

***CIVIC GOVERNMENT (SCOTLAND) ACT 1982***

**TAXI AND PRIVATE HIRE SURVEY**

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**1. EXECUTIVE SUMMARY**

- 1.1 This report details the findings of a survey that has been carried out in order to determine demand for taxis and provision of private hire cars in Argyll and Bute Council's four administrative areas. The findings of the survey are intended to assist the Committee in determining future applications for taxi and private hire car operator licences.

**2. RECOMMENDATIONS**

- 2.1 Members are invited to note the contents of the survey to determine demand for taxis in:
- Bute and Cowal;
  - Helensburgh and Lomond;
  - Mid Argyll, Kintyre and Islay; and
  - Oban, Lorn and the Isles.
- 2.2 Members are invited to note the contents of the survey to determine provision of private hire cars in:
- Bute and Cowal;
  - Helensburgh and Lomond;
  - Mid Argyll, Kintyre and Islay; and
  - Oban, Lorn and the Isles.
- 2.3 Members are invited to have such regard as they see fit to the results of the survey in determining applications for taxi and private hire operator licences that come before them.
- 2.4 Members are invited to note the findings of the survey in relation to new potential taxi rank locations located throughout Argyll and Bute and agree that officers carry out further detailed consideration of the potential locations identified including, where appropriate, consultation with the relevant stakeholders in accordance with Section 19 of the *Civic Government (Scotland) Act 1982*.

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- 1.1 This report details the findings of a survey that has been carried out in order to determine demand for taxis and provision of private hire cars in the Council's four administrative areas. The findings of the survey are intended to assist the Committee in determining future applications for taxi and private hire car operator licences.
- 1.2 The reports in respect of each of the four areas are attached as **Appendices 1 - 4**. All four reports conclude that there is no significant unmet demand for taxis and no overprovision of private hire cars in each of the areas.

**2. RECOMMENDATIONS**

- 2.1 Members are invited to note the contents of the survey to determine demand for taxis in:
- Bute and Cowal;
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- 2.4 Members are invited to note the findings of the survey in relation to new potential taxi rank locations located throughout Argyll and

Bute and agree that officers carry out further detailed consideration of the potential locations identified including, where appropriate, consultation with the relevant stakeholders in accordance with Section 19 of the *Civic Government (Scotland) Act 1982*.

### 3. **DETAIL**

- 3.1 On 23<sup>rd</sup> January 2019, the Committee agreed to instruct a new taxi survey to ascertain whether there is any significant unmet demand for taxis, and to include in this exercise an assessment of whether there is overprovision of private hire cars.
- 3.2 A survey was thereafter commissioned and this was carried out by LVSA. The reports in respect of each of the four administrative zones are attached as **Appendices 1 - 4**.
- 3.3 Each report concluded that there is no evidence of significant unmet demand for taxis in each of the areas.
- 3.4 In 2013, CH2MHILL Halcrow undertook a similar survey in respect of taxi services which concluded that there was no evidence of significant unmet demand, in terms of Section 10(3) of the *Civic Government (Scotland) Act 1982*, for taxi services in the same four administrative areas.
- 3.5 Members determined on 19<sup>th</sup> May 2010 that all applications for taxi operator licences should be considered by the Planning, Protective Services and Licensing Committee, in order to allow members to have particular regard to the survey reports when considering taxi operator licence applications.
- 3.6 Section 10(3A) of the *Civic Government (Scotland) Act 1982* was introduced by the *Air Weapons and Licensing (Scotland) Act 2015*. This provision allows licensing authorities to refuse private hire car licence applications on the ground that they are satisfied that there already exists (or will exist if the licence is granted) an overprovision of private hire car services in the area or locality where the car is to operate.
- 3.7 As part of the survey, a further assessment was carried out in relation to the provision of private hire car services. All four reports concluded that there was no overprovision of private hire car services in each of the areas.
- 3.8 In light of this assessment, Members may now wish for all future private hire car licence applications to come before the Committee. However, the Scottish Government are expected to publish best practice guidance on private hire overprovision in the near future. Accordingly, Officers recommend that Members

should consider this issue further after the guidance has been published.

- 3.9 Another component part of the overall survey was a review of current taxi rank provision and location within each of the four licensing zones. Each of the reports provide an assessment of current rank provision within the respective zones, as well as identifying potential locations for new taxi ranks. These potential locations will require further investigation by officers, including consultation with the public and stakeholders where appropriate, in accordance with Section 19 of the *Civic Government (Scotland) Act 1982*.

#### **4. CONCLUSIONS**

- 4.1 The taxi and private hire car survey identifies that for each of the four administrative areas that there is no significant unmet demand for taxi services and no overprovision of private hire car services. Section 10 of the *Civic Government (Scotland) Act 1982* provides that a licensing authority may refuse the grant of a taxi licence application if they are satisfied that there is no significant unmet demand for taxi services, or separately, that there is no overprovision of private hire car services. The findings of the survey will require to be kept in mind by Members when determining any new applications, but the discretionary nature of Section 10 does not preclude the Committee from granting an application if they are satisfied there are good reasons for doing so.

#### **5. IMPLICATIONS**

Policy:	None.
Financial:	None.
Legal:	Applications for taxi and private hire car licences require to be dealt with in accordance with the provisions of the <i>Civic Government (Scotland) Act 1982</i> , as amended.
Personnel:	None.
Equalities:	None.
Risk:	None.

#### **APPENDICES**

1. LVSA Report: *Argyll and Bute Taxi Unmet Demand and Private Hire Overprovision Survey – Bute and Cowal Taxi Licensing Zone*, August 2019

2. *LVSA Report: Argyll and Bute Taxi Unmet Demand and Private Hire Overprovision Survey – Helensburgh and Lomond Taxi Licensing Zone, August 2019*
3. *LVSA Report: Argyll and Bute Taxi Unmet Demand and Private Hire Overprovision Survey – Mid Argyll, Kintyre and the Islay Taxi Licensing Zone, August 2019*
4. *LVSA Report: Argyll and Bute Taxi Unmet Demand and Private Hire Overprovision Survey – Oban, Lorn and the Isles Taxi Licensing Zone, August 2019*

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15 October 2019