

# Agenda



## Meeting of Licensing Committee

**Date:** Wednesday, 4 September 2019

---

**Time:** 10:00

---

**Venue:** Council Chamber, Clydebank Town Hall, Dumbarton Road, Clydebank

---

**Contact:** Nuala Borthwick, Committee Officer  
Tel: 01389 737594 [nuala.borthwick@west-dunbarton.gov.uk](mailto:nuala.borthwick@west-dunbarton.gov.uk)

Dear Member

Please attend a meeting of the **Licensing Committee** as detailed above. The business is shown on the attached agenda.

Yours faithfully

**JOYCE WHITE**

Chief Executive

**Distribution:**

Councillor Jim Finn (Chair)  
Councillor Jim Brown  
Councillor Ian Dickson  
Councillor Jonathan McColl (Vice Chair)  
Councillor Marie McNair  
Councillor Lawrence O'Neill  
Councillor Brian Walker  
Vacancy

All other Councillors for information

Chief Executive  
Strategic Director – Regeneration, Environment and Growth  
Strategic Director – Transformation and Public Service Reform  
Chief Officer of Health & Social Care Partnership

Date issued: 22 August 2019

**LICENSING COMMITTEE**  
**WEDNESDAY, 4 SEPTEMBER 2019**

**AGENDA**

**1 APOLOGIES**

**2 DECLARATIONS OF INTEREST**

Members are invited to declare if they have an interest in any of the undernoted items of business on this agenda and, if so, state the reasons for such declarations.

**3 MINUTES OF PREVIOUS MEETING 5 - 14**

Submit for approval as a correct record, Minutes of Meeting of the Licensing Committee held on 7 August 2019.

**4 OPEN FORUM**

The Committee is asked to note that no open forum questions have been submitted by members of the public.

**5 CONTINUED APPLICATION FOR GRANT OF A TAXI/  
PRIVATE HIRE CAR DRIVER'S LICENCE 15 - 17**

**Name and Address of Applicant**

**Date Applied**

Darren Gallacher  
10 Briar Drive  
North Kilbowie  
Clydebank  
G81 3HX

19 June 2019

With reference to the Minutes of Meeting of the Licensing Committee held on 7 August 2019, submit report by the Strategic Lead – Regulatory concerning an Application for Grant of a Taxi/Private Hire Car Driver's Licence for the above named person.

**6 APPLICATION FOR RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE 19 - 21**

**Name and Address of Applicant**

**Date Applied**

Waseem Akram  
313 Main Street  
Alexandria  
G83 0AT

10 June 2019

Submit report by the Strategic Lead – Regulatory concerning an Application for Renewal of a Taxi/Private Hire Car Driver's Licence for the above named person.

**7 REVIEW OF THE LEVEL OF DEMAND FOR TAXIS 23 - 104**

Submit report by the Strategic Lead – Regulatory advising of the conclusions of a study into the level of demand for taxis in West Dunbartonshire and requesting that the Committee reaffirms the Council policy on dealing with applications for new taxi licences.

**8 PROPOSED LICENSING SCHEME FOR BOAT HIRERS - UPDATE 105 - 111**

Submit report by the Strategic Lead – Regulatory updating on the proposed licensing scheme for boat hirers and seeking authority for officers to publicly advertise the proposed licensing scheme for boat hirers.

**9 EXCLUSION OF PRESS AND PUBLIC 113**

The Committee is asked to pass the following resolution for agenda item 10 as undernoted:-

"That under Section 50A(4) of the Local Government (Scotland) Act, 1973 the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 1 of Schedule 7A of the Act."

**10 HEARING REGARDING POSSIBLE SUSPENSION OR REVOCATION OF A TAXI DRIVER'S/PRIVATE HIRE CAR DRIVER'S LICENCE 115 - 118**

Submit report by the Strategic Lead – Regulatory concerning a request from the Chief Constable of Police Scotland for the suspension of a Taxi Driver's/Private Hire Car Driver's Licence.

## LICENSING COMMITTEE

At a Meeting of the Licensing Committee held in the Council Chamber, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 7 August 2019 at 10.00 a.m.

**Present:** Councillors Jim Brown, Ian Dickson, Marie McNair and Lawrence O'Neill.

**Attending:** Raymond Lynch, Section Head (Licensing); Robert Mackie, Senior Officer (Licensing Services); Lawrence Knighton, Licensing Standards Officer, Carolann Anderson, Licensing Assistant and Nuala Borthwick, Committee Officer.

**Also Attending:** Constable Alison Simpson, Police Scotland.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Jim Finn, Jonathan McColl and Brian Walker.

### APPOINTMENT OF CHAIR

In the absence of the Chair, Councillor Finn, and Vice Chair, Councillor McColl, it was agreed that Councillor Dickson would chair the meeting.

Accordingly, Councillor Dickson assumed the Chair.

### DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

### MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Licensing Committee held on 19 June 2019 were submitted and approved as a correct record.

### OPEN FORUM

The Committee noted that no open forum questions had been submitted by members of the public.

**CONTINUED APPLICATION FOR GRANT OF A TAXI/  
PRIVATE HIRE CAR DRIVER'S LICENCE**

**Name and Address of Applicant**

**Date Applied**

Mark Shields  
Flat 2, Quebec House  
Clydebank  
G81 4QP

15 February 2019

With reference to the Minutes of Meeting of the Licensing Committee held on 10 April 2019, a report was submitted by the Strategic Lead – Regulatory concerning an Application for Grant of a Taxi/Private Hire Car Driver's Licence for the above named person.

Having heard the Section Head (Licensing), it was noted:-

- (a) that a letter dated 13 March 2019 had been received from the Chief Constable of Police Scotland submitting an objection in relation to the application and that copies of the letter had been circulated to Members in advance of the meeting;
- (b) that Mr Shields had previously attended a meeting of the Licensing Committee on 7 January 2019 where a hearing was held to determine an application for the grant of a Temporary Taxi/Private Hire Car Driver's Licence following receipt of a comment from Police Scotland and that the Committee had granted the application for a period of six weeks;
- (c) that Mr Shields had attended the meeting of the Licensing Committee held on 10 April 2019 where Members had agreed that the current application be continued to 7 August 2019;
- (d) that the Committee had previously agreed to consider a separate letter which had been submitted at the meeting of the Licensing Committee on 10 April 2019 detailing the applicant's previous convictions which were considered "protected" in terms of the Rehabilitation of Offenders Act 1974 and that copies of this letter had been circulated to Members in advance of the meeting;
- (e) that in view of the objection from Police Scotland, the applicant and a representative of Police Scotland had been invited to attend the meeting in order that a hearing could take place; and
- (f) that both the applicant and a representative of Police Scotland, Constable Alison Simpson, were in attendance at the meeting.

The Committee then heard from Constable Simpson in relation to both letters from Police Scotland.

Thereafter, Mr Shields was given the opportunity to address the Committee in support of his application and was heard in answer to Members' questions in connection with the circumstances relating to matters provided by Police Scotland.

**DECIDED:-**

Following discussion and having heard the Section Head (Licensing) and the Senior Officer (Licensing Services) in further explanation and in answer to Members' questions, it was agreed that the application be granted for a period of one year and that Mr Shields' first application for renewal of licence would be referred to the Committee for consideration and determination.

**APPLICATION FOR GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE**

- | <b>(a)     <u>Name and Address of Applicant</u></b>   | <b><u>Date Applied</u></b> |
|---|----------------------------|
| Asif Khan<br>67 Risk Street<br>Dumbarton<br>G82 1SG   | 27 March 2019              |
| A report was submitted by the Strategic Lead – Regulatory concerning an Application for Grant of a Taxi/Private Hire Car Driver's Licence for the above named person. |                            |
| Having heard the Section Head (Licensing), it was noted that the application had been withdrawn by the applicant.   |                            |
- 
- | <b>(b)     <u>Name and Address of Applicant</u></b>  | <b><u>Date Applied</u></b> |
|--|----------------------------|
| Darren Gallacher<br>10 Briar Drive<br>North Kilbowie<br>Clydebank<br>G81 3HX   | 19 June 2019               |
| A report was submitted by the Strategic Lead – Regulatory concerning an Application for Grant of a Taxi/Private Hire Car Driver's Licence for the above named person.  |                            |
| Having heard the Section Head (Licensing), it was noted that the applicant had advised officers in advance of the meeting that he would be unable to attend the Hearing and had requested that the matter be continued to a future date. |                            |

**DECIDED:-**

After consideration, the Committee agreed that the application be continued to the next scheduled meeting of the Licensing Committee to be held on 4 September 2019.

### **APPLICATIONS FOR RENEWAL OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE**

#### **Name and Address of Applicant**

#### **Date Applied**

Stuart Douglas  
Flat 3/1, 79 Beardmore Place  
Dalmuir  
Clydebank  
G81 4HU

4 June 2019

A report was submitted by the Strategic Lead – Regulatory concerning an Application for Renewal of a Taxi/Private Hire Car Driver's Licence.

Having heard the Section Head (Licensing), it was noted:-

- (a) that a letter dated 2 July 2019 had been received from the Chief Constable of Police Scotland advising that further enquiries were being made following which their response would be submitted;
- (b) that two further letters were received from the Chief Constable of the Police authority on 4 July 2019. The first letter provided an explanation for the late response whilst the second letter contained the Police submission in relation to the representation to the application;
- (c) that the letter of representation from the Chief Constable was received on 4 July 2019 and in terms of the legislation, a representation with respect to an application should be submitted within 28 days of receipt of the application. As Mr Douglas' application was submitted on 4 June 2019, any representation should have been submitted by 2 July 2019. There is, however, provision in the legislation for a Licensing authority to entertain a late representation which had been received before a final decision had been made on the application if the licensing authority was satisfied that there had been sufficient reason why the representation had not been made in the time required;
- (d) that it would be a matter for the Committee to decide initially whether the late representation from the Police should be taken into consideration; and
- (e) that both the applicant and a representative of Police Scotland, Constable Alison Simpson, were in attendance at the meeting.

The Committee then agreed that the Police representation would be taken into consideration. Copies of the letter containing the representation were accordingly circulated to Members of the Committee and the Committee heard from Constable Simpson in relation to the letter of representation.



The Committee heard from Mr Douglas in support of his application and in relation to the circumstances detailed in the letter from Police Scotland. Thereafter, Mr Douglas answered questions from Members.

**DECIDED:-**

After consideration, it was agreed that the application be granted.

**APPLICATION FOR TEMPORARY TAXI/PRIVATE HIRE  
CAR DRIVER'S LICENCE**

**Name and Address of Applicant**

**Date Applied**

James Johnston  
5 Lusset Glen  
Old Kilpatrick  
G60 5DD

28 May 2019

A report was submitted by the Strategic Lead – Regulatory concerning an Application for Renewal of a Taxi/Private Hire Car Driver's Licence by the above named person.

Having heard the Section Head (Licensing), it was noted:-

- (a) that a letter had been received from the Chief Constable of Police Scotland on 6 June 2019 submitting a comment in relation to the application;
- (b) that in view of the letter from Police Scotland, the applicant and a representative of Police Scotland had been invited to attend the meeting of the Committee in order that a hearing could take place;
- (c) that the applicant had held a Taxi Driver's/Private Hire Car Driver's Licence prior to submitting the application for Temporary Licence however the licence had expired on 29 April 2019. It was further noted that Mr Johnston had requested a 28 day extension which effectively extended the duration of his licence until 27 May 2019. As Mr Johnston had failed to submit the application within the 28 day period, he was no longer able to apply for a renewal and instead had to apply for a grant; and
- (d) that both the applicant and a representative of Police Scotland, Constable Alison Simpson, were in attendance at the meeting.

The Committee then heard from Constable Simpson in relation to the letter from Police Scotland.

Thereafter, Mr Johnston was given the opportunity to address the Committee in support of his application.

**DECIDED:-**

After consideration, the Committee agreed that the application be granted for a period of 6 weeks.

### **HEARING REGARDING POSSIBLE SUSPENSION OR REVOCATION OF A PRINCIPAL STREET TRADER'S LICENCE**

A report was submitted by the Strategic Lead – Regulatory concerning a request from the Chief Constable of Police Scotland for the suspension of a Principal Street Trader's Licence held by Paul Duncan.

Having heard the Section Head (Licensing), it was noted that Mr Duncan had surrendered his Principal Street Trader's Licence and therefore the licence ceased to have effect.

### **APPLICATION FOR VARIATION TO A PRINCIPAL STREET TRADER'S LICENCE**

#### **Name and Address of Applicant**

#### **Date Applied**

Lori Serapiglia  
34 Tweed Drive  
Bearsden  
G61 1EJ

8 May 2019

A report was submitted by the Strategic Lead – Regulatory concerning an Application for Variation to a Principal Street Trader's Licence.

Having heard the Section Head (Licensing), it was noted:-

- (a) that the licence currently held by Mrs Serapiglia allowed her to operate on the following days, times and locations:-

Each Day:- 10.30 a.m. – 10.30 pm.  
Whitecrook

- (b) that the application for variation to the existing Principal Street Trader's Licence requested the addition of the following locations:-

Monday – Friday:- 12.00 p.m. – 11.00 p.m.  
Dalmuir, Boquhanran, Radnor and North Drumry

Monday – Friday:- 12.00 p.m. – 2.00 p.m.  
Clydebank High School, Janetta Street (adjacent to the curtilage of Clydebank High School); and

- (c) that the locations and times which Mrs Serapiglia was seeking to add to her existing licence had been listed on the licence of the aforementioned Principal Street Trader which had since been surrendered; and

- (d) that the applicant was on holiday and that Mr Campbell, the applicant's father and employee, was in attendance at the meeting.

The Committee then heard from Mr Campbell in support of the application. It was noted that Mrs Serapiglia no longer wished to include the location of Clydebank High School in her application during the duration of school hours.

**DECIDED:-**

After consideration, the Committee agreed that the amended application be granted as undernoted:-

Monday – Friday:- 12.00 p.m. – 11.00 p.m.  
Dalmuir, Boquhanran, Radnor Park and North Drumry

**TEMPORARY PUBLIC ENTERTAINMENT LICENCES FOR COMMERCIAL FUNFAIRS, FIREWORKS EVENTS AND LIVE AMPLIFIED MUSIC EVENTS**

A report was submitted by the Strategic Lead – Regulatory:-

- (a) providing information on the current procedure for notification requirements on receipt of applications for temporary public entertainment licences (commercial funfairs, firework events and live amplified music events); and
- (b) seeking consideration on whether the Committee would wish to amend current procedure for notification requirements to include additional notification requirements by the applicant.

**DECIDED:-**

After discussion and having heard the Section Head (Licensing) in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) to impose additional notification requirements on applicants requesting a temporary public entertainment licence for a commercial funfair, a firework event or a live amplified music event;
- (2) to delegate authority to the Strategic Lead – Regulatory to decide the revised procedure so that an applicant for a commercial funfair, firework event or live amplified music event would have to display a notice at or near to the site, and that the local Council would advertise the application in the relevant local newspaper at the applicant's cost. This cost would be reflected in an increased fee for an application for a commercial temporary public entertainment licence;

- (3) that all relevant Community Councils, local ward Elected Members and Members of the Licensing Committee would be informed of such applications who would require to provide these additional notification requirements; and
- (4) that the advertisement requirements for temporary public entertainment licences would be for a period of 14 days, and that any relevant representations/objections would be made to the Clerk to the Licensing Committee within 14 days of publication of such notifications. Thereafter, in the event that any relevant objections or representations were received, the Committee would determine such applications where the applicant had applied timeously which would require to be within three months of the proposed event.

### **EXCLUSION OF PRESS AND PUBLIC**

The Committee passed the following resolution for agenda items 13 and 14 as undernoted:-

“That under Section 50A(4) of the Local Government (Scotland) Act, 1973 the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 1 of Schedule 7A of the Act.”

### **HEARING REGARDING POSSIBLE SUSPENSION OR REVOCATION OF A TAXI DRIVER'S/PRIVATE HIRE CAR DRIVER'S LICENCE**

A report was submitted by the Strategic Lead – Regulatory concerning a request from the Chief Constable of Police Scotland for the suspension of a Taxi Driver's/Private Hire Car Driver's Licence.

Having heard the Section Head (Licensing), it was noted:-

- (a) that a letter had been received from the Chief Constable of Police Scotland on 23 May 2019 requesting the suspension of a Taxi Driver's/Private Hire Car Driver's Licence under Paragraph 11(1) of Schedule 1 to the Civic Government (Scotland) Act 1982 complaining that the licence holder was no longer a fit and proper person to hold a licence on the grounds that a condition of the licence had been breached;
- (b) that at the meeting of the Committee held on 19 June 2019, the Committee agreed to the licence holder's request to continue consideration of the Suspension of the Taxi Driver's/Private Hire Car Driver's Licence to the meeting of the Licensing Committee being held on 7 August 2019;
- (c) that the applicant's current licence expired on 31 August 2019 however an application for Renewal of the Licence had been submitted on 2 May 2019;

- (d) that, in view of the request for suspension of the licence from Police Scotland, the licence holder and a representative of Police Scotland had been invited to attend the meeting in order that a hearing may take place;
- (e) that copies of the letter from Police Scotland had been issued to Members of the Committee in advance of the meeting; and
- (f) that the matters which the Committee were required to consider in relation to paragraph (d) above were as follows:-
  - (i) whether the alleged misconduct had been established;
  - (ii) if the Committee was satisfied that the alleged misconduct had been established, whether, having regard to the misconduct, the licence holder was no longer a fit and proper person to hold a Taxi Driver's/Private Hire Car Driver's Licence;
  - (iii) if the Committee was of the opinion that the licence holder was no longer a fit and proper person, then the Committee must consider whether the licence should be suspended;
  - (iv) if the Committee was satisfied that the licence should be suspended, the Committee must give the licence holder the opportunity to be heard on the length of the suspension and the date from which the suspension should commence;
  - (v) the Committee must then consider what length of suspension would be appropriate and whether the circumstances of the case would justify immediate suspension; and
  - (vi) that if the Committee was satisfied that the circumstances of the case justified revocation, the Committee must then consider whether this revocation should be immediate.

It was noted that the licence holder and a representative of Police Scotland, Constable Simpson, were in attendance.

The Committee then heard from Constable Simpson in relation to the letter from Police Scotland and in answer to Members' questions. Thereafter, the licence holder was given an opportunity to address the Committee on the circumstances detailed in the letter from Police Scotland and in answer to Members' questions.

#### **DECIDED:-**

After consideration, the Committee agreed:-

- (1) that the alleged misconduct had not been established; and
- (2) that the licence holder remained a fit and proper person to hold a taxi/private hire car driver's licence.

**APPLICATIONS FOR RENEWAL OF A TAXI/  
PRIVATE HIRE CAR DRIVER'S LICENCE**

**Name and Address of Applicant**

**Date Applied**

Gerard Divers  
11B Cowal View  
Duncan Street  
Clydebank  
G81 3DF

2 May 2019

A report was submitted by the Strategic Lead – Regulatory concerning an Application for Renewal of a Taxi/Private Hire Car Driver's Licence.

After hearing the Section Head (Licensing), it was noted:-

- (a) that a letter had been received from the Chief Constable of the Police authority on 23 May 2019 submitting an objection in relation to the application;
- (b) that at the meeting of the Licensing Committee held on 19 June 2019, the Committee had agreed to continue consideration of the application for renewal of a Taxi Driver's/Private Hire Car Licence to the meeting of the Licensing Committee on 7 August 2019;
- (c) that Mr Divers' current Taxi Driver's/Private Hire Car Driver's Licence was due to expire on 31 August 2019; and
- (d) that the applicant, Mr Divers and a representative from Police Scotland, Constable Simpson, were in attendance in order that a hearing could take place.

The Committee then heard from Constable Simpson in answer to a Member's question concerning Court dates for a pending conviction.

**DECIDED:-**

After consideration, the Committee agreed that the application be granted.

The meeting closed at 10.47 a.m.

**WEST DUNBARTONSHIRE COUNCIL**  
**Report by Strategic Lead – Regulatory**  
**Licensing Committee – 4 September 2019**

---

**Subject: Application for grant of a Taxi/Private Hire Car Driver's Licence**

**1. Purpose**

- 1.1** To consider an application for grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Darren Gallacher, 10 Briar Drive, North Kilbowie, Clydebank G81 3HX.

**2. Recommendations**

- 2.1** It is recommended that the application be considered and determined by the Committee.

**3. Background**

- 3.1** Mr. Gallacher submitted an application for grant of a Taxi/Private Hire Car Driver's Licence to the Council on 19 June 2019.
- 3.2** A letter was received from the Chief Constable of the Police authority on 16 July 2019 submitting a representation in relation to the application.
- 3.3** Mr. Gallacher previously submitted an application for grant of a temporary Taxi/Private Hire Car Driver's Licence to the Council on 19 April 2017. At a meeting of the Licensing Committee held on 14 June 2017, having heard from Police Scotland, the Committee agreed that the application be refused on the grounds that the applicant was not a fit and proper person to be the holder of a Temporary Taxi Driver/Private Hire Car Driver's Licence.
- 3.4** At the meeting of the Licensing Committee held on 7 August 2019, Members agreed that the application be continued to the meeting of the Licensing Committee scheduled to be held on Wednesday, 4 September 2019 at 10.00 a.m.

**4. Main Issues**

- 4.1** In view of the submission received from the Police, the applicant and a representative of the Police authority have been invited to attend the meeting of the Committee to be held on 4 September 2019.
- 4.2** The terms of the letter from the Police will be made known to the Committee at the meeting as appropriate.

**5. People Implications**

5.1 There are no personnel issues.

## 6. Financial Implications

6.1 There are no financial implications

## 7. Risk Analysis

7.1 There is no increased risk to the Council associated with the contents of this report.

## 8. Equalities Impact Assessment (EIA)

8.1 No impact assessment is required because this report does not involve any change to policies or services or financial decisions.

## 9. Consultation

9.1 Police Scotland were consulted in relation to the application.

## 10. Strategic Assessment

10.1 In terms of the Council's Strategic Priorities, the purpose of licensing is to protect the welfare of the community, including vulnerable people.

Strategic Lead - Regulatory

Date 14 August 2019

---

**Person to Contact:** Robert Mackie,  
Senior Officer (Licensing Services),  
Licensing Team,  
Municipal Buildings,  
College Street,  
Dumbarton,  
G82 1NR.  
  
Tel. No. (Direct line) 01389 738742.  
[robert.mackie@west-dunbarton.gov.uk](mailto:robert.mackie@west-dunbarton.gov.uk)

**Appendices:** N/A.

### Background Papers:

1. Application for grant of a temporary Taxi/Private Hire Car Driver's Licence from Mr. Darren Gallacher, 10 Briar Drive, North Kilbowie, Clydebank G81 3HX.



2. Letter dated 16 July 2019 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton G82 3PT.
3. Letter to Mr. Gallacher dated 18 July 2019.
4. Letter to Mr. Gallacher dated 16 August 2019.

**Wards Affected:** N/A



**WEST DUNBARTONSHIRE COUNCIL**  
**Report by Strategic Lead – Regulatory**  
**Licensing Committee – 4 September 2019**

---

**Subject: Application for renewal of Taxi/Private Hire Car Driver's Licence**

**1. Purpose**

- 1.1** To consider an application for renewal of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Waseem Akram, 313 Main Street, Alexandria, G83 0AT.

**2. Recommendations**

- 2.1** It is recommended that the application be considered and determined by the Committee.

**3. Background**

- 3.1** Mr. Akram submitted an application for renewal of Taxi/Private Hire Car Driver's Licence to the Council on 10 June 2019.
- 3.2** Intimation was given from Police Scotland that further enquiries were being made following which their response would be submitted.
- 3.3** A further letter was received from the Chief Constable of the Police authority on 9 August 2019 requesting that the Licensing Committee accept a late representation from the Police in relation to the application from Mr. Akram.
- 3.4** A separate letter was also received from the Chief Constable of the Police authority on 9 August 2019 submitting the representation to the application.
- 3.5** In terms of the relevant legislation, a representation with respect to an application should be submitted within 28 days of receipt of the application. As Mr. Akram's application was received on 10 June 2019, any objection should have been submitted by 8 July 2019. There is, however, provision in the legislation for the Licensing Authority to entertain a late representation which has been received before a final decision has been made if the Licensing Authority is satisfied that there is sufficient reason why the representation had not been made in the time required.

**4. Main Issues**

- 4.1** In view of the submission received from the Police, the applicant and a representative of the Police authority have been invited to attend the meeting of the Committee to be held on 4 September 2019.

**4.2** The terms of the letter from the Police will be made known to the Committee at the meeting as appropriate.

**5. People Implications**

**5.1** There are no personnel issues.

**6. Financial Implications**

**6.1** There are no financial implications

**7. Risk Analysis**

**7.1** There is no increased risk to the Council associated with the contents of this report.

**8. Equalities Impact Assessment (EIA)**

**8.1** No impact assessment is required because this report does not involve any change to policies or services or financial decisions.

**9. Consultation**

**9.1** Police Scotland were consulted in relation to the application.

**10. Strategic Assessment**

**10.1** In terms of the Council's Strategic Priorities, the purpose of licensing is to protect the welfare of the community, including vulnerable people.

**Person to Contact:** Robert Mackie,  
Senior Officer (Licensing Services),  
Licensing Team,  
Municipal Buildings,  
College Street,  
Dumbarton,  
G82 1NR.  
  
Tel. No. (Direct line) 01389 738742.  
[robert.mackie@west-dunbarton.gov.uk](mailto:robert.mackie@west-dunbarton.gov.uk)

**Appendices:** N/A.

**Background Papers:**

- 1.** Application for grant of a Taxi/Private Hire Car Driver's Licence from Mr. Akram
- 2.** Letters dated 9 August 2019 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton G82 3PT.
- 3.** Letter to Mr. Akram dated 16 August 2019.

**Wards Affected:** N/A.

Strategic Lead - Regulatory

Date 14 August 2019



**WEST DUNBARTONSHIRE COUNCIL**  
**Report by Strategic Lead – Regulatory**  
**Licensing Committee – 4 September 2019**

---

**Subject:      Review of the level of demand for taxis**

**1.      Purpose**

- 1.1**      To advise the Committee of the conclusions of a study into the level of demand for taxis in West Dunbartonshire, and to ask the Committee to reaffirm the policy on dealing with applications for new taxi licences.

**2.      Recommendations**

- 2.1**      To note the findings of the study that there is no evidence of any significant unmet demand for taxis generally in either of the taxi licensing zones in West Dunbartonshire.
- 2.2**      To reaffirm the Council's general policy of not granting any new taxi operator's licences in either of the taxi licensing zones (subject always to consideration of the individual circumstances of each application). The maximum number of taxi operator's licences should remain at their current level of 159 in the Clydebank zone. The maximum in the Dumbarton & Vale of Leven zone should remain at 177.
- 2.3**      To note the findings in the report that there is no significant demand for Wheelchair Accessible Vehicles (WAVs) operating within the Dumbarton & Vale of Leven zone from taxi ranks and to uphold the decision taken by the Committee in February 2017 in relation to the availability of WAVs in the Dumbarton & Vale of Leven zone.

**3.      Background**

- 3.1**      West Dunbartonshire operates two separate taxi licensing zones. The Clydebank zone borders both Glasgow City Council and East Dunbartonshire Council and includes Old Kilpatrick. The Dumbarton & Vale of Leven zone borders Argyll & Bute Council and includes Bowling and Gartocharn.
- 3.2**      The Civic Government (Scotland) Act 1982 states 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 by them if, but only if, they are satisfied that there is no significant demand for the services of taxis in their area which is unmet”.*

- 3.3** The Scottish Government's Taxi and Private Hire Car Licensing: Best Practice Guidance for Licensing Authorities Second Edition published in April 2012 states that, where a local authority has a limit on the number of taxi operator's licences:-

*'In regard to frequency, licensing authorities should carry out a survey sufficiently frequently to be able to respond to any challenge to the satisfaction of a court.'*

and

*"in the event of a challenge to a decision to refuse a licence, the local authority concerned would be required to establish to the satisfaction of the court that it had first satisfied itself that there was no such significant unmet demand".*

- 3.4** The last formal review of the level of demand for taxis was reported to the Licensing Committee on 14 August 2013 where it was agreed:-

- (i) there was no evidence of any significant unmet demand for taxis generally in either of the taxi licensing zones in West Dunbartonshire;
- (ii) to reaffirm the Council's general policy of not granting any new taxi operators licences in either of the taxi licensing zones (subject always to consideration of the individual circumstances of each application);
- (iii) that the maximum number of taxi operators licences should remain at their current levels of 159 in the Clydebank zone and 177 in the Dumbarton and Vale of Leven zone;
- (iv) to commit to address the finding that there is an insufficient number of wheelchair accessible vehicles operating within the Dumbarton and Vale of Leven zone. In particular, to agree that the Council should aspire to have a taxi fleet of which 20% are wheelchair-accessible; and
- (v) to instruct officers to consult with representatives of the taxi trade in Dumbarton and Vale of Leven about the various options that could achieve the Council's aim to have sufficient numbers of wheelchair accessible vehicles operating in the Dumbarton and Vale of Leven zone, in particular to have a taxi fleet of which 20% are wheelchair-accessible and thereafter, to report back to the Committee with a recommendation.

- 3.5** The issue regarding the aim of achieving a taxi fleet of which 20% of vehicles are wheelchair accessible within the Dumbarton & Vale of Leven zone was discussed with representatives of the taxi trade at meetings of the Taxi Forum in 2014 and 2016 which subsequently resulted in a report being put before the Licensing Committee on 15 February 2017.



**3.6** At the meeting of the Licensing Committee held on 15 February 2017, a report titled 'Availability of Wheelchair Accessible Vehicles in Dumbarton and Vale of Leven taxi zone' was put before Members in order to address the issue of the availability of WAV's where it was decided:-

*(i) that in future all vehicles proposed for use as a taxi or private hire car, within the Dumbarton and Vale of Leven zone of West Dunbartonshire, with a carrying capacity of 5 or more passengers would require to be wheelchair accessible; and*

*(ii) that officers would continue to monitor the provision of WAVs both locally and nationally.*

**3.7** As well as considering the level of demand from the public generally, there is also a need to consider demand from people with disabilities. Since October 1996, as a result of a decision by the former Clydebank District Council, all taxis in the Clydebank zone have been required to be WAVs. However only 9 taxis in the Dumbarton & Vale of Leven taxi licensing zone, representing 5.1% of the total number of taxis, currently meet this standard. This represents a fall of 5 vehicles since the last demand survey in 2013 when 14 taxis were wheelchair accessible and a fall of 3 vehicles since the mystery shopper survey was carried out in August 2018 when there were 12 wheelchair accessible taxis.

**3.8** It should be noted however that although the purpose of the survey is primarily to determine any unmet demand for taxis, the provision of WAVs operating as private hire cars has risen significantly since the last survey. Currently there are 11 wheelchair accessible private hire cars operating in the Dumbarton & Vale of Leven zone which is a rise of 1 vehicle since the mystery shopper survey was carried out in August 2018 when there were 10 wheelchair accessible private hire cars.

**3.9** CH2M Hill UK, formerly known as the Halcrow Group Ltd. was approached in order to provide an update to the previous Taxi Unmet Demand Survey.

**3.10** A representative from CH2M advised that consultations and rank observations would be required in order to provide an update to the previous report.

**3.11** CH2M was instructed to carry out the consultations and rank observations in order to produce an updated Taxi Unmet Demand Survey for both zones.

**3.12** CH2M carried out the survey in accordance with the terms of the Scottish Government's Best Practice Guidance for Licensing Authorities. In particular, CH2M considered two elements of significant unmet demand (SUD) as follows:

- Patent demand - that which is directly observable at ranks, and
- Suppressed (or latent) demand - that which is released by additional supply e.g. if the supply of taxis increased, more people may start to use taxis.

## **4. Main Issues**

### Overview of the study's conclusions

- 4.1** CH2M's Taxi Unmet Demand Surveys for both zones are included as appendices to this report and should be considered. It should be noted that although the majority of the information gathered during the survey was collected between March and August 2018 there have been a number of changes required to the original report and several drafts have been necessary in order to ensure the accuracy of the final versions.
- 4.2** Both patent and suppressed demand are brought together in a single statistical measure of unmet demand called the Index of Significant Unmet Demand or ISUD. Values above 80 have been found to indicate significant unmet demand.
- 4.3** In the Clydebank zone, the ISUD was calculated at 0.6, well below the cut-off point of 80 when there would be significant unmet demand. There is therefore no evidence of any significant unmet demand for taxis in Clydebank.
- 4.4** In the Dumbarton & Vale of Leven zone, the ISUD was calculated at 9, well below the cut-off point of 80 when there would be significant unmet demand. There is therefore no evidence of any significant unmet demand for taxis in Dumbarton & the Vale of Leven.
- 4.5** The data that CH2M gathered in order to calculate the Index of Significant Unmet Demand (ISUD) for each zone was as follows:

### Summary of the detailed findings of the study in the Clydebank zone

#### **4.6** Stance observations

Observations were carried out at taxi stances across the Clydebank zone over a period of 96 hours during March to May 2018. CH2M found that the market is in equilibrium with minimal amounts of excess supply (queues of taxis) and excess demand (queues of passengers). On average taxis wait 12.59 minutes for a passenger, and passengers wait 0.15 minutes for a taxi.

#### **4.7** Public attitudes survey

An online survey prepared by CH2M was made available via the Council's website and used to collect information regarding opinions on the taxi and private hire market in the Clydebank zone. 164 responses were received however as 27 stated that they were members of the taxi or private hire trade, their responses were discounted. The key points from the public attitude survey showed that:-

- The majority of respondents hired their vehicle by telephone (83.9%);

- The majority of respondents (71%) had used a saloon vehicle rather than a purpose built taxi on their last trip.
- There were high levels of satisfaction expressed by respondents for the last trip they had made (90.3%);
- 32.2% of respondents had given up trying to obtain a taxi at a rank or by flagdown in particular areas of Clydebank;
- 39% of respondents felt that the level of the taxi services in Clydebank could be improved.
- 8% of respondents believed new stances were needed in specific locations.

#### 4.8 Trade survey

On 22 June 2018 a consultation took place with members of the Taxi Forum via video link with Liz Richardson, the representative from CH2M. The key points raised by the trade were as follows:-

- There were currently a sufficient number of taxis operating in the Clydebank zone.
- Some operators expressed a view that the 100% WAV policy in the Clydebank zone should be removed as there is not enough demand for WAV's to justify the cost to operators of investing in this type of vehicle.
- Those in attendance felt that the quality of vehicles being used by the taxi trade had improved in recent years;
- There were low levels of complaints from the public against drivers or regarding the standard of vehicles;
- The trade were unhappy regarding the upkeep of taxi ranks in the Clydebank zone as at that time some had no road markings and were in need of maintenance. This has now been addressed via the Roads Department.

#### 4.9 Consultation

Letters were sent to a wide range of stakeholders including Police Scotland, Disability Groups, Local Interest Groups and transport providers. Few responses were received however those who did respond are as follows:-

Clydebank TOARS Ltd.

- There are already sufficient numbers of taxis operating in Clydebank.
- The introduction of a higher standard of dress code for drivers would be welcomed.
- Additional training for new drivers should be delivered by the Council.
- The Council's current policy of requiring all vehicles to be wheelchair accessible in the Clydebank zone should be removed.

#### Anonymous Taxi Operator/Driver

- There are already enough taxis in the Clydebank zone.

#### Ashton Taxis

- Operators should be allowed to use non-WAV versions of vehicles currently in the taxi fleet.

#### West Dunbartonshire Access Panel

- Submitted a number of comments that are reflected at paragraph 4.13 of the report under the comments with regard to the Dumbarton and Vale of Leven zone.

### **Summary of the detailed findings of the study in the Dumbarton & Vale of Leven zone**

#### **4.10 Stance observations**

Observations were carried out at taxi stances across the Dumbarton & Vale of Leven zone over a period of 98 hours during March to May 2018. CH2M found that the market is in equilibrium with minimal amounts of excess supply (queues of taxis) and excess demand (queues of passengers). On average taxis wait 9.88 minutes for a passenger, and passengers wait 0.42 minutes for a taxi.

#### **4.11 Public attitudes survey**

An online survey prepared by CH2M was made available via the Council's website and used to collect information regarding opinions on the taxi and private hire market in the Dumbarton & Vale of Leven zone. 207 responses were received however as 26 stated that they were members of the taxi or private hire trade, their responses were discounted.

The key points from the public attitude survey showed that:-

- The majority of respondents hired their vehicle by telephone (82.9%);
- There were high levels of satisfaction expressed by respondents for the last trip they had made (85.4%);
- 39.5% of respondents had given up trying to obtain a taxi at a rank or by flagdown in particular areas of Dumbarton & Vale of Leven;
- 64.3% of respondents felt that the level of the taxi services in Dumbarton & Vale of Leven could be improved.
- 12.4% of respondents believed new stances were needed in specific locations.

#### 4.12 Trade survey

On 22 June 2018 a consultation took place with members of the taxi forum via video link with Liz Richardson, the representative from CH2M. The key points raised by the trade were as follows:-

- There were currently a sufficient number of taxis operating in the Dumbarton & Vale of Leven zone.
- Those in attendance felt that the quality of vehicles being used by the taxi trade had improved in recent years;
- There were low levels of complaints from the public against drivers or regarding the standard of vehicles;
- The trade were unhappy regarding the upkeep of taxi ranks in the Dumbarton & Vale of Leven zone as at that time some had no road markings and were in need of maintenance. This has now been addressed via the Roads Department.

#### 4.13 Consultation

Letters were sent to a wide range of stakeholders including Police Scotland, Disability Groups, Local Interest Groups and Transport providers. Few responses were received however those who did respond are as follows:-

##### Wrights Taxis – Telephone response

- There should be more Wheelchair Accessible Vehicles within the taxi fleet.
- A proposal that West Dunbartonshire Council consider issuing 10 new WAV only plates in the Dumbarton & Vale of Leven zone which should be non-transferable and restricted to Booking Offices had been submitted prior to the Taxi Demand Survey.
- The demand for Wheelchair Accessible Vehicles was increasing.

##### Wrights Taxis – Written response

- Additional Wheelchair Accessible Vehicles are required in the Dumbarton & Vale of Leven zone as they believe there is insufficient inclusion of the rights of elderly and disabled passengers in this area of West Dunbartonshire.

##### Mr Elder – Woodward

- The current numerical limit on taxis restricts the number of wheelchair accessible taxis available to wheelchair users. All taxis should be wheelchair accessible and the current policy is discriminatory.

## West Dunbartonshire Access Panel

The Panel made a number of general comments with regard to experiences as disabled taxi users. However, with regard to the issues of unmet demand the Panel submitted the following comments:

- The Panel submitted that the number of WAV vehicles need to be increased to allow disabled people to access them at any time.
- The Panel noted that at certain times it can be problematic to pre-book WAVs.

In addition, the Committee may wish to consider the following:

- The Panel also wished to see 'practical disability awareness training'. The Panel offered help to deliver such awareness training.
- The Access Panel also suggested that there should be a dress code for drivers.

### **Assessing quantity controls in general**

- 4.14** The lack of any significant unmet demand allows the Council to refuse to grant new taxi licences, but does not require the Council to do so. The Committee therefore needs to decide whether or not to use the findings of the report to continue its general policy of not granting new licences.
- 4.15** It should be noted that the Council cannot adopt a totally inflexible policy. If a policy is adopted, the Council will still have discretion as to whether to grant or refuse a particular licence. The individual circumstances of each application will still have to be considered.
- 4.16** The Scottish Government Best Practice Guidance states:

*"The Scottish Government remains of the view that decisions as to the case for limiting taxi licences should remain a matter for licensing authorities in the light of local circumstances. Licensing authorities that presently restrict numbers of taxi licences are, however, encouraged to periodically review this policy and to examine the wider policy direction."* (para 5.32)

*"The matter should be approached in terms of the interests of taxi users. What benefit is achieved for them by the continuation of controls and how might they benefit if the controls were removed? Is there evidence that removal of the controls would result in a clear and unambiguous deterioration in the amount or quality of taxi service provision? Authorities in assessing the case for quantity restrictions will wish also to have regard to the availability of an appropriate supply of accessible vehicles within the hire car fleet such as to meet the needs of passengers with a disability."* (para 5.33)

- 4.17** The Committee is recommended to maintain the maximum general limit at 177 taxi licences in the Dumbarton & the Vale of Leven zone and 159 taxi licences in the Clydebank zone.

### **Wheelchair Accessible Vehicles**

- 4.18** Although there is no significant unmet demand overall in Dumbarton & the Vale of Leven, CH2M's report does note the difficulty some disabled people have sourcing a wheelchair-accessible vehicle and the Committee should consider the comments made by the West Dunbartonshire Access Panel within the report at pages 22-23 and as referred to above at point 4.13.
- 4.19** The formula used within the Dumbarton & Vale of Leven CH2M report (Pages 25 and 26) indicates that the number of accessible vehicles required to eliminate the discrepancy in telephone booking waiting times between accessible and non-accessible vehicles would require the need for an additional 54 WAVs. This however relates to private hire demand and is therefore not relevant to the issue of significant unmet demand.
- 4.20** If the Committee was to maintain its general policy of not granting new taxi licences, it could nevertheless grant new licences for WAVs within the Dumbarton & Vale of Leven zone until an acceptable number of WAVs becomes available. To be of benefit, these licences would have to be for operators that can take bookings from a booking office.

## **5. People Implications**

- 5.1** There are no staffing implications.

## **6. Financial Implications**

- 6.1** Increasing the number of taxi licences in the Dumbarton & Vale of Leven zone would result in an increase in income from new applications.

## **7. Risk Analysis**

- 7.1** There is no increased risk to the Council associated with the contents of this report.

## **8. Equalities Impact Assessment (EIA)**

- 8.1** The study suggests that people with disabilities and age-related infirmities have difficulty sourcing an accessible taxi in Dumbarton and the Vale of Leven. This is related to the low number of WAVs in that zone. Increasing the number of WAVs in Dumbarton & the Vale of Leven would have a positive impact on people with disabilities or age related infirmities.

## **9. Consultation**

- 9.1** Consultation was carried out by CH2M with the Taxi Trade, the General Public, Disability Groups, Local Interest Groups and Transport Providers.

## **10. Strategic Assessment**

- 10.1** A well-regulated taxi market will improve the wellbeing of communities and protect the welfare of vulnerable people.

Peter Hessett  
Strategic Lead - Regulatory

Date: 20 August 2019

---

**Person to Contact:** Robert Mackie,  
Senior Officer (Licensing Services),  
Licensing Team,  
Municipal Buildings,  
College Street,  
Dumbarton,  
G82 1NR.

Tel. No. (Direct line) 01389 738742.  
[robert.mackie@west-dunbarton.gov.uk](mailto:robert.mackie@west-dunbarton.gov.uk)

**Appendices:**

1. Review of the level of demand for taxis in West Dunbartonshire – Clydebank Zone, CH2M Ltd., August 2019
2. Review of the level of demand for taxis in West Dunbartonshire – Dumbarton & Vale of Leven Zone, CH2M Ltd., August 2019
3. Extract from Scottish Government's Best Practice guidance

**Background Papers:** Taxi and Private Hire Car Licensing: Best Practice Guidance for Licensing Authorities, Scottish Government, April 2012.

Equality Impact Assessment

**Wards Affected:** All



FINAL REPORT

# Taxi Unmet Demand Survey- Clydebank Zone

*Prepared for*

West  
Dunbartonshire  
Council

AUGUST 2019



CH2M Hill  
Park House  
Headingley Office Park  
Victoria Road  
Leeds





# Contents

Section	Page
<b>Introduction.....</b>	<b>1</b>
1.1    General.....	1
<b>Background.....</b>	<b>2</b>
2.1    General.....	2
2.2    Background .....	2
2.3    Provision of Taxi Stances.....	3
2.4    Taxi Fares and Licence Premiums .....	3
<b>Definition, Measurement and Removal of Significant Unmet Demand.....</b>	<b>6</b>
3.1    Introduction .....	6
3.2    Overview .....	6
3.3    Defining Significant Unmet Demand .....	6
3.4    Measuring Patent Significant Unmet Demand .....	7
3.5    Determining the Number of New Licences Required to Eliminate Significant Unmet Demand.....	9
3.6    Note on Scope of Assessing Significant Unmet Demand.....	10
<b>Evidence of Patent Unmet Demand – Stance Observation Results .....</b>	<b>11</b>
4.1    Introduction .....	11
4.2    The Balance of Supply and Demand .....	11
4.3    Average Delays and Total Demand.....	12
4.4    The Delay/Demand Profile.....	13
4.5    The General Incidence of Passenger Delay.....	14
<b>Evidence of Suppressed Demand – Public Attitude Pedestrian Survey Results.....</b>	<b>15</b>
5.1    Introduction .....	15
5.2    General Information .....	15
5.3    Attempted method of hire.....	18
5.4    Service Provision.....	19
5.5    Ranks.....	20
5.6    Summary .....	21
<b>Consultation .....</b>	<b>23</b>
6.1    Introduction .....	23
6.2    Indirect (Written) Consultation .....	23
<b>Deriving the Significant Unmet Demand Index Value.....</b>	<b>26</b>
7.1    Introduction .....	26
<b>Summary and Conclusions.....</b>	<b>27</b>
8.1    Introduction .....	27
8.2    Significant Unmet Demand.....	27
8.3    Public Perception .....	27
8.4    Recommendations .....	27

# Document History

**Reference****Number:****Client Name:****West****Dunbartonshire****Council**

This document has been issued and amended as follows:

Version	Date	Description	Created By	Verified By	Approved By
1	13.08.18	Draft Report	KD	LR	LR
2	04.10.18	Revised Draft			LR
3	28.11.18	Revised Draft			LR
4	23.05.19	Revised Draft			LR
5	19.08.19	Revised Draft			LR
6	22.08.19	Final Report			LR

## Section 1 – Introduction

*In preparing this report, CH2M relied, in whole or in part, on data and information provided by the Client and third parties, which information has not been independently verified by CH2M and which CH2M has assumed to be accurate, complete, reliable, and current. Therefore, while CH2M has utilised reasonable skill and care in preparing this Report, CH2M does not warrant or guarantee the conclusions set forth in this Report which are dependent or based upon data, information, or statements supplied by third parties or the client.*

*This Report is intended for Client's sole and exclusive use and is not for the benefit of any third party and may not be distributed to, disclosed in any form to, used by, or relied upon by, any third party without prior written consent of CH2M, which consent may be withheld in its sole discretion.*

*Use of this Report or any information contained herein, if by any party other than Client, shall be at the sole risk of such party and shall constitute a release and agreement by such party to defend and indemnify CH2M and its affiliates, officers, employees and subcontractors from and against any liability for direct, indirect, incidental, consequential or special loss or damage or other liability of any nature arising from its use of the Report or reliance upon any of its content. To the maximum extent permitted by law, such release from and indemnification against liability shall apply in contract, tort (including negligence), strict liability, or any other theory of liability."*



# Introduction

## 1.1 General

This study has been conducted by CH2M on behalf of West Dunbartonshire Council (WDC). The overall objective is to provide a full survey of demand for taxis in the Clydebank zone and to determine whether or not significant unmet demand for taxis exists in terms of section 10 (3) of the Civic Government (Scotland) Act 1982. Specific objectives of the study are to determine:

- Whether there is any significant unmet demand for taxi services in the Clydebank zone; and
- If significant unmet demand is found, recommend how many licences would be required to meet this.

In 2007 the Scottish Government issued Best Practice Guidance for Taxi and Private Hire licensing. The Scottish Government reissued this guidance in April 2012 in recognition of a number of legislative changes. Essentially, the Government stated that the present legal position on quantity restrictions for taxis is set out in section 10 (3) of the 1982 Act. The Scottish Government takes the view that decisions as to the case for limiting taxi licences should remain a matter for licensing authorities in the light of local circumstances. The Guidance provides local authorities with assistance in local decision making when they are determining the licensing policies for their local area. Guidance is provided on a range of issues including flexible taxi services, vehicle licensing, driver licensing and training.

The Equality Act 2010 provides a new cross-cutting legislative framework to protect the rights of individuals and advance equality of opportunity for all; to update, simplify and strengthen the previous legislation; and to deliver a simple, modern and accessible framework of discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

The provisions in the Equality Act will come into force at different times to allow time for the people and organisations affected by the new laws to prepare for them. The Government is considering how the different provisions will be commenced so that the Act is implemented in an effective and proportionate way. Some provisions came into force on the 1st October 2010 however most of the provisions for taxi accessibility are still to come into play.

Sections 165, 166 and 167 of the Equality Act 2010 are concerned with the provision of wheelchair accessible vehicles and place obligations on drivers of registered vehicles to carry out certain duties unless granted an exemption by the licensing authority on the grounds of medical or physical condition. Section 166 allows taxi drivers to apply to their licensing authority for an exemption from Section 165 of the Equality Act 2010. Section 165 imposes a duty on taxi and private hire car drivers with wheelchair accessible vehicles to provide assistance to disabled passengers. These sections were introduced in full in April 2017.

# Background

## 2.1 General

This section of the report provides a general background to the taxi market in West Dunbartonshire and the relevant legislation governing the market.

## 2.2 Background

Taxis licensed by West Dunbartonshire Council are licensed according to one of two zones. This report is concerned with the Clydebank zone.

West Dunbartonshire is situated in the West of Scotland. The authority borders the West of Glasgow and contains many of Glasgow's commuter towns and villages. The mid year population estimate for West Dunbartonshire is 89,610.<sup>1</sup> Clydebank central, Kilpatrick and Waterfront wards had a total population in the 2011 census of 43,543.

West Dunbartonshire Council currently limits the number of taxis it licences. The authority limits the number of taxis in the Clydebank zone at 159 vehicles. Some 99.4% of the fleet is wheelchair accessible. This provides Clydebank with a taxi provision of around one taxi per 274 resident population. There are 55 private hire vehicles licenced in the Clydebank zone, of which none are accessible.

Plate 2.1 depicts the Dumbarton Road rank in Dalmuir.

*Plate 2.1 Dumbarton Road, Dalmuir*



<sup>1</sup> National Records of Scotland Mid Year Population estimate 2017



## 2.3 Provision of Taxi Stances

There are currently 10 official taxi stances located throughout the Clydebank licensing area and one unofficial stance; the locations and times of operation of each of the stances are provided in Appendix 1.

## 2.4 Taxi Fares and Licence Premiums

Taxi fares are regulated by the Local Authority. There are three tariffs across the following periods;

- Tariff 1– Monday to Sunday, 6am until 10pm;
- Tariff 2 – Monday to Sunday, 10pm until 6am and 6pm to midnight on Christmas Eve and 31<sup>st</sup> December;
- Tariff 3 – Midnight on 24th December to Midnight on 26th December and Midnight on 31st December to Midnight on 2nd January

The standard charge tariff is made up of two elements: an initial fee (or ‘drop’) for entering the vehicle (£2.50 on Tariff 1), and a fixed price addition of 10p per 1/17th mile, dependent on the tariff in place, or uncompleted part thereof travelled, plus fixed additions for waiting time. Fixed additional charges are also in place for extra passengers and for those vehicles prebooked yet not cancelled before arrival. A standard two-mile daytime fare undertaken by one individual would therefore be £5.20. The tariffs are outlined in detail in the fare card in Figure 2.1 below.

Figure 2.1 – Farecard for Clydebank zone The values were set September 2017

**WEST DUNBARTONSHIRE COUNCIL**

**Civic Government (Scotland) Act 1982**

**Fare Chart (Effective from 21 September 2017)**

**CLYDEBANK ZONE**

**Fares by Distance**

**Tariff One**

6.00 a.m. to 10.00 p.m. daily

For a distance not exceeding 5/11ths OF A MILE  
or for waiting time not exceeding 3 minutes 45  
seconds (or a combination of both).....£2.50  
For each additional 1/17th OF A MILE.....£0.10

**Tariff Two**

10.00 p.m. to 6.00 a.m. daily  
6.00 p.m. to 12 midnight on  
Christmas Eve and 31st December

For a distance not exceeding  
5/11ths OF A MILE.....£3.00  
For each additional 1/18th OF A MILE.....£0.10

**Tariff Three**

Midnight on 24th December to  
Midnight on 26th December and  
Midnight on 31st December to  
Midnight on 2nd January

For a distance not exceeding  
5/11ths OF A MILE.....£4.00  
For each additional 1/20th OF A MILE.....£0.10

*Between 10.00 p.m. and 6.00 a.m. a 50p extra charge applies*

Any hire terminating outwith the West Dunbartonshire area will be at a rate to be agreed at the time of hire.

**Fares for Waiting**

The driver is, in addition to the above, entitled to charge for waiting whether in one stoppage or in several stoppages as follows:

For each period of THIRTY SECONDS or part thereof.....£0.10

**Extra Charges**

A charge of £2.50 shall be payable for a taxi called by telephone or via App and not cancelled before arrival.

An additional charge of 10p shall be payable for each passenger beyond two.

**Soiling Fee**

A maximum fee of £50.00 is chargeable for any soiling which necessitates a taxi being removed from service for cleaning. Soiling in this context includes any soiling by means of food, drink, vomit, urine or excrement.

The Private Hire and Taxi Monthly magazine publish monthly league tables of the fares for 362 authorities over a two-mile journey (Appendix 2) . Each journey is ranked with one being the most expensive. The May 2019 table shows Clydebank zone rated 303<sup>rd</sup> in the table, indicating that Clydebank has lower than average fares. Table 2.1 provides a comparison of where a selection of neighbouring authorities in Scotland, rank in terms of fares, showing that fares in Clydebank are low in comparison to neighbouring authorities.

*Table 2.1 - Comparison of neighbouring authorities in terms of fares (Source Private Hire and Taxi Monthly, May 2019)*

Local Authority	Rank
Glasgow	70
Argyll and Bute	101
Dumbarton zone	270
East Dunbartonshire	283
<b>Clydebank zone</b>	<b>303</b>

# Definition, Measurement and Removal of Significant Unmet Demand

## 3.1 Introduction

Section 3 provides a definition of significant unmet demand derived from experience of over 100 unmet demand studies since 1987. This leads to an objective measure of significant unmet demand that allows clear conclusions regarding the presence or absence of this phenomenon to be drawn. Following this, a description is provided of the SUDSIM model which is a tool developed to determine the number of taxi licences required to eliminate significant unmet demand, where such unmet demand is found to exist. This method has been applied to numerous local authorities and has been tested in the courts as a way of determining if there is unmet demand for taxis.

## 3.2 Overview

Significant Unmet Demand (SUD) has two components:

- Patent demand – that which is directly observable; and
- ‘Suppressed’ demand – that which is released by additional supply.

Patent demand is measured using stance observation data. Suppressed (or latent) demand is assessed using data from the stance observations and public attitude interview survey. Both are brought together in a single measure of unmet demand, ISUD (Index of Significant Unmet Demand).

## 3.3 Defining Significant Unmet Demand

The provision of evidence to aid licensing authorities in making decisions about taxi provision requires that surveys of demand be carried out. Results based on observations of activity at taxi stances have become the generally accepted minimum requirement.

The definition of significant unmet demand is informed by two Court of Appeal judgements:

- R v Great Yarmouth Borough Council ex p Sawyer (1987); and
- R v Great Castle Point Borough Council ex p Maude (2002).

The Sawyer case provides an indication of the way in which an Authority may interpret the findings of survey work. In the case of Sawyer v Yarmouth City Council, 16 June 1987, Lord Justice Woolf ruled that an Authority is entitled to consider the situation from a temporal point of view as a whole. It does not have to condescend into a detailed consideration as to what may be the position in every limited part of the Authority in relation to the particular time of day. The authority is required to give effect to the language used by the Section (Section 16) and can ask itself with regard to the area as a whole whether or not it is satisfied that there is no significant unmet demand.

The term ‘suppressed’ or ‘latent’ demand has caused some confusion over the years. It should be pointed out that following Maude v Castle Point Borough Council, heard in the Court of Appeal in October 2002, the term is now interpreted to relate purely to that demand that is measurable. Following Maude, there are two components to what Lord Justice Keene prefers to refer to as ‘suppressed demand’:

- What can be determined inappropriately met demand. This is current observable demand that is being met by, for example, private hire cars illegally ranking up; and
- That which arises if people are forced to use some less satisfactory method of travel due to the unavailability of a taxi.

If demand remained at a constant level throughout the day and week, the identification and treatment of significant unmet demand would be more straight-forward. If there were more cabs than required to meet the existing demand there would be queues of cabs on stances throughout the day and night and passenger waiting times would be zero. Conversely, if too few cabs were available there would tend to be queues of passengers throughout the day. In such a case it would, in principle, be a simple matter to estimate the increase in supply of cabs necessary to just eliminate passenger queues.

Demand for taxis varies throughout the day and on different days. The problem, introduced by variable demand, becomes clear when driver earnings are considered. If demand is much higher late at night than it is during the day, an increase in cab supply large enough to eliminate peak delays will have a disproportionate effect on the occupation rate of cabs at all other times. Earnings will fall, and fares might have to be increased sharply to sustain the supply of cabs at or near its new level.

The main implication of the present discussion is that it is necessary, when considering whether significant unmet demand exists, to take account of the practicability of improving the standard of service through increasing supply.

### 3.4 Measuring Patent Significant Unmet Demand

Taking into account the economic, administrative and legal considerations, the identification of this important aspect of significant unmet demand should be treated as a three stage process as follows:

- Identify the demand profile;
- Estimate the passenger and cab delays; and
- Compare estimated delays to the demand profile.

The broad interpretation to be given to the results of this comparison are summarised in Table 3.1.

*Table 3.1 – Existing of SUD determined by comparing demand and delay profiles*

Demand is:	Delays during peak only	Delays during peak and other times
Highly peaked	No SUD	Possibly a SUD
Not highly peaked	Possibly a SUD	Possible a SUD

It is clear from the content of the table that the simple descriptive approach fails to provide the necessary degree of clarity to support the decision making process in cases where the unambiguous conclusion is not achievable. However, it does provide the basis of a robust assessment of the principal component of significant unmet demand. The analysis is therefore extended to provide a more formal numerical measure of significant unmet demand. This is based on the principles contained in the descriptive approach but provides greater clarity. A description follows.

The measure feeds directly off the results of observations of activity at the stances. In particular, it takes account of:

- Case law that suggests an authority should take a broad view of the market;
- The effect of different levels of supply during different periods at the stance on service quality; and
- The need for consistent treatment of different authorities, and the same authority over time.

The Index of Significant Unmet Demand (ISUD) was developed in the early 1990's and is based on the following formula. The SF element was introduced in 2003 and the LDF element was introduced in 2006 to reflect the increased emphasis on latent demand in DfT Guidance.

$$\text{ISUD} = \text{APD} \times \text{PF} \times \text{GID} \times \text{SSP} \times \text{SF} \times \text{LDF}$$

Where:

APD =	Average Passenger Delay calculated across the entire week in minutes.
PF =	Peaking Factor. If passenger demand is highly peaked at night, the factor takes the value of 0.5. If it is not peaked the value is 1. Following case law this provides dispensation for the effects of peaked demand on the ability of the Trade to meet that demand. To identify high peaking we are generally looking for demand at night (at weekends) to be substantially higher than demand at other times.
GID =	General Incidence of Delay. This is measured as the proportion of passengers who travel in hours where the delay exceeds one minute.
SSP =	Steady State Performance. The corollary of providing dispensation during the peaks in demand is that it is necessary to focus on performance during "normal" hours. This is measured by the proportion of hours during weekday daytimes when the market exhibits excess demand conditions (i.e. passenger queues form at stances).
SF =	Seasonality Factor. Due to the nature of these surveys it is not possible to collect information throughout an entire year to assess the effects of seasonality. Experience has suggested that taxi demand does exhibit a degree of seasonality and this is allowed for by the inclusion of a seasonality factor. The factor is set at a level to ensure that a marginal decision either way obtained in an "untypical" month will be reversed. This factor takes a value of 1 for surveys conducted in September to November and March to June, i.e. "typical" months. It takes a value of 1.2 for surveys conducted in January and February and the longer school holidays, where low demand the absence of contract work will bias the results in favour of the taxi trade, and a value of 0.8 for surveys conducted in December during the pre-Christmas rush of activity. Generally, surveys in these atypical months, and in school holidays, should be avoided.
LDF =	Latent Demand Factor. This is derived from the public attitude survey results and provides a measure of the proportion of the public who have given up trying to obtain a taxi at either a stance or by flagdown during the previous three months. It is measured as

1+ proportion giving up waiting. The inclusion of this factor is a tactical response to the latest guidance.

The product of these six measures provides an index value. The index is exponential and values above the 80 mark have been found to indicate significant unmet demand. This benchmark was defined by applying the factor to the 25 or so studies that had been conducted at the point it was developed. These earlier studies had used the same principles but in a less structured manner. The highest ISUD value for a study where a conclusion of no significant unmet demand had been found was 72. The threshold was therefore set at 80. The ISUD factor has been applied to over 80 studies by CH2M and has been adopted by others working in the field. It has proved to be a robust, intuitively appealing and reliable measure.

Suppressed/latent demand is explicitly included in the above analysis by the inclusion of the LDF factor and because any known illegal plying for hire by the private hire trade is included in the stance observation data. This covers both elements of suppressed/latent demand resulting from the Maude case referred to above and is intended to provide a 'belt and braces' approach. A consideration of latent demand is also included where there is a need to increase the number of taxi licences following a finding of significant unmet demand. This is discussed in the next section.

### 3.5 Determining the Number of New Licences Required to Eliminate Significant Unmet Demand

To provide advice on the increase in licences required to eliminate significant unmet demand, CH2M has developed a predictive model. SUDSIM is a product of over 20 years experience of analysing taxi demand. It is a mathematical model, which predicts the number of additional licences required to eliminate significant unmet demand as a function of key market characteristics.

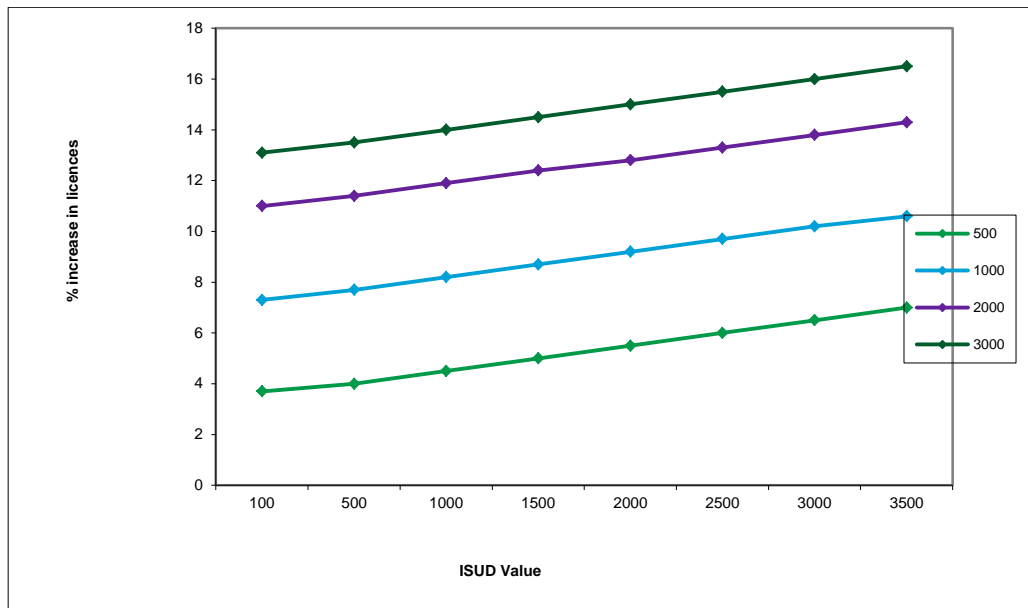
SUDSIM represents a synthesis of a queue simulation work that was previously used (1989 to 2002) to predict the alleviation of significant unmet demand and the ISUD factor described above (hence the term SUDSIM). The benefit of this approach is that it provides a direct relationship between the scale of the ISUD factor and the number of new taxi licences required.

SUDSIM was developed taking the recommendations from 14 previous studies that resulted in an increase in licences, and using these data to calibrate an econometric model. The model provides a relationship between the recommended increase in licences and three key market indicators:

- The population of the licensing authority;
- The number of taxis already licensed by the licensing authority; and
- The size of the SUD factor.

The main implications of the model are illustrated in Figure 3.1 below. The figure shows that the percentage increase in a taxi fleet required to eliminate significant unmet demand is positively related to the population per taxi (PPT) and the value of the ISUD factor over the expected range of these two variables.

Figure 3.1 – Forecast increase in taxi fleet size as a function of population per taxi (PPT) and the ISUD value



Where significant unmet demand is identified, the recommended increase in licences is therefore determined by the following formula:

**New Licences = SUDSIM x Latent Demand Factor**

Where:

Latent Demand Factor = (1 + proportion giving up waiting for a taxi at either a stance or via flagdown).

### 3.6 Note on Scope of Assessing Significant Unmet Demand

It is useful to note the extent to which a licensing authority is required to consider peripheral matters when establishing the existence or otherwise of significant unmet demand. This issue is informed by *R v Brighton Borough Council, exp p Bunch* 1989<sup>2</sup>. This case set the precedent that it is only those services that are exclusive to taxis that need concern a licensing authority when considering significant unmet demand. Telephone booked trips, trips booked in advance or indeed the provision of bus type services are not exclusive to taxis and have therefore been excluded from consideration.

<sup>2</sup> See Button JH 'Taxis – Licensing Law and Practice' 2<sup>nd</sup> edition Tottel 2006 P226-7



# Evidence of Patent Unmet Demand – Stance Observation Results

## 4.1 Introduction

This section of the report highlights the results of the stance observation survey. The stance observation program covered a period of 96 hours during March to May 2018. Some 7,524 passengers and 6,953 departures were recorded across six selected stances. A summary of the stance observation programme is provided in Appendix 3.

The results presented in this section summarise the information and draw out its implications. This is achieved by using five indicators:

- The Balance of Supply and Demand – this indicates the proportion of the time that the market exhibits excess demand, equilibrium and excess supply;
- Average Delays and Total Demand – this indicates the overall level of passengers and cab delays and provides estimates of total demand;
- The Demand/Delay Profile – this provides the key information required to determine the existence or otherwise of significant unmet demand;
- The Proportions of Passengers Experiencing Given Levels of Delay – this provides a guide to the generality of passenger delay.

## 4.2 The Balance of Supply and Demand

The results of the analysis are presented in Table 4.1 below. The predominant market state is one of equilibrium. Excess supply (queues of cabs) was experienced during 23% of the hours observed while excess demand (queues of passengers) was experienced 7% of the hours observed. Conditions are generally favourable to customers at all times of the day. The situation observed was similar to that in 2013 with regard to excess demand.

Table 4.1 – The balance of supply and demand in the Clydebank stance-based taxi market (percentage of hours observed)

Period		Excess Demand (Max Passenger Queue $\geq 3$ )	Equilibrium	Excess Supply (Min Cab Queue $\geq 3$ )
Weekday	Day	4	50	46
	Night	6	94	0
Weekend	Day	5	60	35
	Night	13	81	6
Sunday	Day	10	75	15
<b>Total 2018</b>		<b>7</b>	<b>70</b>	<b>23</b>
<b>Total 2013</b>		<b>6</b>	<b>82</b>	<b>12</b>

NB – Excess Demand = Maximum passenger queue  $\geq 3$ . Excess Supply = Minimum Cab Queue  $\geq 3$  – values derived over 12 time periods within an hour.

### 4.3 Average Delays and Total Demand

The following estimates of average delays and throughput were produced for each selected stance in Clydebank (Table 4.2).

The survey suggests some 7,524 passenger departures occur per week from stances in Clydebank involving some 6,953 cab departures. The taxi trade is concentrated at the Asda rank in Clydebank accounting for 58% of the total passenger departures. On average cabs wait 12.59 minutes for a passenger. On average passengers wait 0.15 minutes for a cab.

Since the previous study in 2013 passenger demand has remained very similar as has passenger delay.

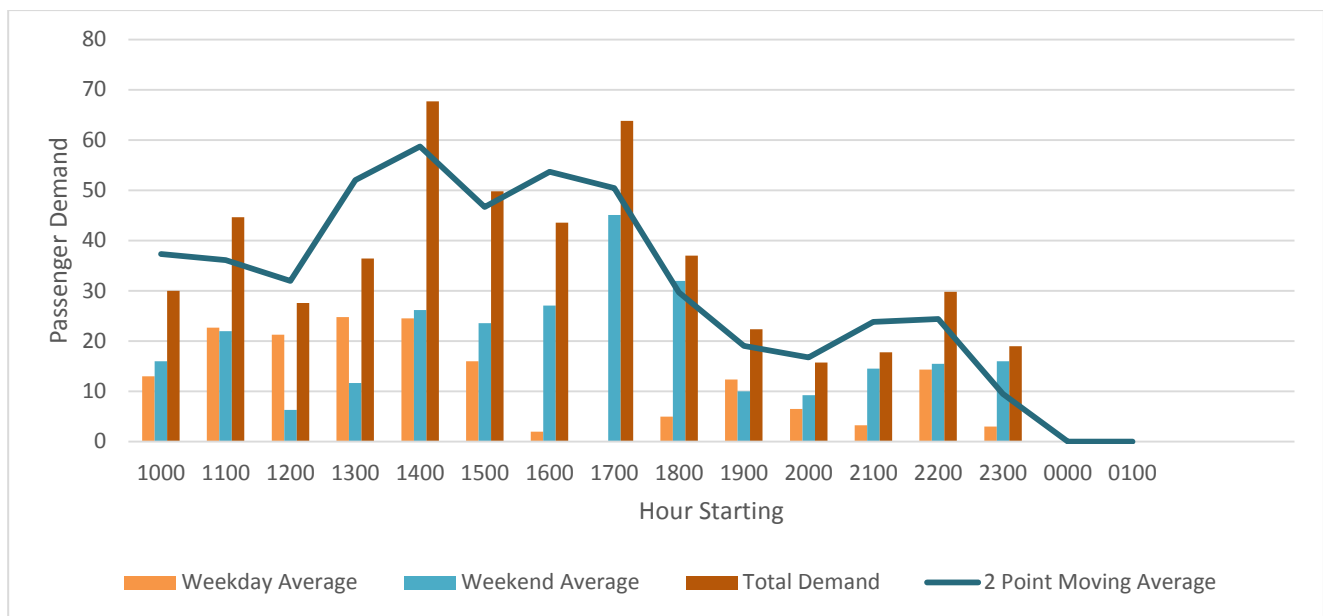
Table 4.2 Average Delays and Total Demand (Delays in Minutes)

Stance	Passenger Departures	Cab Departures	Average Passenger Delay in Minutes	Average Cab Delay in Minutes
Alexander Street	1,613	1,588	0.17	22.21
Kilbowie Road (Clyde Shopping Centre)	1,145	1,429	0.00	12.98
Kilbowie Road (Singer)	162	230	1.11	2.25
Kilbowie Road (Co –op)	123	217	0.64	10.56
Dumbarton Road (Dalmuir)	124	209	2.64	11.34
Asda Clydebanks	4,357	3,280	0.06	8.70
<b>Total 2018</b>	<b>7,524</b>	<b>6,953</b>	<b>0.15</b>	<b>12.59</b>
<b>Total 2013</b>	<b>7,286</b>	<b>6,872</b>	<b>0.05</b>	<b>10.06</b>

## 4.4 The Delay/Demand Profile

Figure 4.1 provides a graphical illustration of passenger demand for the Monday to Saturday period between the hours of 10:00 and 01:00.

Figure 4.1 Passenger Demand by Time of Day in 2018 (Monday to Saturday)



The profile of demand shows that demand fluctuates throughout the day with it peaking at 1400. Demand on a night time is much lower.

Figure 4.2 Passenger Delay by Time of Day in 2018 (Monday to Saturday)

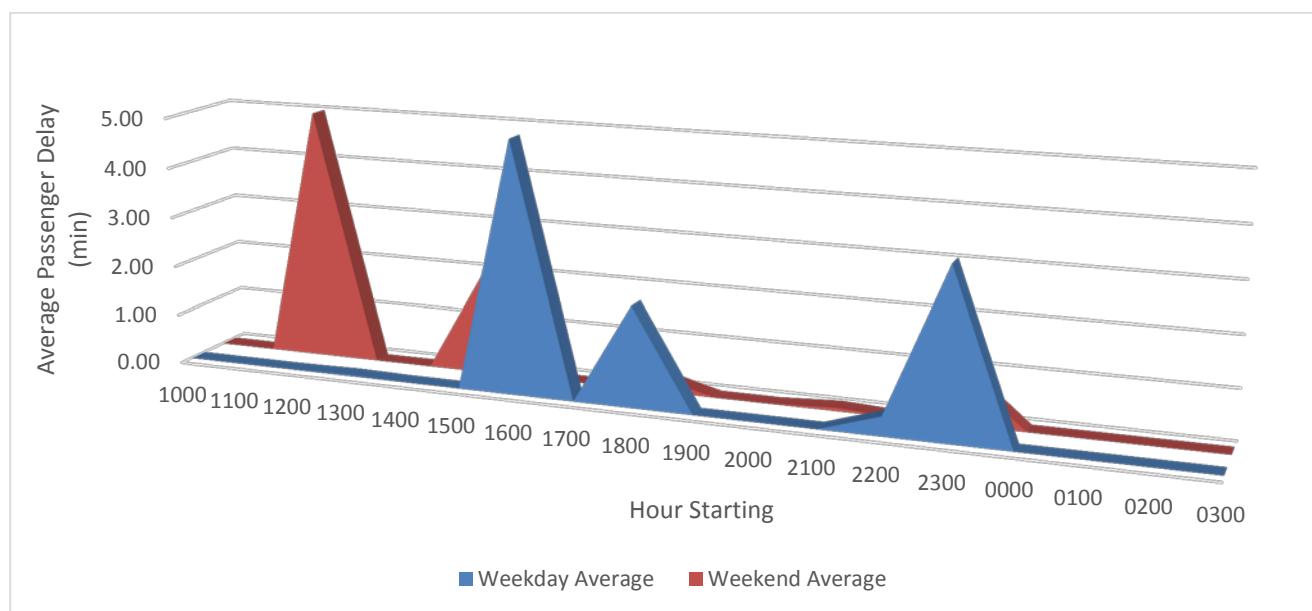


Figure 4.2 provides an illustration of passenger delay by the time of day for the weekday and weekend periods. It shows that delay peaks on weekdays between 1500 and 1700 and 2200 and midnight, and during the morning and mid afternoon on weekends.

## 4.5 The General Incidence of Passenger Delay

The stance observations data can be used to provide a simple assessment of the likelihood of passengers encountering delay at stances. The results are presented in Table 4.3 below.

Table 4.3 – General incidence of passenger delay (percentage of passengers travelling in hours where delay exceeds one minute)

Year	Delay > 0	Delay > 1 min	Delay > 5 min
<b>2018</b>	<b>3.8</b>	<b>0.79</b>	<b>0.18</b>
2013	7.62	1.07	0.00

In 2018, 0.79% of passengers are likely to experience more than a minute of delay. It is this proportion (0.79%) that is used within the ISUD as the 'Generality of Passenger Delay'. This is slightly lower than was observed in 2013.

## Evidence of Suppressed Demand – Public Attitude Pedestrian Survey Results

### 5.1 Introduction

A public attitude survey was designed with the aim of collecting information regarding opinions on the taxi market in Clydebank. In particular, the survey allowed an assessment of flagdown, telephone and stance delays, the satisfaction with delays and general use information.

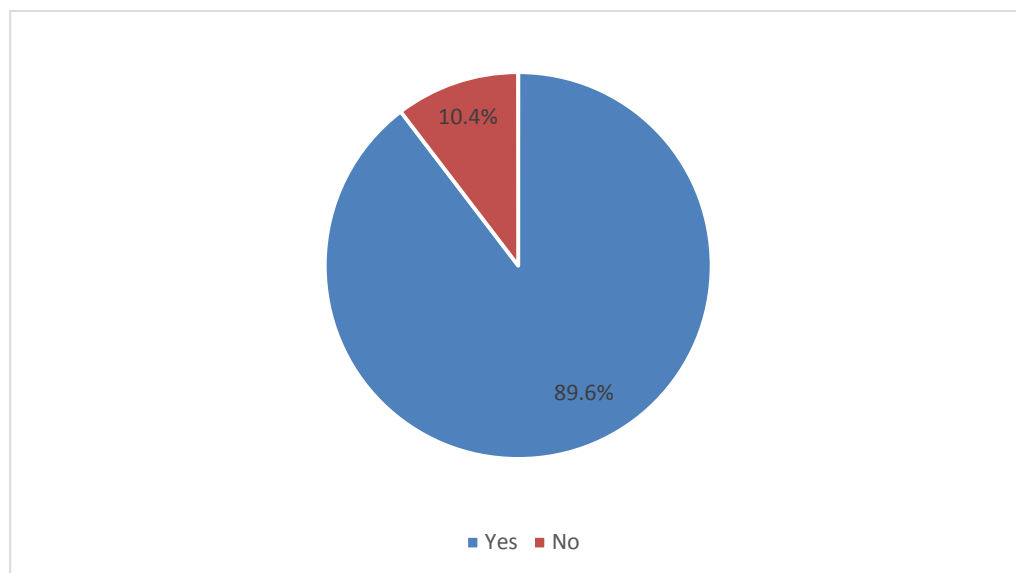
The survey was hosted online and promoted via West Dunbartonshire Council's website and the link was emailed to a range of stakeholders. Some 164 people responded to the on-line survey, however as 27 stated that they were members of the taxi or private hire trade their responses were discounted.

It should be noted that in the tables and figures that follow the totals do not always add up to the same amount which is due to one of two reasons. First, not all respondents were required to answer all questions; and second, some respondents failed to answer some questions that were asked.

### 5.2 General Information

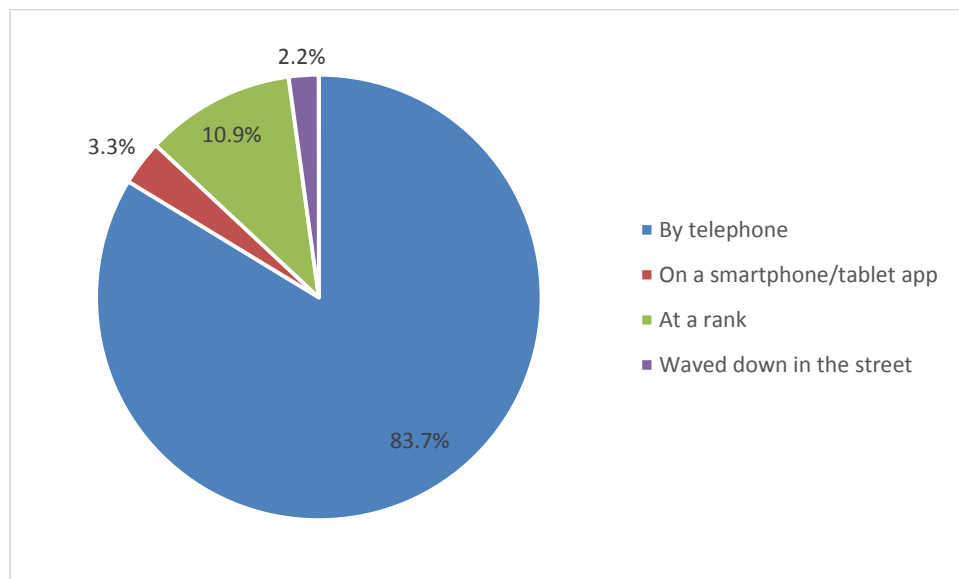
Respondents were asked whether they had made a trip by taxi in the past three months. Figure 5.1 shows that 89.6% of the 137 people surveyed had made a trip by taxi in the last three months.

Figure 5.1 – Have you made a trip by taxi in the last three months?



Trip makers were asked how they obtained their taxi or private hire vehicle. Of those providing a response, some 83.9% of trip makers stated that they hired their taxi by telephone while 11% obtained a taxi at a rank. Some 3% of respondents stated that they hired their vehicle by an 'app'. Figure 5.2 reveals the pattern of hire.

Figure 5.2 – Method of hire for last trip



Respondents were asked what type of vehicle they had obtained on their last trip. Some 71% were saloon vehicles and 26.9% were wheelchair accessible. They were then asked if they were satisfied with the time taken and the promptness of the vehicles arrival. When considering all hiring's, the majority of customers (90.3%) were satisfied with their last taxi journey.

Respondents were also asked at what time of the day they obtained their taxi and on what day of the week it was. Figure 5.3 indicates that 41.9% took a taxi in the daytime between 6am and 6pm, followed by 35.5% during the evening (6pm – 10pm) and 22.6% during the night (after 10pm). Figure 5.4 shows what day of the week respondents obtained a taxi, which indicates that a Saturday was the most popular day of the week with 34.4% respondents indicating this.

Figure 5.3 – Time of day respondents obtained a taxi

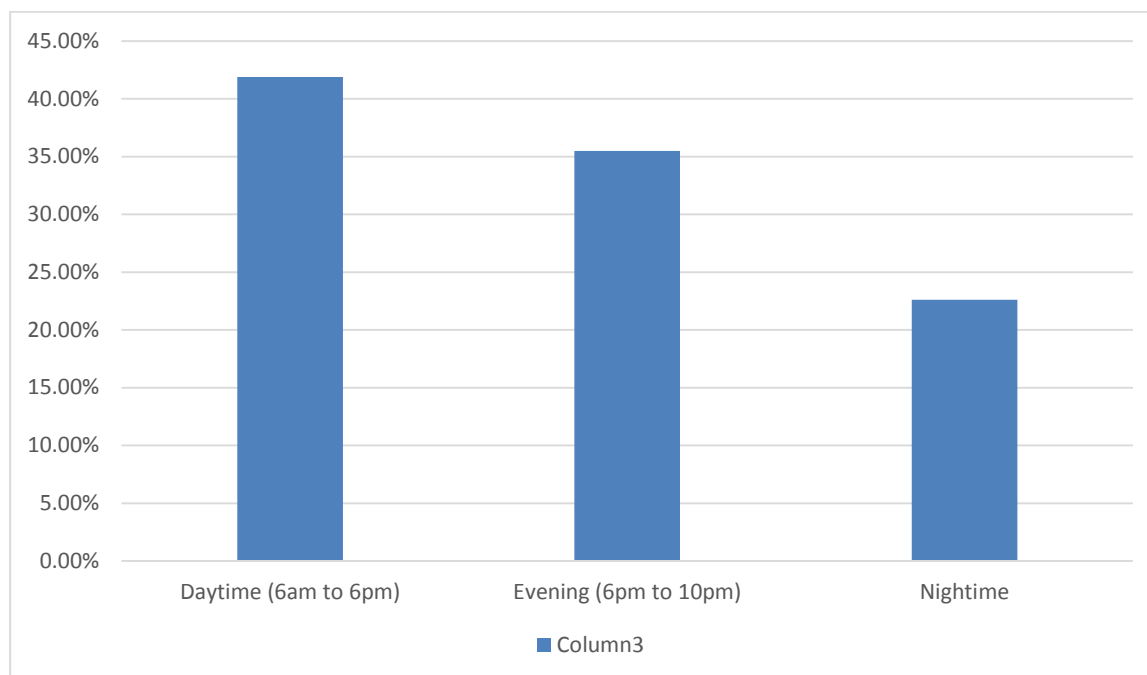
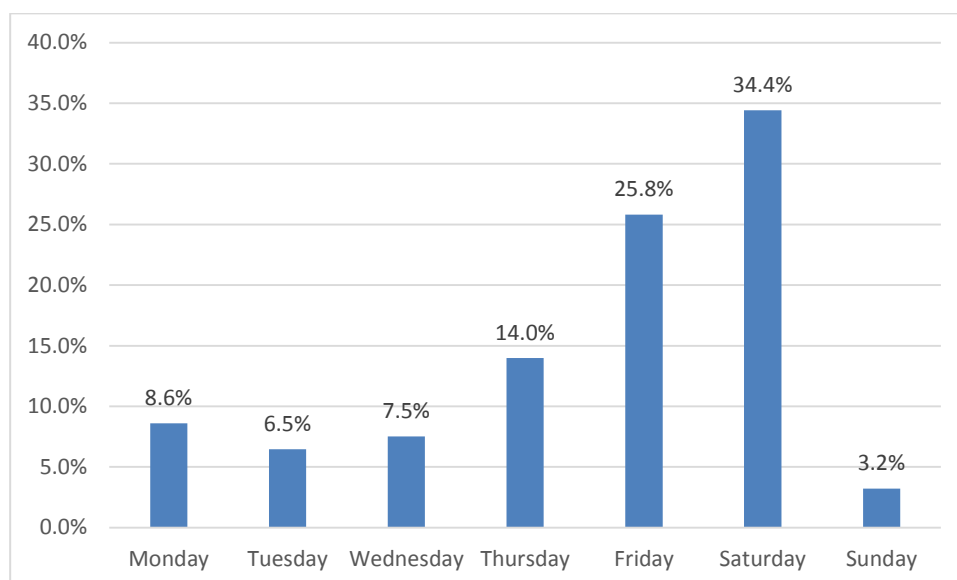


Figure 5.4 – Day of the week respondents obtained a taxi



Trip makers were asked to rate five elements from their last taxi journey on a scale from very poor to very good. The results in Figure 5.5 show that most elements were generally good, apart from price which was average. When poor ratings were given respondents were asked to provide a reason for their rating. Negative ratings included reasons such as:

- Driver rude and no change

- Driver had a bad attitude because it was a short fare
- Untidy driver
- Old vehicle
- Poor driving skills
- Taxi was not clean and smelled of smoke
- Took over an hour to obtain a taxi
- Despite prebooking the vehicle was late
- Can't ever get a Clydebank taxi in my area

Figure 5.5 – Rating of last journey

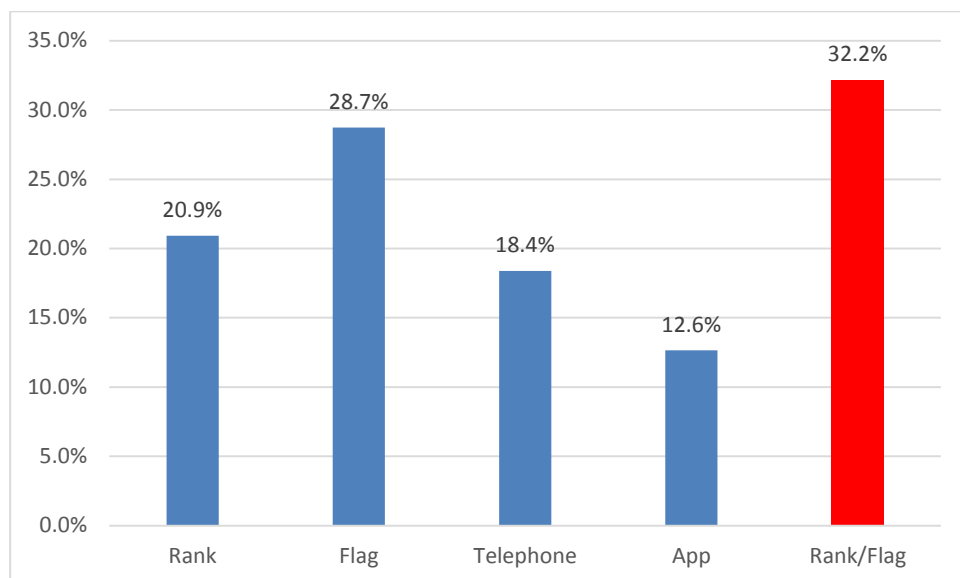


### 5.3 Attempted method of hire

In order to measure demand suppression, all respondents were asked to identify whether or not they had given up waiting for a taxi at a rank, on the street, or by telephone in Clydebank in the last three months. The results are summarised in Figure 5.6. This indicates that most people gave up waiting for a taxi by flagdown or on the street followed by at a rank.



Figure 5.6 – Latent demand by method of hire – Given up trying to book a taxi?



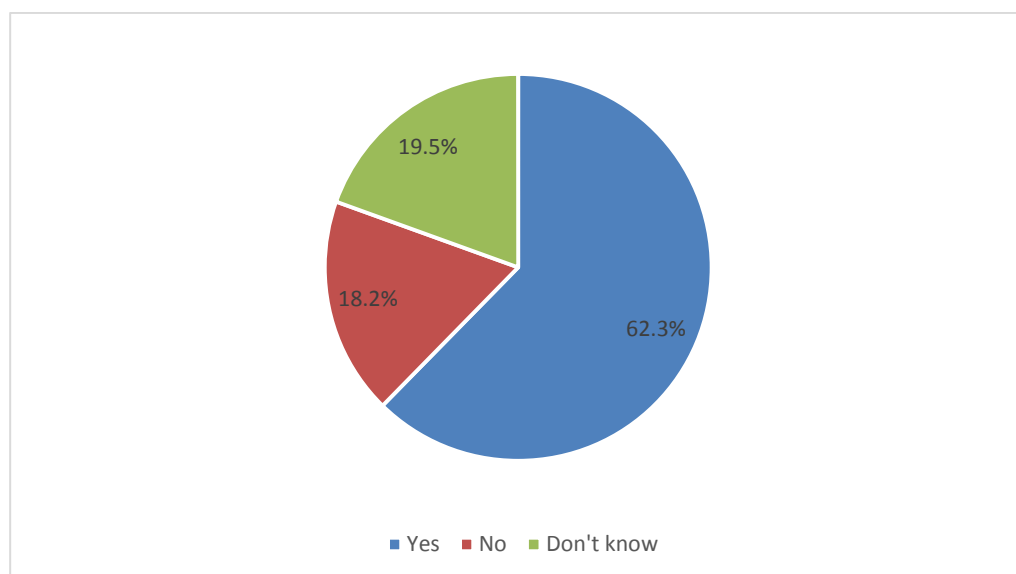
This has implications for the interpretation of the results (see Chapter 8 below).

Respondents who had given up trying to obtain a taxi in the last three months were asked the location where they had given up waiting for a taxi. The most common areas respondents gave were the centre of Clydebank, Singer station and Dalmuir.

## 5.4 Service Provision

Participants were subsequently asked whether they feel there are enough taxis in Clydebank at the current time. Some 62.3% commented that there are sufficient taxis in Clydebank (see Figure 5.7).

Figure 5.7 – Do you think there are enough taxis in Clydebank to suit your needs?



Respondents were then asked if they thought there were sufficient wheelchair accessible vehicles in Clydebank zone. Some 58.4% of respondents considered there to be sufficient wheelchair accessible vehicles, 18.2% didn't feel there were sufficient and 19.5% didn't know.

The survey then asked respondents whether taxi services in Clydebank could be improved. Some 39.0% felt that they could be improved while 22.1% thought no improvements were needed. Respondents were then asked to suggest what could be done to improve the services, with a variety of suggestions made. Most popular suggestions included:

- Newer vehicles;
- Make all taxi and private hire wheelchair accessible;
- More taxis;
- More taxis at peak times;
- Be able to pay by card
- Less rude drivers;
- All taxis should have CCTV;
- Be punctual;
- Don't lock doors when in the vehicle; and
- More ranks.

## 5.5 Ranks

Respondents were asked if they felt there was sufficient provision of taxi ranks in Clydebank. Some 15.8% of respondents were not satisfied with the provision of ranks in Clydebank. Suggested improvements from respondents who answered 'no' are listed in Table 5.1.

*Table 5.1 – Suggested improvements for taxi ranks in Clydebank*

Suggested Improvement	No. of Responses
Provide information on location of existing ranks	6
Provide new ranks	5
Improve signage of existing ranks	5

Respondents were asked if there were any locations in Clydebank where new ranks were needed. A total of 40.3% said that no new ranks were needed in Clydebank whilst 51.4% stated they did not know. The remaining 8.3% of respondents who stated that they would like to see new ranks were asked to provide a location. Locations cited included:

- Clydebank Leisure Centre and Town Hall;
- Duntocher Road (main road);
- Argyll Road; and
- Clydebank Health Centre.

## 5.6 Summary

Key points from the public attitude survey can be summarised as:

- Majority of respondents hired their vehicle by telephone (83.7%);
- High levels of satisfaction with last taxi trip made (90.3%)
- Some 32.2% of people had given up trying to obtain a taxi at a rank or by flagdown;
- Some 39% of people felt that taxi services could be improved – more taxis provided at a cheaper price and comments about the drivers; and
- Some 8% of people believe that new ranks are needed in specific locations.



# Consultation

## 6.1 Introduction

Guidelines issued by the Scottish Government state that consultation should be undertaken with the following organisations and stakeholders:

- All those working in the market;
- Consumer and passenger (including disabled) groups;
- Groups which represent those passengers with special needs;
- The Police;
- Local interest groups such as hospitals or visitor attractions; and
- A wide range of transport stakeholders such as rail/bus/coach providers and transport managers.

In order to consult with relevant stakeholders across Clydebanks, written consultation was undertaken. In addition to the written consultation CH2M attended a meeting of the trade forum via video link. Key points from this were:

- Sufficient number of vehicles across both zones and a desire to maintain the current limitation policy;
- Views by some that the WAV policy is a 'waste of money'. It was considered that there is not enough demand for the cost of investing in a 100% WAV fleet. The cost of WAV taxis is very expensive;
- There has been a significant improvement in the quality of vehicles in recent years;
- There are low levels of complaints across the trade
- A recent review was undertaken of taxi ranks but the Council rejected those put forward by the trade. The Trade are concerned about the up keep of ranks. Some have no road markings and are poorly maintained;
- It was felt that more taxis rank up in Clydebanks in comparison to the Dumbarton and Leven zone.

## 6.2 Indirect (Written) Consultation

A number of stakeholders were contacted by letter and email. This assured the Scottish Government guidelines were fulfilled and all relevant organisations and bodies were provided with an opportunity to comment.

In accordance with advice issued by the Scottish Government the following organisations were contacted:

- Members of the taxi forum;
- User/disability groups representing those passengers with special needs;
- Local interest groups including hospitals, visitor attractions, entertainment outlets and education establishments; and
- Rail bus and coach operators.

A summary of the responses received are provided below:

### **Clydebank & District Taxi Owners Association Radio Systems Ltd**

It was considered that there are an adequate supply of taxis at all times across the Clydebank zone and that the status quo should apply, as earnings after costs are borderline with the governments national minimum wage, which is extremely disappointing given the investment and unsocial hours element.

It was felt that the numerical limit should be maintained as there are sufficient numbers in Clydebank. With regard to the image of the trade it was suggested that it 'sufficed' but the association would welcome the Council introducing and enforcing a dress standard in line with neighbouring Councils. Additional training would also be welcomed for new drivers to the trade, but should be Council regulated.

With regard to WAVs the association felt that this is an area that is dramatically over-subscribed as Clydebank is 100%. The Association would welcome a significant reduction in WAV numbers to that of the Dumbarton & Alexandria zone, as the number of journey requests cannot in any way sustain the ongoing investment in vehicles and subsequent running costs. The Association would welcome the Council endorsing a reduction in WAV vehicles and allowing saloon / estate passenger cars.

In terms of fares the Association would wholly endorse a nominal increase either on the flag fall or running mile.

### **Plate owner and taxi driver in Clydebank**

The plate owner considered that Clydebank had enough taxis in the town and felt that the town was 'dying'. Those who use taxis, typically use them for very short trips. Between 9am and 3pm all ranks are considered to be full. Saturdays were felt to be busier than Fridays but any 'rush' only lasts from 1am to 2am.

### **Ashton Taxis**

Ashton Taxis considered that they are operating at a disadvantage as they can only purchase and operate WAVs and that a vehicle can be up to £10,000 more expensive than purchasing the same vehicle without wheelchair accessibility. This together with the Low Emission zone proposals would make the trade have to renew up to 50% of vehicles within Clydebank areas within the next three years. This was a concern and had the potential to put some plate owners out of business. This could be alleviated by being able to bring in the same vehicles just without the wheelchair access.

### **West Dunbartonshire Access Panel**

The panel considered that there are sufficient taxis across both zones, however it is dependent on the types of vehicles available at specific times. It was noted that the wheelchair accessible vehicles are used at school pick up and drop off times and therefore not available to disabled users at these times.

The restriction of licenses is fine, however, as there are only 14 wheelchair accessible taxis available in the Dumbarton zone, these need to be increased to allow disabled people to access them at any time.

There is a problem in obtaining accessible taxis in the evenings in the Dumbarton / Vale of Leven zone. This is less problematic in Clydebank as all taxis are accessible.

The panel feel that additional wheelchair accessible taxis are required in Dumbarton. Some members of the panel stated that they did not wish to use 7 or 8-seater vehicles as some have high 'lip door' entries and are not easy to get in or out of.

It was noted that it can be problematic to pre-book wheelchair accessible vehicles in some areas between 8am and 10am and 3pm to 5pm due to accessible vehicles being used for airport/school runs.

At other times some panel members have phoned and been advised they don't have any accessible cars working at the moment or cannot guarantee when they will be available as they are self-employed and the taxi companies cannot force the drivers to come into work.

The panel also noted that when members phoned asking for a wheelchair accessible taxi, they have been asked if they have a wheelchair.

With regard to the image of the taxi trade, it was felt that vehicles should be fit for purpose. The panel wished to see a mix of wheelchair accessible taxis and saloon cabs, which would suit everybody.

It was suggested that some drivers require training on being polite and helpful – for example, assisting to get bags in or out of the vehicle, also helping people to their front doors. It was also suggested that drivers should wear polo shirts or t shirts with the company's logo and name, which would make drivers look more professional and raise the image of the trade.

The panel also wished to see 'practical' disability awareness training. This training should cover both obvious disabilities and hidden disabilities. This could be carried out bi-annually to ensure all taxi drivers have the opportunity to attend. The Access Panel offered their help in this regard.

With regard to taxi stances the panel considered that they should be on the left-hand side of the road only, to ensure the ramp can be available to allow wheelchair users to access the cabs. It was also suggested that having a selection of raised and lower pavements would be of use.

The panel suggested that clarification should be made to both service users and taxi drivers that the meter should start when they are actually in the cab and ready to move off.

It was considered that publicity about taxi services needs to be improved as a lot of disabled people do not know when and if wheelchair accessible cabs are available. As this has been extremely problematic in Dumbarton and the Vale of Leven, some panel members do not even attempt to phone for a vehicle.

It was also suggested that West Dunbartonshire Council should advertise how service users / members of the public, can make complaints if they experience problems with taxis..

# Deriving the Significant Unmet Demand Index Value

## 7.1 Introduction

The data provided in the previous chapters can be summarised using CH2M's ISUD factor as described in Section 3.

The component parts of the index, their source and their values are given below;

Average Passenger Delay (Table 4.2)	<b>0.15</b>
Peak Factor (Figure 4.2)	1
General Incidence of Delay (Table 4.3)	0.79
Steady State Performance (Table 4.1)	4
Seasonality Factor (Section 3)	1
Latent Demand Factor (Section 5)	1.32
<b>ISUD (0.15*1*0.79*4*1*1.32)</b>	<b>0.6</b>

The cut off level for a significant unmet demand is 80. It is clear that Clydebank is well below this cut off point as the ISUD is 0.6, indicating that there is **NO significant unmet demand**. This conclusion covers both patent and latent/suppressed demand.



# Summary and Conclusions

## 8.1 Introduction

CH2M has conducted a study of the taxi market on behalf of West Dunbartonshire Council. The present study has been conducted in pursuit of the following objectives. To determine;

- Whether or not there is a significant unmet demand for taxi services within Clydebank zone as defined in Section 16 of the Transport Act 1985; and
- How many additional taxis are required to eliminate any significant unmet demand.

This section provides a brief description of the work undertaken and summarises the conclusions.

## 8.2 Significant Unmet Demand

The 2018 study has identified that there is NO evidence of significant unmet demand for taxis in Clydebank. This conclusion is based on an assessment of the implications of case law that has emerged since 2000, and the results of CH2M's analysis.

It is clear from the results that demand for taxi services has remained constant in Clydebank since the last survey in 2013, but that people are well served by the trade given that passenger delay has only marginally increased since the last survey. This decrease in demand may also be due to the winter weather experienced at the start of the survey period.

## 8.3 Public Perception

Public perception of the service was obtained through the undertaking of an online survey. Overall the public were generally satisfied with the service – key points included;

- Majority of respondents hired their vehicle by telephone (84%);
- High levels of satisfaction with last taxi trip made (90.3%)
- Some 32.2% of people had given up trying to obtain a taxi at a rank or by flagdown;
- Some 39% of people felt that taxi services could be improved – more taxis provided at a cheaper price and comments about the drivers; and
- Some 8% of people believe that new ranks are needed in specific locations

## 8.4 Recommendations

Our 2018 study has identified that there is NO evidence of significant demand in Clydebank. This conclusion covers both patent and latent/suppressed demand and is based on an assessment of the implications of case law that has emerged since 2000, and the results of CH2M's analysis.

On this basis the authority has the discretion in its taxi licensing policy and may either:

- Maintain the current limit of 159 taxi licences;
- Issue any number of additional plates as it sees fit, either in one allocation or a series of allocations; or
- Remove the numerical limit.



# Taxi Unmet Demand Survey- Dumbarton and Vale of Leven Zone

*Prepared for*

West  
Dunbartonshire  
Council

AUGUST 2019



CH2M Hill  
Park House  
Headingley Office Park  
Victoria Road  
Leeds





# Contents

Section	Page
<b>Introduction.....</b>	<b>1</b>
1.1    General.....	1
<b>Background.....</b>	<b>2</b>
2.1    General.....	2
2.2    Background .....	2
2.3    Provision of Taxi Stances.....	3
2.4    Taxi Fares and Licence Premiums .....	3
<b>Definition, Measurement and Removal of Significant Unmet Demand .....</b>	<b>6</b>
3.1    Introduction .....	6
3.2    Overview .....	6
3.3    Defining Significant Unmet Demand .....	6
3.4    Measuring Patent Significant Unmet Demand .....	7
3.5    Determining the Number of New Licences Required to Eliminate Significant Unmet Demand.....	9
3.6    Note on Scope of Assessing Significant Unmet Demand .....	10
<b>Evidence of Patent Unmet Demand – Stance Observation Results .....</b>	<b>11</b>
4.1    Introduction .....	11
4.2    The Balance of Supply and Demand .....	11
4.3    Average Delays and Total Demand.....	12
4.4    The Delay/Demand Profile.....	13
4.5    The General Incidence of Passenger Delay.....	14
<b>Evidence of Suppressed Demand – Public Attitude Pedestrian Survey Results.....</b>	<b>15</b>
5.1    Introduction .....	15
5.2    General Information .....	15
5.3    Attempted method of hire.....	18
5.4    Service Provision.....	18
5.5    Ranks.....	19
5.6    Summary .....	20
<b>Consultation .....</b>	<b>21</b>
6.1    Introduction .....	21
6.2    Indirect (Written) Consultation .....	21
<b>Wheelchair Accessibility.....</b>	<b>24</b>
7.1    Introduction .....	24
7.2    General Operational Issues.....	24
7.3    Observed Usage .....	24
7.4    Public Consultation .....	24
7.5    Stakeholder Consultation .....	26
7.6    Availability of Accessible Vehicles via Telephone Bookings .....	26
<b>Deriving the Significant Unmet Demand Index Value.....</b>	<b>28</b>
8.1    Introduction .....	28
<b>Summary and Conclusions.....</b>	<b>29</b>

## Section 1 – Introduction

9.1	Introduction .....	29
9.2	Significant Unmet Demand .....	29
9.3	Public Perception .....	29
9.4	Recommendations .....	29

# Document History

## Reference

### Number:

### Client Name:

### West

### Dunbartonshire

### Council

This document has been issued and amended as follows:

Version	Date	Description	Created By	Verified By	Approved By
1	13.08.18	Draft Report	KD	LR	LR
2	14.11.18	Revised Draft			LR
3	13.03.19	Revised Draft			LR
4	23.05.19	Revised Draft			LR
5	19.08.19	Revised Draft			LR
6	22.08.19	Final Report			LR

## Section 1 – Introduction

*In preparing this report, CH2M relied, in whole or in part, on data and information provided by the Client and third parties, which information has not been independently verified by CH2M and which CH2M has assumed to be accurate, complete, reliable, and current. Therefore, while CH2M has utilised reasonable skill and care in preparing this Report, CH2M does not warrant or guarantee the conclusions set forth in this Report which are dependent or based upon data, information, or statements supplied by third parties or the client.*

*This Report is intended for Client's sole and exclusive use and is not for the benefit of any third party and may not be distributed to, disclosed in any form to, used by, or relied upon by, any third party without prior written consent of CH2M, which consent may be withheld in its sole discretion.*

*Use of this Report or any information contained herein, if by any party other than Client, shall be at the sole risk of such party and shall constitute a release and agreement by such party to defend and indemnify CH2M and its affiliates, officers, employees and subcontractors from and against any liability for direct, indirect, incidental, consequential or special loss or damage or other liability of any nature arising from its use of the Report or reliance upon any of its content. To the maximum extent permitted by law, such release from and indemnification against liability shall apply in contract, tort (including negligence), strict liability, or any other theory of liability."*





# Introduction

## 1.1 General

This study has been conducted by CH2M on behalf of West Dunbartonshire Council (WDC). The overall objective is to provide a full survey of demand for taxis in the Dumbarton and Vale of Leven zone and to determine whether or not significant unmet demand for taxis exists in terms of section 10 (3) of the Civic Government (Scotland) Act 1982. Specific objectives of the study are to determine:

- Whether there is any significant unmet demand for taxi services in the Dumbarton and Vale of Leven zone; and
- If significant unmet demand is found, recommend how many licences would be required to meet this.

In 2007 the Scottish Government issued Best Practice Guidance for Taxi and Private Hire licensing. The Scottish Government reissued this guidance in April 2012 in recognition of a number of legislative changes. Essentially, the Government stated that the present legal position on quantity restrictions for taxis is set out in section 10 (3) of the 1982 Act. The Scottish Government takes the view that decisions as to the case for limiting taxi licences should remain a matter for licensing authorities in the light of local circumstances. The Guidance provides local authorities with assistance in local decision making when they are determining the licensing policies for their local area. Guidance is provided on a range of issues including flexible taxi services, vehicle licensing, driver licensing and training.

The Equality Act 2010 provides a new cross-cutting legislative framework to protect the rights of individuals and advance equality of opportunity for all; to update, simplify and strengthen the previous legislation; and to deliver a simple, modern and accessible framework of discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

The provisions in the Equality Act will come into force at different times to allow time for the people and organisations affected by the new laws to prepare for them. The Government is considering how the different provisions will be commenced so that the Act is implemented in an effective and proportionate way. Some provisions came into force on the 1st October 2010 however most of the provisions for taxi accessibility are still to come into play.

Sections 165, 166 and 167 of the Equality Act 2010 are concerned with the provision of wheelchair accessible vehicles and place obligations on drivers of registered vehicles to carry out certain duties unless granted an exemption by the licensing authority on the grounds of medical or physical condition. Section 166 allows taxi drivers to apply to their licensing authority for an exemption from Section 165 of the Equality Act 2010. Section 165 imposes a duty on taxi and private hire car drivers with wheelchair accessible vehicles to provide assistance to disabled passengers. These sections were introduced in full in April 2017.

# Background

## 2.1 General

This section of the report provides a general background to the taxi market in West Dunbartonshire and the relevant legislation governing the market.

## 2.2 Background

Taxis licensed by West Dunbartonshire Council are licensed according to one of two zones. This report is concerned with the Dumbarton and Vale of Leven zone.

West Dunbartonshire is situated in the West of Scotland. The authority borders the West of Glasgow and contains many of Glasgow's commuter towns and villages. The mid year population estimate for West Dunbartonshire is 89,610.<sup>1</sup> Dumbarton, Leven and Lomond wards had a total population in the 2011 census of 46,817.

West Dunbartonshire Council currently limits the number of taxis it licences. The authority limits the number of taxis in the Dumbarton and Vale of Leven zone at 177 vehicles. Some 5.6% of the fleet is wheelchair accessible. This provides Dumbarton and the Vale of Leven with a taxi provision of around one taxi per 265 resident population. There are 27 private hire vehicles licenced in the Dumbarton and Vale of Leven zone, of which twelve are accessible.

Plate 2.1 depicts the Quay St rank in Dumbarton.

*Plate 2.1 Quay St, Dumbarton*



<sup>1</sup> National Records of Scotland Mid Year Population estimate 2017

## 2.3 Provision of Taxi Stances

There are currently 8 official taxi stances located throughout the Dumbarton and Vale of Leven licensing area and two unofficial stances; the locations and times of operation of each of the stances are provided in Appendix 1.

## 2.4 Taxi Fares and Licence Premiums

Taxi fares are regulated by the Local Authority. There are six tariffs across the following periods;

- Tariff 1– Monday to Sunday, 6am until 9pm;
- Tariff 2 – Monday to Sunday, 9pm until 6am;
- Tariff 3 – 6pm on 24th December to 6am on 27th December and 6pm on 31st December to 6am on 3rd January;
- Tariff 4 – Monday to Sunday, 6am to 9pm (when five or more passengers are being carried);
- Tariff 5 - Monday to Sunday, 9pm until 6am (when five or more passengers are being carried);
- Tariff 6 – Christmas and New Year hours as per Tariff 3 (when five or more passengers are being carried)

The standard charge tariff is made up of two elements: an initial fee (or ‘drop’) of £2.50 (Tariff 1) for entering the vehicle, and a fixed price addition of 10p per varying increment, dependent on the tariff in place, or uncompleted part thereof travelled, plus fixed additions for waiting time. Fixed additional charges are also in place for Glasgow Airport drop off or pick ups and waiting time. A standard two-mile daytime fare undertaken by one individual would therefore be £5.40. The tariffs are outlined in detail in the fare card in Figure 2.1 below.

Figure 2.1 – Farecard for Dumbarton and Vale of Leven zone. The values were set February 2019

WEST DUNBARTONSHIRE COUNCIL		
Civic Government (Scotland) Act 1982		
Fare Chart (Effective from 20 February 2019)		
<u>DUMBARTON AND VALE OF LEVEN ZONE</u>		
<b>Tariff One</b>	For a distance not exceeding	
6.00am to 9.00pm Monday to Sunday	½ OF A MILE.....	£2.50
	For each additional 1/19th mile.....	£0.10
<b>Tariff Two</b>	For a distance not exceeding	
9.00pm to 6.00am Monday to Sunday	½ OF A MILE.....	£3.00
	For each additional 1/21st mile.....	£0.10
<b>Tariff Three</b>	For a distance not exceeding	
6.00pm on 24th December to	½ OF A MILE.....	£4.10
6.00am on 27th December and	For each additional 1/25th mile.....	£0.10
6.00pm on 31st December to		
6.00am on 3rd January		
<b>Tariff Four</b>	For a distance not exceeding	
6.00am to 9.00pm Monday to Sunday	½ OF A MILE.....	£3.10
(Only applicable when five or more	For each additional 1/23rd mile.....	£0.10
passengers are being carried)		
<b>Tariff Five</b>	For a distance not exceeding	
9.00pm to 6.00am Monday to Sunday	½ OF A MILE.....	£3.60
(Only applicable when five or more	For each additional 1/25th mile.....	£0.10
passengers are being carried)		
<b>Tariff Six</b>	For a distance not exceeding	
Christmas and New Year hours	½ OF A MILE.....	£5.40
as per Tariff Three	For each additional 1/31st mile.....	£0.10
(Only applicable when five or more		
passengers are being carried)		
Any hire terminating out with the West Dunbartonshire area will be at a rate to be agreed at the time of hire.		
<b>Extra Charges</b>		
Taxi drivers may add on any charge incurred at Glasgow Airport when either dropping off or picking up passengers. Drivers must make passengers aware in advance that extra charges may be added to the fare.		
<b>Fares for Waiting</b>		
The Driver is, in addition to the above, entitled to charge for waiting whether in one stoppage or in several stoppages as follows:		
For each period of TWENTY SECONDS or part thereof ....£0.10 (All Tariffs)		
<b>Soiling Fee</b>		
A fee of £50 is chargeable for any soiling which necessitates a taxi being removed from service for cleaning. Soiling in this context includes any soiling by means of food, drink, vomit, urine or excrement.		

The Private Hire and Taxi Monthly magazine publish monthly league tables of the fares for 362 authorities over a two-mile journey (Appendix 2). Each journey is ranked with one being the most expensive. The May 2019 table shows Dumbarton and Vale of Leven zone rated 270<sup>th</sup> in the table, indicating that Dumbarton and Vale of Leven has lower than average fares. Table 2.1 provides a comparison of where a selection of neighbouring authorities in Scotland, rank in terms of fares, showing that fares in Dumbarton zone are low in comparison to neighbouring authorities.

*Table 2.1 - Comparison of neighbouring authorities in terms of fares (Source Private Hire and Taxi Monthly, May 2019)*

Local Authority	Rank
Glasgow	70
Argyll and Bute	101
<b>Dumbarton zone</b>	<b>270</b>
East Dunbartonshire	283
Clydebank zone	303

# Definition, Measurement and Removal of Significant Unmet Demand

## 3.1 Introduction

Section 3 provides a definition of significant unmet demand derived from experience of over 100 unmet demand studies since 1987. This leads to an objective measure of significant unmet demand that allows clear conclusions regarding the presence or absence of this phenomenon to be drawn. Following this, a description is provided of the SUDSIM model which is a tool developed to determine the number of taxi licences required to eliminate significant unmet demand, where such unmet demand is found to exist. This method has been applied to numerous local authorities and has been tested in the courts as a way of determining if there is unmet demand for taxis.

## 3.2 Overview

Significant Unmet Demand (SUD) has two components:

- Patent demand – that which is directly observable; and
- ‘Suppressed’ demand – that which is released by additional supply.

Patent demand is measured using stance observation data. Suppressed (or latent) demand is assessed using data from the stance observations and public attitude interview survey. Both are brought together in a single measure of unmet demand, ISUD (Index of Significant Unmet Demand).

## 3.3 Defining Significant Unmet Demand

The provision of evidence to aid licensing authorities in making decisions about taxi provision requires that surveys of demand be carried out. Results based on observations of activity at taxi stances have become the generally accepted minimum requirement.

The definition of significant unmet demand is informed by two Court of Appeal judgements:

- R v Great Yarmouth Borough Council ex p Sawyer (1987); and
- R v Great Castle Point Borough Council ex p Maude (2002).

The Sawyer case provides an indication of the way in which an Authority may interpret the findings of survey work. In the case of Sawyer v Yarmouth City Council, 16 June 1987, Lord Justice Woolf ruled that an Authority is entitled to consider the situation from a temporal point of view as a whole. It does not have to condescend into a detailed consideration as to what may be the position in every limited part of the Authority in relation to the particular time of day. The authority is required to give effect to the language used by the Section (Section 16) and can ask itself with regard to the area as a whole whether or not it is satisfied that there is no significant unmet demand.

The term ‘suppressed’ or ‘latent’ demand has caused some confusion over the years. It should be pointed out that following Maude v Castle Point Borough Council, heard in the Court of Appeal in October 2002, the term is now interpreted to relate purely to that demand that is measurable. Following Maude, there are two components to what Lord Justice Keene prefers to refer to as ‘suppressed demand’:

- What can be determined inappropriately met demand. This is current observable demand that is being met by, for example, private hire cars illegally ranking up; and
- That which arises if people are forced to use some less satisfactory method of travel due to the unavailability of a taxi.

If demand remained at a constant level throughout the day and week, the identification and treatment of significant unmet demand would be more straight-forward. If there were more cabs than required to meet the existing demand there would be queues of cabs on stances throughout the day and night and passenger waiting times would be zero. Conversely, if too few cabs were available there would tend to be queues of passengers throughout the day. In such a case it would, in principle, be a simple matter to estimate the increase in supply of cabs necessary to just eliminate passenger queues.

Demand for taxis varies throughout the day and on different days. The problem, introduced by variable demand, becomes clear when driver earnings are considered. If demand is much higher late at night than it is during the day, an increase in cab supply large enough to eliminate peak delays will have a disproportionate effect on the occupation rate of cabs at all other times. Earnings will fall, and fares might have to be increased sharply to sustain the supply of cabs at or near its new level.

The main implication of the present discussion is that it is necessary, when considering whether significant unmet demand exists, to take account of the practicability of improving the standard of service through increasing supply.

### 3.4 Measuring Patent Significant Unmet Demand

Taking into account the economic, administrative and legal considerations, the identification of this important aspect of significant unmet demand should be treated as a three stage process as follows:

- Identify the demand profile;
- Estimate the passenger and cab delays; and
- Compare estimated delays to the demand profile.

The broad interpretation to be given to the results of this comparison are summarised in Table 3.1.

*Table 3.1 – Existing of SUD determined by comparing demand and delay profiles*

Demand is:	Delays during peak only	Delays during peak and other times
Highly peaked	No SUD	Possibly a SUD
Not highly peaked	Possibly a SUD	Possible a SUD

It is clear from the content of the table that the simple descriptive approach fails to provide the necessary degree of clarity to support the decision making process in cases where the unambiguous conclusion is not achievable. However, it does provide the basis of a robust assessment of the principal component of significant unmet demand. The analysis is therefore extended to provide a more formal numerical measure of significant unmet demand. This is based on the principles contained in the descriptive approach but provides greater clarity. A description follows.

The measure feeds directly off the results of observations of activity at the stances. In particular, it takes account of:

- Case law that suggests an authority should take a broad view of the market;
- The effect of different levels of supply during different periods at the stance on service quality; and
- The need for consistent treatment of different authorities, and the same authority over time.

The Index of Significant Unmet Demand (ISUD) was developed in the early 1990's and is based on the following formula. The SF element was introduced in 2003 and the LDF element was introduced in 2006 to reflect the increased emphasis on latent demand in DfT Guidance.

$$\text{ISUD} = \text{APD} \times \text{PF} \times \text{GID} \times \text{SSP} \times \text{SF} \times \text{LDF}$$

Where:

APD =	Average Passenger Delay calculated across the entire week in minutes.
PF =	Peaking Factor. If passenger demand is highly peaked at night, the factor takes the value of 0.5. If it is not peaked the value is 1. Following case law this provides dispensation for the effects of peaked demand on the ability of the Trade to meet that demand. To identify high peaking we are generally looking for demand at night (at weekends) to be substantially higher than demand at other times.
GID =	General Incidence of Delay. This is measured as the proportion of passengers who travel in hours where the delay exceeds one minute.
SSP =	Steady State Performance. The corollary of providing dispensation during the peaks in demand is that it is necessary to focus on performance during "normal" hours. This is measured by the proportion of hours during weekday daytimes when the market exhibits excess demand conditions (i.e. passenger queues form at stances).
SF =	Seasonality Factor. Due to the nature of these surveys it is not possible to collect information throughout an entire year to assess the effects of seasonality. Experience has suggested that taxi demand does exhibit a degree of seasonality and this is allowed for by the inclusion of a seasonality factor. The factor is set at a level to ensure that a marginal decision either way obtained in an "untypical" month will be reversed. This factor takes a value of 1 for surveys conducted in September to November and March to June, i.e. "typical" months. It takes a value of 1.2 for surveys conducted in January and February and the longer school holidays, where low demand the absence of contract work will bias the results in favour of the taxi trade, and a value of 0.8 for surveys conducted in December during the pre-Christmas rush of activity. Generally, surveys in these atypical months, and in school holidays, should be avoided.
LDF =	Latent Demand Factor. This is derived from the public attitude survey results and provides a measure of the proportion of the public who have given up trying to obtain a taxi at either a stance or by flagdown during the previous three months. It is measured as



1+ proportion giving up waiting. The inclusion of this factor is a tactical response to the latest guidance.

The product of these six measures provides an index value. The index is exponential and values above the 80 mark have been found to indicate significant unmet demand. This benchmark was defined by applying the factor to the 25 or so studies that had been conducted at the point it was developed. These earlier studies had used the same principles but in a less structured manner. The highest ISUD value for a study where a conclusion of no significant unmet demand had been found was 72. The threshold was therefore set at 80. The ISUD factor has been applied to over 80 studies by CH2M and has been adopted by others working in the field. It has proved to be a robust, intuitively appealing and reliable measure.

Suppressed/latent demand is explicitly included in the above analysis by the inclusion of the LDF factor and because any known illegal plying for hire by the private hire trade is included in the stance observation data. This covers both elements of suppressed/latent demand resulting from the Maude case referred to above and is intended to provide a 'belt and braces' approach. A consideration of latent demand is also included where there is a need to increase the number of taxi licences following a finding of significant unmet demand. This is discussed in the next section.

### 3.5 Determining the Number of New Licences Required to Eliminate Significant Unmet Demand

To provide advice on the increase in licences required to eliminate significant unmet demand, CH2M has developed a predictive model. SUDSIM is a product of over 20 years experience of analysing taxi demand. It is a mathematical model, which predicts the number of additional licences required to eliminate significant unmet demand as a function of key market characteristics.

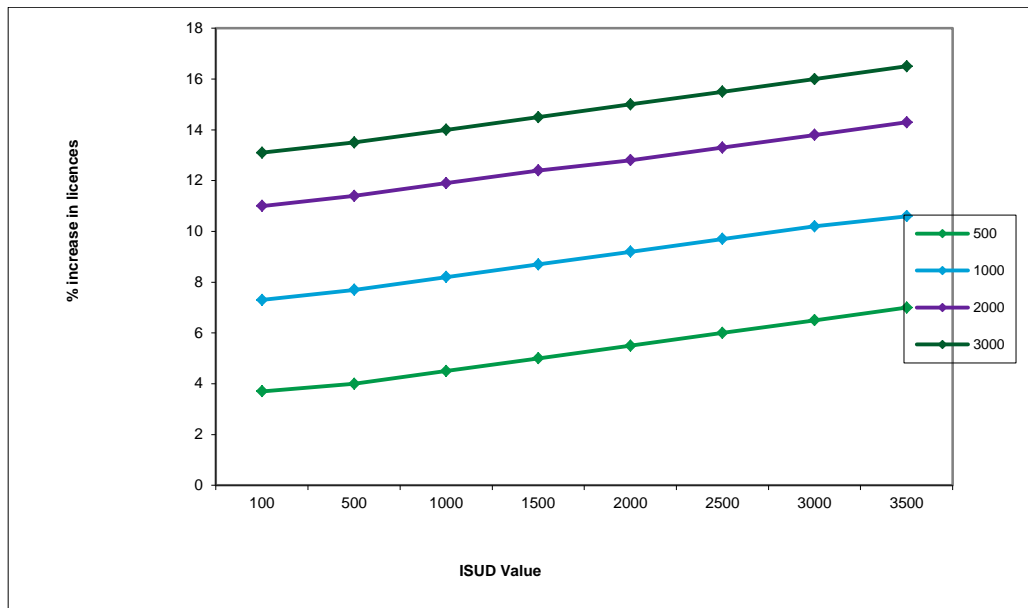
SUDSIM represents a synthesis of a queue simulation work that was previously used (1989 to 2002) to predict the alleviation of significant unmet demand and the ISUD factor described above (hence the term SUDSIM). The benefit of this approach is that it provides a direct relationship between the scale of the ISUD factor and the number of new taxi licences required.

SUDSIM was developed taking the recommendations from 14 previous studies that resulted in an increase in licences, and using these data to calibrate an econometric model. The model provides a relationship between the recommended increase in licences and three key market indicators:

- The population of the licensing authority;
- The number of taxis already licensed by the licensing authority; and
- The size of the SUD factor.

The main implications of the model are illustrated in Figure 3.1 below. The figure shows that the percentage increase in a taxi fleet required to eliminate significant unmet demand is positively related to the population per taxi (PPT) and the value of the ISUD factor over the expected range of these two variables.

Figure 3.1 – Forecast increase in taxi fleet size as a function of population per taxi (PPT) and the ISUD value



Where significant unmet demand is identified, the recommended increase in licences is therefore determined by the following formula:

**New Licences = SUDSIM x Latent Demand Factor**

Where:

Latent Demand Factor = (1 + proportion giving up waiting for a taxi at either a stance or via flagdown).

### 3.6 Note on Scope of Assessing Significant Unmet Demand

It is useful to note the extent to which a licensing authority is required to consider peripheral matters when establishing the existence or otherwise of significant unmet demand. This issue is informed by *R v Brighton Borough Council, exp p Bunch* 1989<sup>2</sup>. This case set the precedent that it is only those services that are exclusive to taxis that need concern a licensing authority when considering significant unmet demand. Telephone booked trips, trips booked in advance or indeed the provision of bus type services are not exclusive to taxis and have therefore been excluded from consideration.

<sup>2</sup> See Button JH 'Taxis – Licensing Law and Practice' 2<sup>nd</sup> edition Tottel 2006 P226-7

# Evidence of Patent Unmet Demand – Stance Observation Results

## 4.1 Introduction

This section of the report highlights the results of the stance observation survey. The stance observation program covered a period of 98 hours during March to May 2018. Some 5,781 passengers and 5,597 departures were recorded across six selected stances. A summary of the stance observation programme is provided in Appendix 3.

The results presented in this section summarise the information and draw out its implications. This is achieved by using five indicators:

- The Balance of Supply and Demand – this indicates the proportion of the time that the market exhibits excess demand, equilibrium and excess supply;
- Average Delays and Total Demand – this indicates the overall level of passengers and cab delays and provides estimates of total demand;
- The Demand/Delay Profile – this provides the key information required to determine the existence or otherwise of significant unmet demand;
- The Proportions of Passengers Experiencing Given Levels of Delay – this provides a guide to the generality of passenger delay.

## 4.2 The Balance of Supply and Demand

The results of the analysis are presented in Table 4.1 below. The predominant market state is one of equilibrium. Excess supply (queues of cabs) was experienced during 2% of the hours observed while excess demand (queues of passengers) was experienced 14% of the hours observed. Conditions are generally favourable to customers at all times of the day. The situation observed was worse to that in 2013 with regard to excess demand.

Table 4.1 – The balance of supply and demand in the Dumbarton and Vale of Leven stance-based taxi market (percentage of hours observed)

Period		Excess Demand (Max Passenger Queue $\geq 3$ )	Equilibrium	Excess Supply (Min Cab Queue $\geq 3$ )
Weekday	Day	8	92	0
	Night	0	100	0
Weekend	Day	30	70	0
	Night	27	73	0
Sunday	Day	0	88	12
<b>Total 2018</b>		<b>13</b>	<b>84</b>	<b>2</b>
<b>Total 2013</b>		<b>2</b>	<b>81</b>	<b>17</b>

NB – Excess Demand = Maximum passenger queue  $\geq 3$ . Excess Supply = Minimum Cab Queue  $\geq 3$  – values derived over 12 time periods within an hour.

### 4.3 Average Delays and Total Demand

The following estimates of average delays and throughput were produced for each selected stance in Dumbarton and Vale of Leven (Table 4.2).

The survey suggests some 5,942 passenger departures occur per week from stances in Dumbarton and Vale of Leven involving some 5,768 cab departures. The taxi trade is concentrated at the Quayside rank accounting for 40% of the total passenger departures. On average cabs wait 9.88 minutes for a passenger. On average passengers wait 0.42 minutes for a cab.

Since the previous study in 2013 passenger demand has increased and passenger delay has slightly increased.

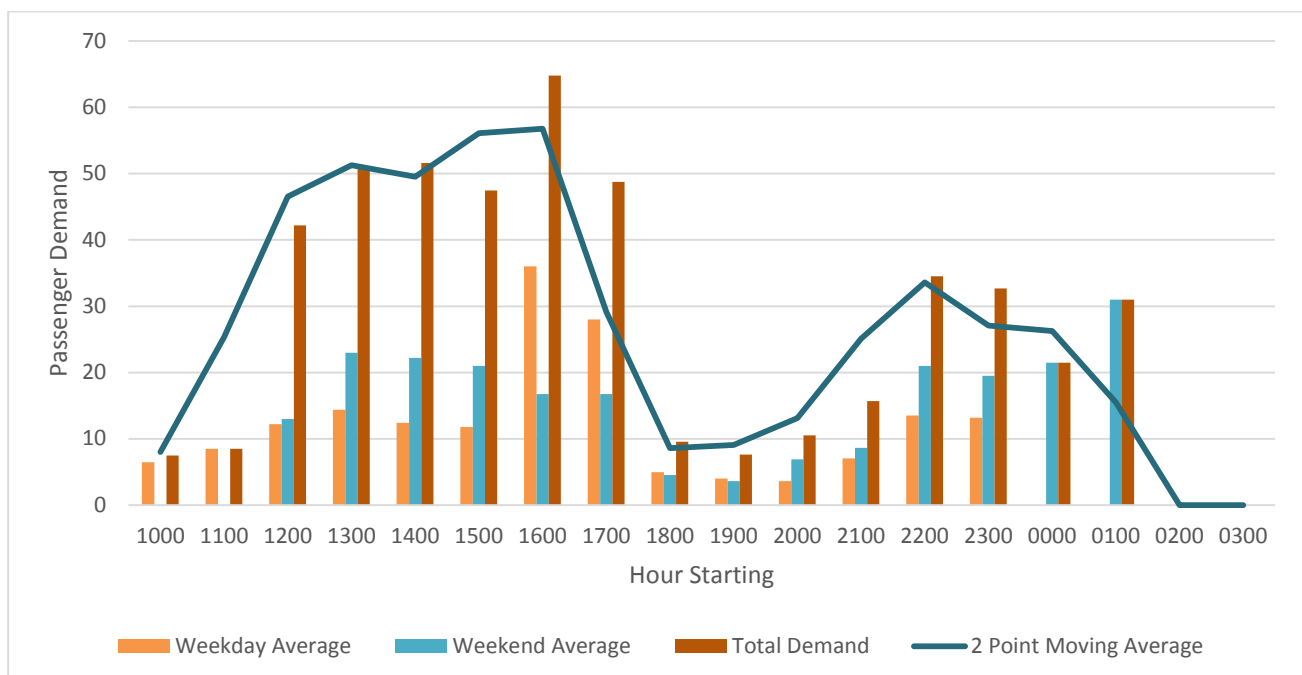
Table 4.2 Average Delays and Total Demand (Delays in Minutes)

Stance	Passenger Departures	Cab Departures	Average Passenger Delay in Minutes	Average Cab Delay in Minutes
Quay Street	2,382	2,093	0.44	6.91
ASDA St James	2,014	1,292	0.28	9.70
Morrisons	857	689	0.51	9.80
Glasgow Road	216	274	2.08	5.46
Main Street, Alexandria	88	549	0.00	12.40
Balloch Rail Station	386	872	0.00	17.11
<b>Total 2018</b>	<b>5,942</b>	<b>5,768</b>	<b>0.42</b>	<b>9.88</b>
<b>Total 2013</b>	<b>4,836</b>	<b>4,353</b>	<b>0.08</b>	<b>18.87</b>

## 4.4 The Delay/Demand Profile

Figure 4.1 provides a graphical illustration of passenger demand for the Monday to Saturday period between the hours of 10:00 and 02:00.

Figure 4.1 Passenger Demand by Time of Day in 2018 (Monday to Saturday)



The profile of demand shows that demand is higher during the day with it peaking at 1600. Demand on a night time is much lower.

Figure 4.2 Passenger Delay by Time of Day in 2018 (Monday to Saturday)

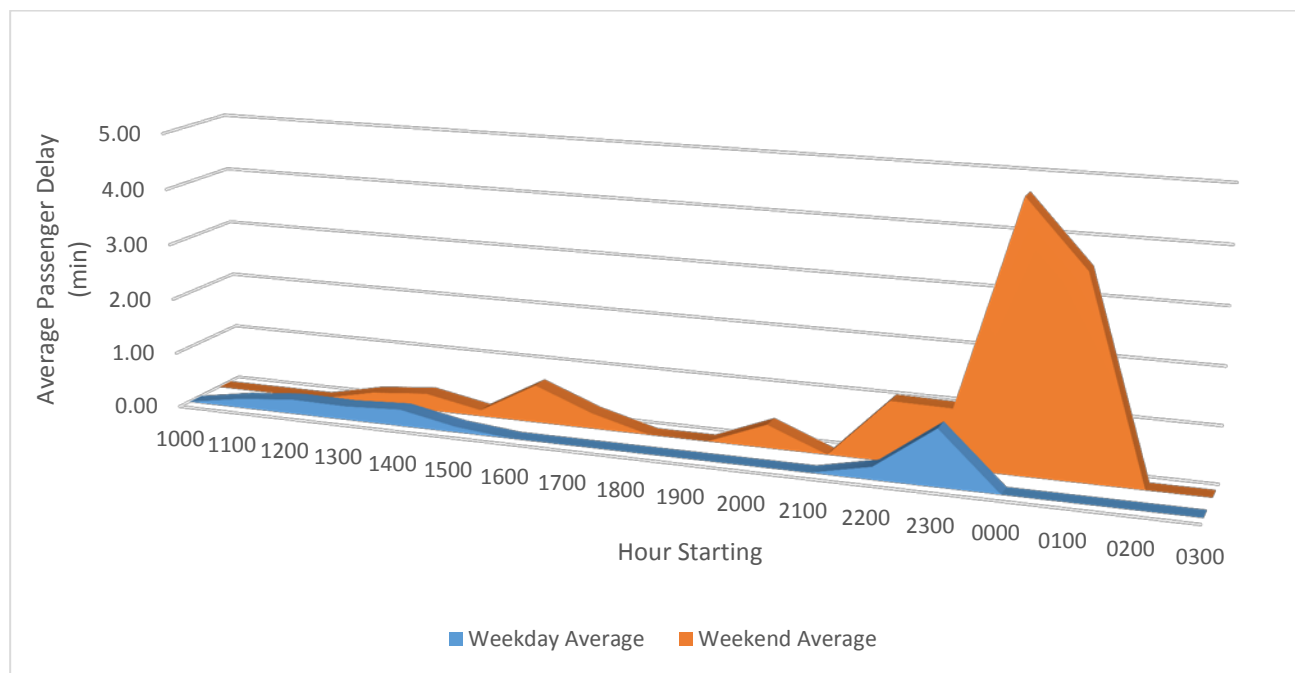


Figure 4.2 provides an illustration of passenger delay by the time of day for the weekday and weekend periods. It shows that delay peaks on weekdays between 2200 and 2300, and between midnight and 0200 on weekends.

## 4.5 The General Incidence of Passenger Delay

The stance observations data can be used to provide a simple assessment of the likelihood of passengers encountering delay at stances. The results are presented in Table 4.3 below.

Table 4.3 – General incidence of passenger delay (percentage of passengers travelling in hours where delay exceeds one minute)

Year	Delay > 0	Delay > 1 min	Delay > 5 min
2018	10.49	3.67	0.15
2013	3.04	0.97	0.02

In 2018, 3.67% of passengers are likely to experience more than a minute of delay. It is this proportion (3.67%) that is used within the ISUD as the 'Generality of Passenger Delay'. This is higher than was observed in 2013.

## Evidence of Suppressed Demand – Public Attitude Pedestrian Survey Results

### 5.1 Introduction

A public attitude survey was designed with the aim of collecting information regarding opinions on the taxi market in Dumbarton and Vale of Leven. In particular, the survey allowed an assessment of flagdown, telephone and stance delays, the satisfaction with delays and general use information.

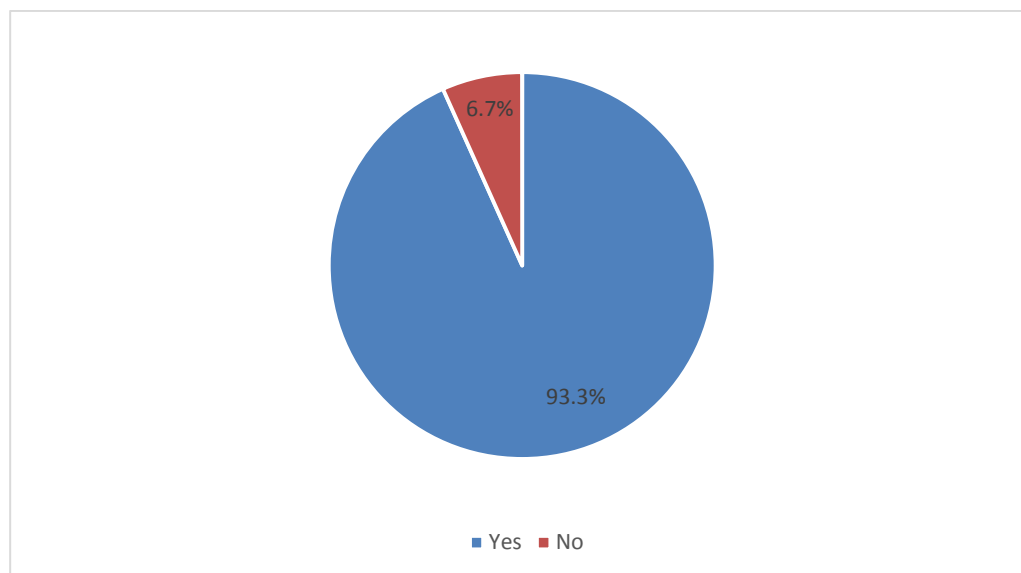
The survey was hosted online and promoted via West Dunbartonshire Council's website and the link was emailed to a range of stakeholders. Some 207 people responded to the on-line survey, however as 26 stated that they were members of the taxi or private hire trade their responses were discounted.

It should be noted that in the tables and figures that follow the totals do not always add up to the same amount which is due to one of two reasons. First, not all respondents were required to answer all questions; and second, some respondents failed to answer some questions that were asked.

### 5.2 General Information

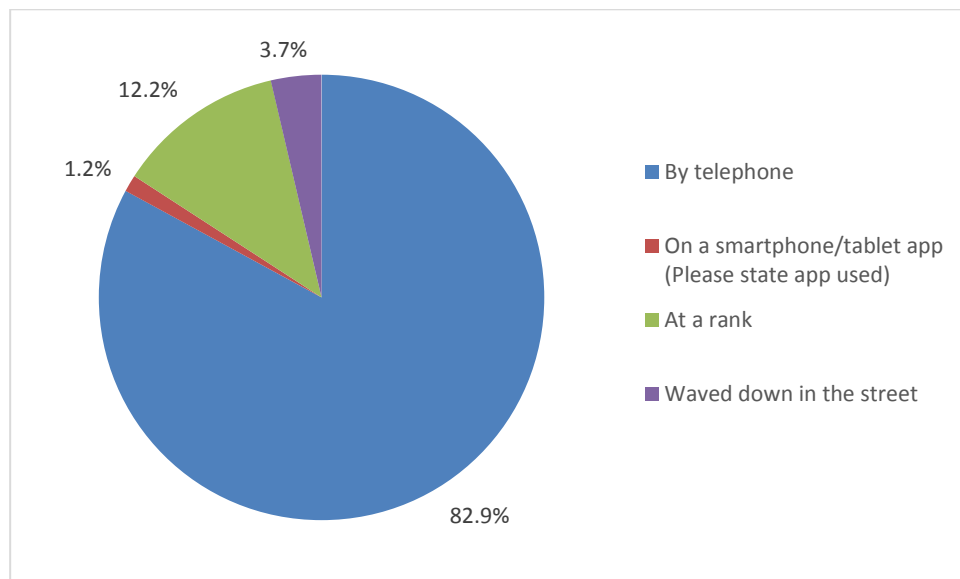
Respondents were asked whether they had made a trip by taxi in the past three months. Figure 5.1 shows that 93.3% of the 179 people answering the question had made a trip by taxi in the last three months.

Figure 5.1 – Have you made a trip by taxi in the last three months?



Trip makers were asked how they obtained their taxi or private hire vehicle. Of those providing a response, some 82.9% of trip makers stated that they hired their taxi by telephone while 12.2% obtained a taxi at a rank. Some 1.2% of respondents stated that they hired their vehicle by an 'app'. Figure 5.2 reveals the pattern of hire.

Figure 5.2 – Method of hire for last trip



Respondents were asked what type of vehicle they had obtained on their last trip. Some 73.2% were saloon vehicles and 22% were wheelchair accessible. They were then asked if they were satisfied with the time taken and the promptness of the vehicles arrival. When considering all hiring's, the majority of customers (85.4%) were satisfied with their last taxi journey.

Respondents were also asked at what time of the day they obtained their taxi and on what day of the week it was. Figure 5.3 indicates that 42.7% took a taxi in the daytime between 6am and 6pm, followed by 37.2% during the evening (6pm – 10pm) and 20.1% during the night (after 10pm). Figure 5.4 shows what day of the week respondents obtained a taxi, which indicates that a Saturday was the most popular day of the week with 34.8% respondents indicating this.

Figure 5.3 – Time of day respondents obtained a taxi

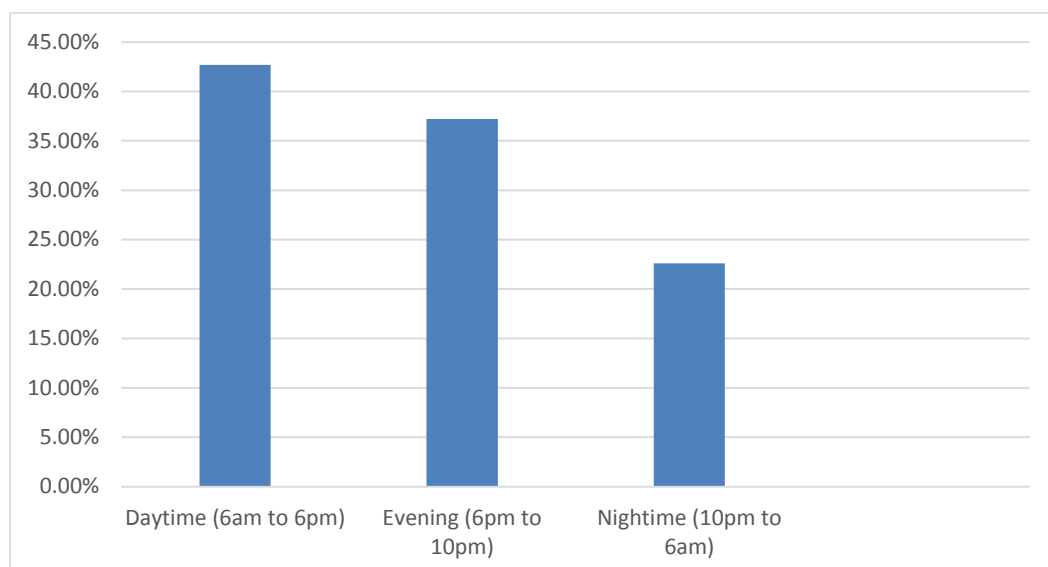
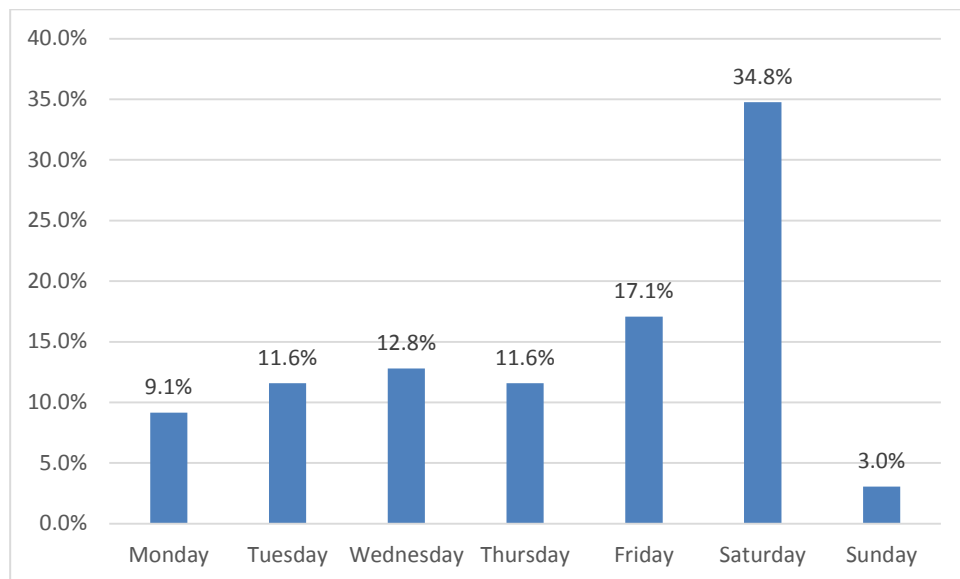




Figure 5.3 – Day of the week respondents obtained a taxi



Trip makers were asked to rate five elements from their last taxi journey on a scale from very poor to very good. The results in Figure 5.4 show that most elements were generally good, apart from price which was average. When poor ratings were given respondents were asked to provide a reason for their rating. Negative ratings included reasons such as:

- Taxis overpriced
- Taxi turned up early and then didn't return
- Need more wheelchair accessible vehicles
- Taxi paid for by a third party otherwise I couldn't have afforded it
- Taxis more expensive than Clydebank
- Vehicle was like a van

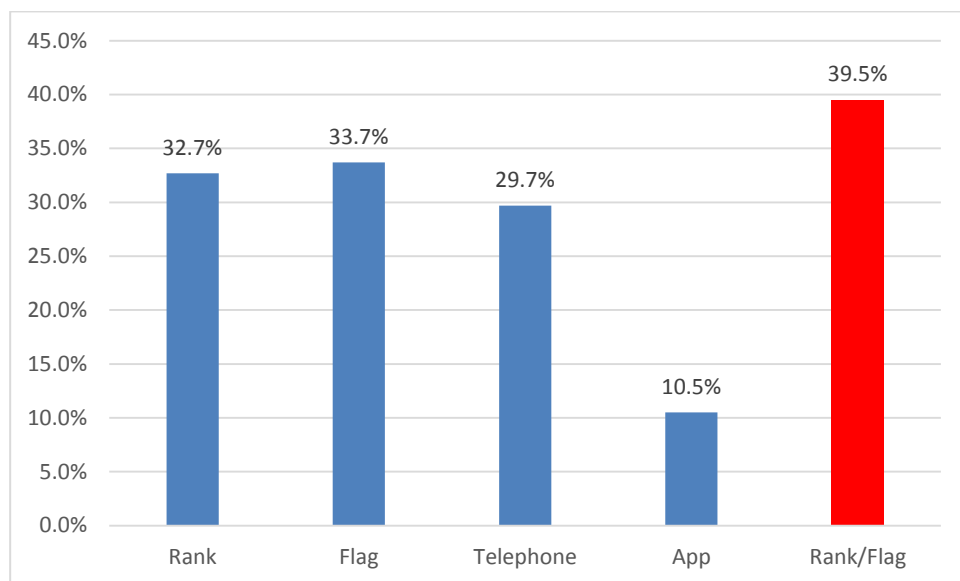
Figure 5.4 – Rating of last journey



## 5.3 Attempted method of hire

In order to measure demand suppression, all respondents were asked to identify whether or not they had given up waiting for a taxi at a rank, on the street, or by telephone in Dumbarton and the Vale of Leven in the last three months. The results are summarised in Figure 5.5. This indicates that most people gave up waiting for a taxi by flagdown or on the street followed by at a rank.

Figure 5.5 – Latent demand by method of hire – Given up trying to book a taxi?



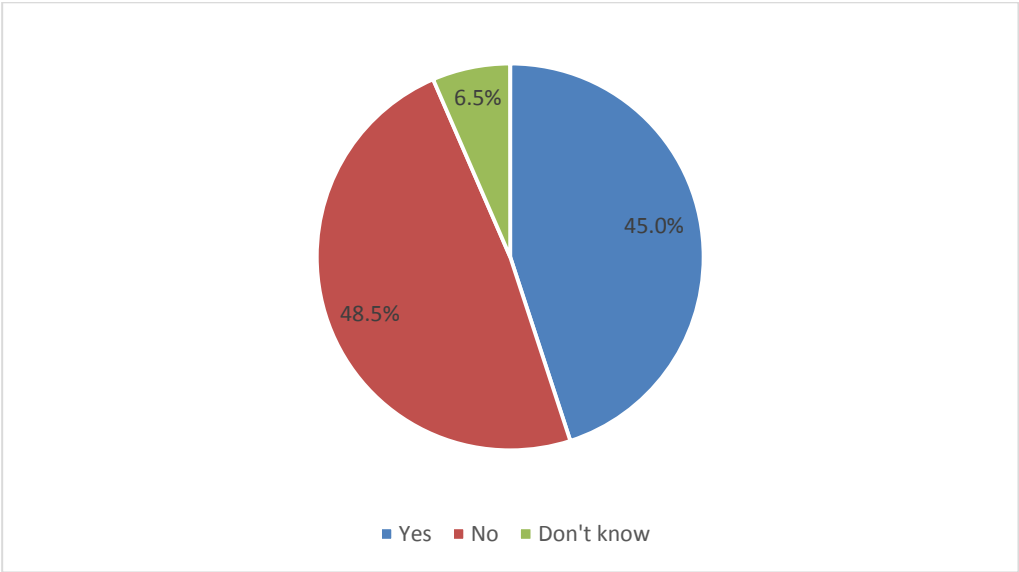
This has implications for the interpretation of the results (see Chapter 8 below).

Respondents who had given up trying to obtain a taxi in the last three months were asked the location where they had given up waiting for a taxi. A wide range of locations were given covering all areas of the Dumbarton and Leven zone.

## 5.4 Service Provision

Participants were subsequently asked whether they feel there are enough taxis in Dumbarton and the Vale of Leven at the current time. Some 48.5% commented that there are not sufficient taxis in Dumbarton and the Vale of Leven (see Figure 5.6).

Figure 5.6 – Do you think there are enough taxis in Dumbarton and Vale of Leven to suit your needs?



Respondents were then asked if they thought there were sufficient wheelchair accessible vehicles in the Dumbarton and Vale of Leven zone. Some 65.9% of respondents considered there to be insufficient wheelchair accessible vehicles.

The survey then asked respondents whether taxi services in Dumbarton and Vale of Leven could be improved. Some 64.3% felt that they could be improved while 13.7% thought no improvements were needed. Respondents were then asked to suggest what could be done to improve the services, with a variety of suggestions made. Most popular suggestions included:

- Cleaner vehicles;
- More wheelchair taxis required, especially at night;
- Make all taxis wheelchair accessible;
- Be able to pay by card
- Answer calls quicker;
- Cheaper fares;
- More taxis with higher seats;
- All wheelchair accessible vehicles are on school runs; and
- Taxis to park in the correct place and not block disabled spaces.

## 5.5 Ranks

Respondents were asked if they felt there was sufficient provision of taxi ranks in Dumbarton and Vale of Leven. Some 67.1% of respondents were not satisfied with the provision of ranks. Suggested improvements from respondents who answered 'no' are listed in Table 5.1.

Table 5.1 – Suggested improvements for taxi ranks in Dumbarton and Vale of Leven

Suggested Improvement	No. of Responses
-----------------------	------------------

Suggested Improvement	No. of Responses
Provide information on location of existing ranks	13
Provide new ranks	11
Improve signage of existing ranks	16
Other – more wheelchair accessible taxis and provision of subsidised taxi fares	5

Respondents were asked if there were any locations where new ranks were needed. A total of 36.7% said that no new ranks were needed whilst 50.9% stated they did not know. The remaining 12.4% of respondents who stated that they would like to see new ranks were asked to provide a location. Locations cited included:

- Renton;
- Away from the pub on the High St;
- Bellsmyre;
- Dumbarton Retail Park;
- Daleroch train station; and
- Old Bonhill.

## 5.6 Summary

Key points from the public attitude survey can be summarised as:

- Majority of respondents hired their vehicle by telephone (82.9%);
- High levels of satisfaction with last taxi trip made (85.4%)
- Some 39.5% of people had given up trying to obtain a taxi at a rank or by flagdown;
- Some 64.3% of people felt that taxi services could be improved – more taxis provided at a cheaper price, more wheelchair accessible vehicles and comments about the drivers; and
- Some 12.4% of people believe that new ranks are needed in specific locations.

# Consultation

## 6.1 Introduction

Guidelines issued by the Scottish Government state that consultation should be undertaken with the following organisations and stakeholders:

- All those working in the market;
- Consumer and passenger (including disabled) groups;
- Groups which represent those passengers with special needs;
- The Police;
- Local interest groups such as hospitals or visitor attractions; and
- A wide range of transport stakeholders such as rail/bus/coach providers and transport managers.

In order to consult with relevant stakeholders across Dumbarton and the Vale of Leven, written consultation was undertaken. In addition to the written consultation CH2M attended a meeting of the trade forum via video link. Key points from this were:

- Sufficient number of vehicles across both zones and a desire to maintain the current limitation policy;
- Views by some that the WAV policy is a 'waste of money'. It was considered that there is not enough demand for the cost of investing in a 100% WAV fleet. The cost of WAV taxis is very expensive;
- There has been a significant improvement in the quality of vehicles in recent years;
- There are low levels of complaints across the trade
- A recent review was undertaken of taxi ranks but the Council rejected those put forward by the trade. The Trade are concerned about the up keep of ranks. Some have no road markings and are poorly maintained;
- It was felt that more taxis rank up in Clydebank, than in the Dumbarton zone.

## 6.2 Indirect (Written) Consultation

A number of stakeholders were contacted by letter and email. This assured the Scottish Government guidelines were fulfilled and all relevant organisations and bodies were provided with an opportunity to comment.

In accordance with advice issued by the Scottish Government the following organisations were contacted:

- Trade representatives and members of the taxi forum;
- User/disability groups representing those passengers with special needs;
- Local interest groups including hospitals, visitor attractions, entertainment outlets and education establishments; and
- Rail bus and coach operators.

A summary of the responses received are provided below:

### **Wrights Taxis**

A representative from Wrights taxis made contact by telephone and raised the following points:

- Want to see more Wheelchair Accessible Vehicles;
- Submitted a proposal to WDC to issue 10 new plates but only for WAVs in the Dumbarton zone – these should be non-transferable and restricted to a booking office
- Demand for WAVs is increasing

Wrights Taxis then submitted a further written response.

The representative considered that additional WAVs are required in Alexandria and Dumbarton – this is because they feel that there is insufficient inclusion of the rights of elderly and disabled travellers in West Dunbartonshire.

### **Mr Elder- Woodward**

A further written response was received by a Mr Elder – Woodward. He stated in his response that he was concerned about the numerical limit on taxis because it restricted the number of wheelchair accessible taxis available to wheelchair users. His view is that all taxis should be wheelchair accessible. He feels that the current policy is discriminatory.

### **West Dunbartonshire Access Panel**

The panel considered that there are sufficient taxis across both zones, however it is dependent on the types of vehicles available at specific times. It was noted that the wheelchair accessible vehicles are used at school pick up and drop off times and therefore not available to disabled users at these times.

The restriction of licenses is fine, however, as there are only 14 wheelchair accessible taxis available in the Dumbarton zone, these need to be increased to allow disabled people to access them at any time.

There is a problem in obtaining accessible taxis in the evenings in the Dumbarton / Vale of Leven zone. This is less problematic in Clydebank as all taxis are accessible.

The panel feel that additional wheelchair accessible taxis are required in Dumbarton. Some members of the panel stated that they did not wish to use 7 or 8-seater vehicles as some have high 'lip door' entries and are not easy to get in or out of.

It was noted that it can be problematic to pre-book wheelchair accessible vehicles in some areas between 8am and 10am and 3pm to 5pm due to accessible vehicles being used for airport/school runs.

At other times some panel members have phoned and been advised they don't have any accessible cars working at the moment or cannot guarantee when they will be available as they are self-employed and the taxi companies cannot force the drivers to come into work.

The panel also noted that when members phoned asking for a wheelchair accessible taxi, they have been asked if they have a wheelchair.

With regard to the image of the taxi trade, it was felt that vehicles should be fit for purpose. The panel wished to see a mix of wheelchair accessible taxis and saloon cabs, which would suit everybody.

It was suggested that some drivers require training on being polite and helpful – for example, assisting to get bags in or out of the vehicle, also helping people to their front doors. It was also suggested that drivers should wear polo shirts or t shirts with the company's logo and name, which would make drivers look more professional and raise the image of the trade.

The panel also wished to see 'practical' disability awareness training. This training should cover both obvious disabilities and hidden disabilities. This could be carried out bi-annually to ensure all taxi drivers have the opportunity to attend. The Access Panel offered their help in this regard.

With regard to taxi stances the panel considered that they should be on the left-hand side of the road only, to ensure the ramp can be available to allow wheelchair users to access the cabs. It was also suggested that having a selection of raised and lower pavements would be of use.

The panel suggested that clarification should be made to both service users and taxi drivers that the meter should start when they are actually in the cab and ready to move off.

It was considered that publicity about taxi services needs to be improved as a lot of disabled people do not know when and if wheelchair accessible cabs are available. As this has been extremely problematic in Dumbarton and the Vale of Leven, some panel members do not even attempt to phone for a vehicle.

It was also suggested that West Dunbartonshire Council should advertise how service users / members of the public, can make complaints if they experience problems with taxis..

# Wheelchair Accessibility

## 7.1 Introduction

An assessment of the level of demand for disabled accessible vehicles has been carried out in the Dumbarton and Vale of Leven zone. This includes an assessment of observed wheelchair usage along with an evaluation of the availability of wheelchair accessible vehicles for telephone booking.

## 7.2 General Operational Issues

West Dunbartonshire Council currently licence 10 wheelchair accessible taxis in the Dumbarton/Vale of Leven zone. This equates to 5.6% of the taxi fleet. There are also 12 wheelchair accessible private hire vehicles licensed, equating to 44.4% of the private hire fleet.

## 7.3 Observed Usage

During the rank observation programme, no wheelchair users were observed hiring a taxi from a rank. This suggests that there is not a significant demand for wheelchair accessible vehicles from ranks in Dumbarton zone. However, this may be a function of the low numbers of accessible vehicles serving the ranks. This is supported through the consultation responses which indicate customers requiring wheelchair accessible vehicles tend to prebook.

## 7.4 Public Consultation

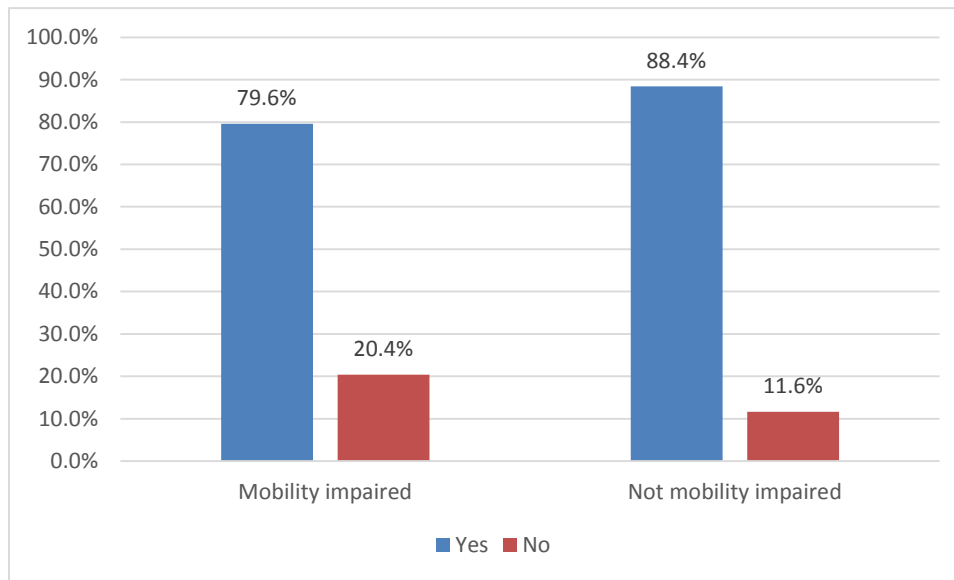
Some 179 on-line public interview surveys were carried out during May 2018. Of these respondents 42 (23.5%) considered themselves to have a mobility impairment and 18 (42.9%) of these respondents used a wheelchair.

Of those mobility impaired respondents 41 (97.6%) had used a taxi in the last three months. Some 38 (92.7%) booked their vehicle by telephone, 2 obtained their vehicle at a rank and 1 person obtained a vehicle by flagdown.

When asked if they were satisfied with the time taken and the promptness of the taxis arrival 20.4% of those citing a mobility impairment were not satisfied with the level of delay. This compares to 12.2% of those without a mobility impairment. On average those with a mobility impairment were less satisfied than respondents as a whole.



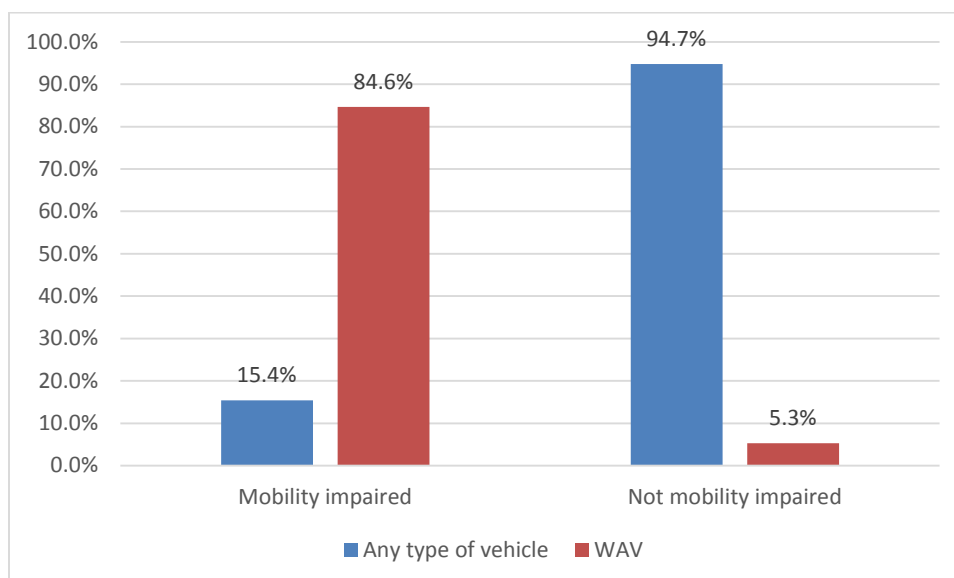
Figure 7.1 Satisfaction with delay on last trip



To provide evidence relating to suppressed demand in the event of finding significant patent unmet demand, respondents were asked to identify whether or not they had given up waiting for a taxi at a rank, on the street, or by telephone in the Dumbarton/Vale of Leven zone in the last three months. Of those citing mobility impairment 14 (33.3%) respondents had given up waiting for a taxi at a rank and 11 respondents (26.2%) had given up trying to obtain a vehicle by flagdown. Some 13 (31%) respondents had given up by telephone – this compares to 27.3% for telephone cited by respondents without a mobility impairment.

Those who gave up waiting were asked for the type of vehicle they wanted. As shown in Figure 7.2 84.6% (11) of those with a mobility impairment who gave up waiting for a vehicle required a Wheelchair Accessible Vehicle.

Figure 7.2 Which type of vehicle did you require?



## 7.5 Stakeholder Consultation

As detailed in Chapter 6, a representative from Wrights taxis made contact by telephone and raised the following points:

- Want to see more Wheelchair Accessible Vehicles;
- Submitted a proposal to WDC to issue 10 new plates but only for WAVs in the Dumbarton zone – these should be non-transferable and restricted to a booking office;
- Demand for WAVs is increasing

A further written response was received by a Mr Elder – Woodward. He stated in his response that he was concerned about the numerical limit on taxis because it restricted the number of wheelchair accessible taxis available to wheelchair users. His view is that all taxis should be wheelchair accessible.

The Access Panel felt that there were not enough wheelchair accessible vehicles in the Dumbarton and Vale of Leven zone.

## 7.6 Availability of Accessible Vehicles via Telephone Bookings

A telephone based mystery shopper survey was carried out to determine the difference between average waiting times for an accessible vehicle in comparison to a standard vehicle.

Some 36 enquiries were undertaken with booking offices within the Dumbarton and Vale of Leven licensing zone. Half of enquiries made asked for an estimate of waiting times for any type of vehicle, and the other half asked for an estimate of waiting times for an accessible vehicle. Table 7.1 summarises the results.

Table 7.1 Waiting Times for accessible and standard vehicles (minutes)

	Minimum Wait time	Maximum Wait Time	Average Wait time
Standard Vehicle	5	10	5.5
Wheelchair Accessible Vehicle	5	80	19.1

The results indicated that when booking a taxi via the telephone, passengers experience a difference in waiting time for an accessible vehicle than they do for a standard vehicle. The waiting time for a wheelchair accessible vehicle is greater than the waiting time reported for a standard vehicle. Average waiting times for a WAV were significantly greater at school start and finish times and in one instance the operator said that no cars are available at these times.

Given that, at the time of the surveys, the number of accessible vehicles within the entire hackney and private hire fleet was 22 (12 taxis and 10 private hire vehicles) the following formula provides an estimate of the number of accessible vehicle required to eliminate this discrepancy in waiting times:

$$Q_2 = \frac{D_1}{D_2} \times Q_1$$

- Where  $D_1$  is the delay for accessible vehicles;

- $D_2$  is the delay for any vehicle;
- $Q_1$  is the current number of accessible vehicles in the entire fleet (taxis plus private hire cars).
- $Q_2$  is the required number of accessible vehicles to eliminate unmet demand.

$$Q_2 = \frac{19.1 \times 22}{5.5}$$

The formula indicates that an additional 54 accessible vehicles, linked to a radio circuit, would be required to eliminate the discrepancy in telephone booking waiting times between accessible and non accessible vehicles. It should be noted that this demand for additional vehicles is private hire demand and therefore not relevant to the issue of significant unmet demand. This value is also high due to there being few wheelchair accessible vehicles in the fleet. It is also the case that the requirement of additional accessible vehicles is not necessarily a requirement for more licensed vehicles. The discrepancy in waiting times could be alleviated by replacing standard vehicles with accessible vehicles or connecting the current accessible vehicles to radio circuits. Nevertheless, it remains the case that it is possible to improve the level of service to disabled people via increasing the number of accessible vehicles available significantly.

# Deriving the Significant Unmet Demand Index Value

## 8.1 Introduction

The data provided in the previous chapters can be summarised using CH2M's ISUD factor as described in Section 3.

The component parts of the index, their source and their values are given below;

Average Passenger Delay (Table 4.2)	<b>0.42</b>
Peak Factor (Figure 4.2)	0.5
General Incidence of Delay (Table 4.3)	3.67
Steady State Performance (Table 4.1)	8
Seasonality Factor (Section 3)	1
Latent Demand Factor (Section 5)	1.395
<b>ISUD (0.42*0.5*3.67*8*1*1.395)</b>	<b>9</b>

The cut off level for a significant unmet demand is 80. It is clear that Dumbarton/Vale of Leven is well below this cut off point as the ISUD is 9, indicating that there is **NO significant unmet demand**. This conclusion covers both patent and latent/suppressed demand.

# Summary and Conclusions

## 9.1 Introduction

CH2M has conducted a study of the taxi market on behalf of West Dunbartonshire Council. The present study has been conducted in pursuit of the following objectives. To determine;

- Whether or not there is a significant unmet demand for taxi services within Dumbarton and Vale of Leven zone as defined in Section 16 of the Transport Act 1985; and
- How many additional taxis are required to eliminate any significant unmet demand.

This section provides a brief description of the work undertaken and summarises the conclusions.

## 9.2 Significant Unmet Demand

The 2018 study has identified that there is NO evidence of significant unmet demand for taxis in Dumbarton/Vale of Leven. This conclusion is based on an assessment of the implications of case law that has emerged since 2000, and the results of CH2M's analysis.

It is clear from the results that demand for taxi services has increased since the last survey in 2013, but that people are well served by the trade given that passenger delay has only marginally increased since the last survey.

## 9.3 Public Perception

Public perception of the service was obtained through the undertaking of an online survey. Overall the public were generally satisfied with the service – key points included;

- Majority of respondents hired their vehicle by telephone (82.9%);
- High levels of satisfaction with last taxi trip made (85.4%)
- Some 39.5% of people had given up trying to obtain a taxi at a rank or by flagdown;
- Some 64.3% of people felt that taxi services could be improved – more taxis provided at a cheaper price, more wheelchair accessible vehicles and comments about the drivers; and
- Some 12.4% of people believe that new ranks are needed in specific locations.

## 9.4 Recommendations

Following the study it is clear that there is NO evidence of significant demand in Dumbarton/Vale of Leven. This conclusion covers both patent and latent/suppressed demand and is based on an assessment of the implications of case law that has emerged since 2000, and the results of CH2M's analysis.

However, the consultation did identify an issue with the prebooking of wheelchair accessible vehicles. To address this issue, should the authority wish to issue any additional plates these should be for wheelchair accessible vehicles, but they would need to be working on a radio circuit to allow people to prebook them.

On this basis the authority has the discretion in its taxi licensing policy and may either:

- Maintain the current limit of 177 taxi licences;
- Issue any number of additional plates as it sees fit, either in one allocation or a series of allocations; or
- Remove the numerical limit.

## **Appendix 3**

### **Review of level of demand for taxis Extract from the Scottish Government's Best Practice Guidance**

Questions about the policy of controlling numbers:

- Have you recently reviewed the need for your policy of quantity controls?
- What form did the review of your policy of quantity controls take?
- Who was involved in the review?
- What decision was reached about retaining or removing quantity controls?
- Are you satisfied that your policy justifies restricting entry to the trade?
- Are you satisfied that quantity controls do not:
  - reduce the availability of taxis;
  - increase waiting times for consumers;
  - reduce choice and safety for consumers?
- What special circumstances justify retention of quantity controls?
- How does your policy benefit consumers, particularly in remote rural areas?
- How does your policy benefit the trade?
- If you have a local accessibility policy, how does this fit with restricting taxi licences?

Questions relating to setting the number of taxi licences:

- When last did you assess unmet demand?
- How is your taxi limit assessed?
- Have you considered latent demand, i.e. potential consumers who would use taxis if more were available, but currently do not?
- Are you satisfied that your limit is set at the correct level?
- How does the need for adequate taxi ranks affect your policy of quantity controls?

Questions relating to consultation and other public transport service provision

- When consulting, have you included etc
  - all those working in the market;
  - consumer and passenger (including disabled) groups;
  - groups which represent those passengers with special needs;
  - local interest groups, e.g. hospitals or visitor attractions;
  - the police;

- a wide range of transport stakeholders e.g. rail/bus/coach providers and traffic managers?
- Do you receive representations about taxi availability?
- What is the level of service currently available to consumers (including other public transport modes)?



**WEST DUNBARTONSHIRE COUNCIL**  
**Report by Strategic Lead – Regulatory**  
**Licensing Committee – 4 September 2019**

---

**Subject: Proposed Licensing Scheme for Boat Hirers - Update**

**1. Purpose**

- 1.1** To update the Committee on the proposed licensing scheme for boat hirers, and to seek authority for officers to publicly advertise the proposed licensing scheme for boat hirers.

**2. Recommendations**

- 2.1** It is recommended that the Committee delegates authority to officers to advertise the proposed licensing scheme for boat hirers, outlining the proposed conditions attached at Appendix 1 and seeking any comments thereon. Any responses received to the consultation will be considered by the Committee before deciding to adopt the Resolution and the proposed conditions.

**3. Background**

- 3.1** The Committee previously granted authority to officers to advertise the proposed resolution for a licensing scheme for boat hirers. The background papers refer to this process, and the need for a proposed boat hirers scheme. This was following a Marine Accident Investigation Board ("MAIB") report into a small passenger ferry that sank within Loch Lomond's waters. The MAIB found that there was no effective regulatory oversight of small passenger vehicles within Loch Lomond. The Committee will recall previously it agreed in principle that it was minded to introduce a boat hire licensing scheme for boat hirers throughout West Dunbartonshire.
- 3.2** The Licensing Team received several responses to the consultation when it was originally publically advertised by officers. A number of issues were raised in the consultation responses at that time. These issues were considered by officers and are summarised below with officer's comments as appropriate. Given the passage of time since the previous consultation it is recommended that a fresh consultation be undertaken. This would allow all interested parties to make representations, and be heard on them at the Committee should they wish. If the above recommendations are agreed then officers will write out to the parties that responded to the original consultation updating them of the current position.

**4. Main Issues**

- 4.1** The main concerns/issue areas from the initial consultation responses are as summarised below:

## **4.2 Need for Multiple Licences**

- 4.2.1** As outlined in the previous reports to this Committee, Stirling and West Dunbartonshire Councils propose to delegate power to each other to grant boat hirer licences in their parts of Loch Lomond. Argyll and Bute Council have previously said that any boat hirer operator, who picks up passengers from within Argyll & Bute Council's area will still require a licence from them. This has caused concern with operators who believe that one licence would help minimise the burden on operators rather than one licence for West Dunbartonshire or Stirling Council, and a separate licence from Argyll and Bute Council. However it is the current position that in principal, discussions are ongoing to allow a delegation now between all the authorities, but this hasn't been formally agreed.

### Comments

1. It is the understanding of West Dunbartonshire Council following the last set of meetings with other local authorities, that although a licensing scheme where only one licence is required to operate within all parts of Loch Lomond may be desirable, that formal agreement has only been reached with Stirling and West Dunbartonshire Council to delegate authority to each other. If this position changes in the future then officers will inform the Committee and applicants of this. The proposed scheme will be offered on this basis by West Dunbartonshire Council. Given the terms of Section 38 (11) of the said Act which requires all persons carried in the vessel to embark initially from places within the area of the authority, Stirling Council and West Dunbartonshire Council propose to delegate power to each other to grant boat hire licences in their parts of Loch Lomond.
2. In practice, this will mean that a boat hire licence issued by one of those councils will automatically apply to the area of the other council as well. For example, a boat hire operator who picks up passengers from both Balmaha and Balloch will only need a licence from one of the two councils. Any boat hire operator who picks up passengers from Argyll & Bute Council's (unless this is formally agreed) area will need a licence from Argyll & Bute Council. Stirling Council and West Dunbartonshire Council will expect that boat hirers apply to the council for the area in which they have their main operational base or from where most of their passengers embark. The council that receives the application may require the applicant to send the application to the other council if they believe that it should have been sent to that other council.

## **4.3 Fees**

- 4.3.1** There is concern amongst operators that if the fee level and the cost of complying with proposed licensing conditions is too high, it may not be economically viable to run such boats commercially. The current fee for a Boat

Hirers licence is set at £1,423 for a three year period. The fee for this category of licence was agreed by the Licensing Committee following an assessment of the cost of providing such a licence, thereafter subject to annual inflationary increases. Stirling Council have previously stated that they would be willing to adopt the same fee as West Dunbartonshire Council. Argyll and Bute currently charge £167 for a one year licence.

#### Comments

The Committee will be aware that a civic licensing fee review is underway, and the current fee for boat hirers will be considered by officers and fully reported on. In addition, if the delegation between all authorities is agreed then officers will consider the level of fee that would be proposed to be charged by all authorities.

### **4.4 Technical Concerns**

- 4.4.1** There were a number of technical matters with regard to the proposed conditions that were raised by the parties who responded to the initial consultation.

#### Comments

The proposed conditions are similar to the conditions adopted by Argyll and Bute Council. These conditions were subject to discussion by all Councils, and also input from a representative of the Coastguard, and have been recently revised to take into account current practice and standards. The Committee should consider any comments received on the conditions following the new public consultation. Officers have sought to have conditions that are similar across the three licensing authorities. Conditions will be reviewed and monitored where appropriate throughout the duration of any proposed licensing scheme.

### **5. People Implications**

- 5.1** There are no personnel issues.

### **6. Financial and Procurement Implications**

- 6.1** The current fee for a Boat Hirers licence is set at £1,423. The fee for this category of licence was agreed by the Licensing Committee following an assessment of the cost of providing such a licence, thereafter subject to annual inflationary increases. Stirling Council have previously stated that they would be willing to adopt the same fee as West Dunbartonshire Council. Officers will monitor the level of the proposed fee, and consider if a delegation is formally agreed between all local authorities.

**7./**

## **7. Risk Analysis**

- 7.1** There would be a reputational risk for the Council if it fails to use powers to regulate activities that could cause harm to citizens or businesses.

## **8. Equalities Impact Assessment (EIA)**

- 8.1** An equalities impact assessment identified that a licensing scheme would take account of the need to ensure the safety of people with disabilities or age related infirmities. These issues would be fully considered prior to a further report being presented to the Committee.

## **9. Consultation**

- 9.1** The proposed resolution for a licensing scheme for boat hirers will be re-advertised online and in the local newspaper and responses received to the consultation will be reported to the Committee.

## **10. Strategic Assessment**

- 10.1** A licensing scheme will improve the wellbeing of communities and protect the welfare of vulnerable people.

Peter Hessett  
Strategic Lead - Regulatory

Date: 22nd August 2019

---

**Person to Contact:** Raymond Lynch  
Solicitor, Section Head - Licensing  
West Dunbartonshire Council  
Garshake Road  
Dumbarton  
G82 3PU.  
Tel. No. (Direct line) 01389 737818  
[raymond.lynch@west-dunbarton.gov.uk](mailto:raymond.lynch@west-dunbarton.gov.uk)

**Appendix:** Proposed licensing scheme conditions for boat hirers.

**Background Papers:** Report on the investigation of the foundering of the small passenger ferry Vixen in Ardlui Marina, Loch Lomond Marine Accident Investigation Branch, June 2013.

Reports to the Licensing Committee - 28 August 2013,  
20 April 2016 and 19 April 2017.

**Wards Affected:** All

**CUSTOMER SERVICES – GOVERNANCE & LAW  
CIVIC GOVERNMENT (SCOTLAND) ACT 1982  
SCHEDULE OF CONDITIONS - BOAT HIRE**

**PART 1**

**MANDATORY REQUIREMENTS IN TERMS OF SECTION 38**

1. The licence holder shall ensure that the maximum number of persons to be carried in the boat or vessel at any one time (including the person in charge of the boat or vessel or any other crew) must not exceed the number stated in the licence. This will be determined via the heel test as per annex 10 of the Inland Waters Small Passenger Boat Code.
2. The licence holder shall only use or permit to be used the vessel within the waters described in the licence.
3. The licence holder shall take out and maintain in force with a reputable company a policy of insurance with an indemnity limit of not less than £5,000,000 which insures such person, persons or class of persons as may be specified in the policy in respect of any liability which may be incurred by the licence holder in respect of the death of or bodily injury to any person caused by, or arising out of, the use of the vessel, such policy to be in force at all times before undertaking the activities to which this Licence relates. During the currency of the licence the holder shall, on expiry of the current policy, produce to the Licensing Authority the new policy, within 48 hours of the expiry of the previous certificate. It is the responsibility of the licence holder to ensure this document is passed to the Licensing Authority. Failure to comply may lead to the licence being suspended.
4. The licence holder shall, within 7 working days, notify the licensing authority of any change of circumstances i.e. change of personal address, no longer operating etc. If you are in doubt as to what constitutes a change of circumstances you should contact the office of the Head of Governance and Law for guidance.

**PART II**

**LICENSING CONDITIONS APPLICABLE TO ALL VESSELS**

1. The licence holder shall ensure that the registered number allotted to the vessel by the Licensing Authority is clearly marked or painted on the outside of each bow of the vessel in a conspicuous position in plain figures of not less than 2 inches in height and of a corresponding breadth. (If vessel more than 2 tons, figures shall be not less than 3 inches in height and of a corresponding breadth).
2. The licence holder shall make sure that the names of the licence holder and the words "To carry ..... persons including crew" (the number being the maximum number of persons the boat is licensed to carry) is marked or painted in a conspicuous position where it can be clearly seen by the passengers, in letters and figures of not less than one inch in height and of a corresponding breadth. A copy of the licence must be prominently displayed on the boat in such a position so that passengers may read it.
3. The licence holder shall ensure that all numbers or names required by the Licensing Authority are kept at all times distinctly legible and must not be in any manner or by any means altered, defaced, obliterated, covered or concealed.
4. The licence holder shall ensure that the hull, and any oars, spars, rigging, engines and mechanical equipment of the vessel be rendered at all times complete and in sound and seaworthy condition to the satisfaction of the Licensing Authority.
5. The licence holder shall at all times to the satisfaction of the Licensing Authority keep the slipway, jetties, piers and other landing places at his boat station, so far as under his control, in good and sufficient order and repair for the safe embarking and disembarking of

passengers.

6. The licence holder shall ensure that the vessel carries a sufficient number of Thermal Protective Aids which will be readily available to be worn by all persons on board including the person in charge and any other crew. The licence holder shall ensure that there are lifejackets for each passenger and crew member and that the lifejackets shall comply with the approved standard currently in force.
7. The licence holder shall, to the best of his ability, ensure that the person in charge of the vessel must at all times comply with any weather warning or other instructions issued to him by either HM Coastguard or the Harbourmaster / competent authority responsible for the areas in which the vessel operates.
8. The licence holder shall not let any vessel to any person whom the licence holder considers is not fit to handle the vessel properly and would thereby be a danger to themselves or others.
9. The licence holder shall be required to ensure their vessel is surveyed annually. On the year of renewal, the survey should be carried out by an authorised person being one appointed by a Maritime and Coastguard Agency recognised certifying authority. Surveys in the second year of the licence may be carried out by the owner or managing agent and duly recorded.
10. Notwithstanding the other conditions contained in this document, the Licence holder must ensure that all Boats and equipment covered by this licence are constructed, maintained and operated so as to comply with all relevant legislation, Manufacturers Recommendations, and all relevant Codes of Practice including but not limited to:
  - For boat hirers who carry for reward 12 or fewer passengers, the Inland Waters Small Passenger Boat Code (known as the 'Inland Waters Code'), published jointly by the Association of Inland Navigation Authorities and the Maritime & Coastguard Agency in 2007, and any subsequent amendment of that code.
  - For boat hirers who let powered boats for hire, the Code for the Design, Construction and Operation of Hire Boats, Part 1: Power Driven Boats, published by British Marine Federation, Association of Inland Navigation Authorities, and Maritime and Coastguard Agency in 2009, and any subsequent amendment of that code.

### **PART III SUPPLEMENTARY LICENSING CONDITIONS FOR NON-MECHANICALLY PROPELLED VESSELS**

1. The licence holder shall ensure that each rowing board or dinghy shall at all times be kept supplied and equipped with suitable and sufficient oars, rowlocks or rowing pins and a bailing dish.
2. The licence holder shall ensure that each sailing boat shall at all times be kept supplied and equipped with all suitable and sufficient sails, spars, rudder, tackle, fittings and appliances as well as with serviceable lifebuoys and a bailing dish.
3. The licence holder shall ensure that each sailing boat or canoe carries suitable and sufficient paddles.
4. The licence holder shall ensure that any non swimmers on a vessel wear life jackets at all times.

### **PART IV SUPPLEMENTARY LICENSING CONDITIONS FOR MECHANICALLY PROPELLED VESSELS**

1. The licence holder shall ensure that each vessel at all times when plying for hire be in the charge of an experienced helmsman / skipper who holds a current licence or certificate issued by the Department for Transport and has a thorough knowledge of the weather and

tidal conditions of the area in which the vessel is licensed to operate.

2. The licence holder shall make sure that each vessel carries two 30 inch diameter DFT approved lifebuoys, both of which shall have a smoke/light signal, One fitted with 18m buoyant line attached and shall be kept within easy reach of the helmsman.
3. The licence holder shall ensure that each vessel carries distress flares comprising at least 4 x 2 star parachute signals, 4 red hand flares and 2 orange smoke signals.
4. The vessel must also have either two SOLAS No. 2 packs or one SOLAS No. 1 pack on board at all times.
5. The licence holder must ensure that each vessel has fitted to it a VHF radio transceiver capable of receiving weather forecasts, in the charge of a person who has a Radio Operators Certificate.
6. The licence holder must ensure that each vessel carries an anchor and chain and such rope or cable attached to the chain as can also be used for towing purposes.
7. Any vessel carrying passengers shall carry DFT approved life-rafts with a SOLAS B pack capable of providing seating for the passengers and crew on the vessel or if it is an ISO 9650 standard liferaft (effective 23<sup>rd</sup> October 2019) complying with the conditions of same.

## **PART V**

### **ADDITIONAL REQUIREMENTS FOR VESSELS WITH ENGINES**

1. The licence holder shall ensure that the engine, any auxiliary engines, steering gear and any other mechanical equipment be maintained at all times in efficient working order and in a sound and seaworthy condition.
2. The licence holder shall ensure that the vessel carries a tool kit with sufficient tools to carry out emergency repairs to the engine.
3. The licence holder shall ensure that each vessel carries 2 DFT approved portable fire extinguishers, six litre foam ( rating 13A 113B ) or equivalent dry powder .
4. The licence holder shall ensure that each vessel has provision for, and carries an appropriate reserve of fuel for its engines (eg petrol or diesel) to be available for use in an emergency. ( A maximum of 5 litre of petrol may be carried in a portable BS / EN approved container

