

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

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