 2.2 Members are asked to agree to commission a new taxi survey to ascertain whether there currently is any significant unmet demand for taxis and to include in this survey an assessment of whether there is over provision of private hire car licences in the locality.

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3.0 INTRODUCTION

- 3.1 The purpose of this report is to ask members whether they wish to commission a further survey in relation to whether there is unmet demand for taxis and /or overprovision of private hire car vehicles within the local authority area.

4.0 RECOMMENDATIONS

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5.0 DETAIL

- 5.1 Section 10(3) of the *Civic Government (Scotland) Act 1982* deals with taxi licences and provides that the grant of a taxi licence may be refused by a licensing authority for the purpose of limiting the number of taxis in respect of which licences are granted if, but only if, they are satisfied that there is no significant demand for the services of taxis in their area which is unmet.
- 5.2 In carrying out this test to ascertain whether there is significant unmet demand in respect to the Bute and Cowal, Helensburgh and Lomond, Oban, Lorn and the Isles and Mid Argyll, Kintyre and Islay areas, the Planning, Protective Services and Licensing Committee currently refer to surveys carried out between late 2013 and early 2014 in relation to those respective taxi zones.
- 5.3 At the meeting of this committee on 21st March 2018 members were advised has that since publication of the respective surveys, there have not been any significant changes to circumstances, population or taxi numbers in any of the taxi zones and for that reason, members were invited to continue to have

regard to the existing surveys until such a time that there are material changes to circumstances in either of the zones which render the reports out of date, at which point members may wish to determine that new surveys should be carried out.

- 5.4 Members agreed at their meeting on 21st March 2018 to continue to have regard to the existing Taxi Surveys at hearings for taxi operator licences, and consider at a later date whether new reports are required at such a time where circumstances have changed to a material degree.
- 5.5 Since that meeting concerns have been expressed that circumstances have now changed in some of the localities and that the current surveys are now 5 years old.
- 5.6 Further, Section 10 of the Civic Government (Scotland) Act 1982 has been amended to include the following provision in relation to private hire car licensing. Section 10(3A) provides that the grant of a private hire car licence may be refused by a licensing authority if, but only if, they are satisfied that there is (or, as a result of granting the licence, would be) over provision of private hire car services in the locality (or localities) in the area in which the private hire car is to operate.

6.0 CONCLUSION

- 6.1 As the current survey is now 5 years old members may wish to consider commissioning a further survey and include within the survey an assessment of whether there is over provision of private hire cars in the locality.

7.0 IMPLICATIONS

- 7.1 Policy - No changes are proposed at this time.
- 7.2 Financial - The Council will need to fund the cost of a further survey.
- 7.3 Legal - The Council require to comply with the terms of the Civic Government (Scotland) Act 1982
- 7.4 HR – None
- 7.5 Fairer Scotland Duty- None
- 7.5.1 Equalities – protected characteristics - None
- 7.5.2 Socio-economic Duty - None
- 7.5.3 Islands -none
- 7.5 Risk – There is a risk of challenge to any decision in relation to the granting of taxi /private hire car licences
- 7.7 Customer Service - None

Douglas Hendry, Executive Director of Customer Services

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