

NORTH LANARKSHIRE COUNCIL

REPORT

To: CORPORATE SERVICES COMMITTEE		Subject: AREAS OF TAXI OPERATION
From: HEAD OF DEMOCRATIC AND LEGAL SERVICES		
Date: 7 April 2015	Ref: PG/GG	

1. PURPOSE OF REPORT

The purpose of the report is to advise the Committee of the outcome of a consultation that was undertaken in relation to geographical areas of taxi operation. In addition the report provides comments on the substantive consultation responses. The report also highlights issues for consideration.

2. BACKGROUND

2.1. On 27 May 2014 all taxi operators in the North Lanarkshire area (493 in number) were consulted as detailed at paragraph 2.2 and were asked to respond in writing no later than 20 June 2014. Of those consulted, seventy eight responded.

2.2. The consultation in relation to areas of taxi operation posed the following questions:-

2.2.1. Is there support for a proposal that taxi vehicles be permitted to operate across North Lanarkshire i.e. the existing boundary restrictions are removed?

2.2.2. Should any removal of restriction be applied to operators of wheelchair accessible type taxi vehicles only or should it be applied to operators of all types of taxi vehicle?

3. RESPONSES RECEIVED

3.1. Twenty seven consultees wanted the removal of the boundary restrictions to apply to licences in respect of the operation of wheelchair accessible vehicles only.

3.2. Two consultees wanted the removal of the boundary restrictions to apply to all taxi licences.

3.3. Forty seven consultees did not want the current boundary restrictions to change.

3.4. One consultee was undecided and wanted more information about the effect of a boundary change.

3.5. Since the expiry of the consultation period a representation has been received from a taxi company in Airdrie advising that all 87 of their members want the boundary restrictions to remain in place and there to be no changes.

4. SUMMARY OF REASONS FOR THE BOUNDARY RESTRICTIONS BEING REMOVED

- 4.1. There would be better availability of wheelchair accessible vehicles for customer choice and satisfaction, and
- 4.2. The removal of the boundary restrictions would be environmentally beneficial.

5. SUMMARY OF REASONS AGAINST CHANGING THE BOUNDARY RESTRICTIONS IN OPERATION

- 5.1. any changes, as proposed, would be harmful to small companies;
- 5.2. there would be an inability to promote business in some areas;
- 5.3. the knowledge test for taxi drivers would be too complex since it would require a knowledge of the whole North Lanarkshire area;
- 5.4. there would be an increase in cost for the Council in issuing new plates;
- 5.5. if all taxis were allowed to trade across the North Lanarkshire area then this would affect the current rule that white saloon taxis operate in the South Area and black saloon taxis in the Central Area;
- 5.6. there is no problem with the three area zones and there is no need to change;
- 5.7. there would be a detrimental effect on the current fleet;
- 5.8. changes would create disharmony between taxi companies, taxi operators and taxi drivers;
- 5.9. there are enough vehicles in each area already competing for business so there is no need to introduce more taxis;
- 5.10. customers telephone local taxi companies because they want a local taxi service;
- 5.11. changes would reduce already tight profits for existing operators;
- 5.12. there is no evidence of benefit to either the public or the trade;
- 5.13. the Council already has a policy to allow a progressive increase in wheelchair accessible type vehicles so there is no reason to open up the trading zone to increase the availability of such vehicles.

6. ASSESSMENTS OF CONSULTATION RESPONSES

- 6.4.1 If the areas of taxi operation were de-zoned in relation to wheelchair accessible vehicles it is evident there would be more wheelchair accessible vehicles for customer choice.
- 6.4.2 No logical justification has been put forward to suggest that removing the boundary restrictions would benefit the environment.
- 6.5.1 There is an argument that the changes could actually benefit small companies since if they have wheelchair accessible vehicles in operation they would be able to trade in additional areas.

- 6.5.2 It could perhaps be contended that businesses in this day and age could be promoted in a variety of ways.
- 6.5.3 Area knowledge can be found via Sat-Nav, google maps, via mobile devices and through basic local A-Z booklets which perhaps all drivers should have.
- 6.5.4 The costs in the Council issuing new plates could be met by the relevant operators.
- 6.5.5 Since the proposal in relation to changing areas of operation applies only to wheelchair accessible vehicles the colour rule is not a concern since it only applies to saloon taxis. (Non wheelchair accessible vehicles).
- 6.5.6 Since the majority of respondees to the consultation did not want the boundary restrictions to change it can be strongly argued there is no need to change the area zones.
- 6.5.7 It may be asserted there is no evidential basis to suggest that there will be a detrimental effect to the current fleet as the numbers will remain as they are.
- 6.5.8 It must always be remembered that the market is competitive.
- 6.5.9 It perhaps should be borne in mind that the number of vehicles will remain the same and there is no increase in the number of taxis across North Lanarkshire even being mentioned or proposed. However there could be an influx of more vehicles in any of the zones.
- 6.5.10 There is no evidence to suggest a local service will not be available.
- 6.5.11 It may be argued that it is only speculation that any changes would reduce already tight profits for existing operators
- 6.5.12 It may be felt that there is a benefit to the public in particular if you are a wheelchair user or a member of your family is as de-zoning may result in more wheelchair accessible vehicles covering a wider area on a more regular basis.
- 6.5.13 It may be thought the Council, as a licensing authority, should strive further towards having a more wheelchair accessible fleet.

7. ISSUES FOR CONSIDERATION

- 7.1. In considering the matters consulted upon, together with the various responses, it should be noted that the Fraser of Allander Institute recently conducted a survey on behalf of the Council to assess the level of demand for taxis in the North Lanarkshire area. More details of the findings of the survey undertaken by the Institute are provided in a separate report. It should be noted that the Institute concluded that it was difficult to state that there is any evidence of an unmet demand for taxis in any of the taxi zones in the North Lanarkshire area and, by extension, the North Lanarkshire area as a whole.

8. STATISTICAL INFORMATION AS AT 12 MARCH 2015

- 8.1. In the whole North Lanarkshire area there are 161 Wheelchair Accessible Vehicle (WAV) Taxi Operator licences.
- 8.2. In the South area there are 59 such vehicles; in the Central area there are 47 such vehicles and in the North area there are 55 such vehicles.

8.3. It should be noted that in the entire North Lanarkshire area the number of compulsory Wheelchair Accessible Vehicles is 143 and there are 18 optional Wheelchair Accessible Vehicles.

8.4. In the South area there are 54 compulsory Wheelchair Accessible Vehicles and 5 optional Wheelchair Accessible Vehicles.

In the Central area there are 34 compulsory Wheelchair Accessible Vehicles and 13 optional such vehicles.

In the North area there are 55 compulsory Wheelchair Accessible Vehicles and no optional such vehicles.

9. LEGAL RISK

9.1. Should the second option detailed in paragraph 11 below be preferred there is a clear risk of a legal challenge from operators of non wheelchair accessible vehicles who may feel that they are being placed at a competitive disadvantage.

10. CORPORATE CONSIDERATIONS

10.1. The issues raised in this report do not significantly impact on the Council's wider policies or other considerations.

11. OPTIONS FOR CONSIDERATION

11.1. Should the Council adhere to the status quo and maintain the existing boundary restrictions (North, Central and South Areas) currently in operation having regard to the consultation responses and the findings of the Fraser of Allander Institute?

11.2. Should wheelchair accessible type taxi vehicles be permitted to operate across the whole North Lanarkshire area to encourage a progressive increase in wheelchair accessible vehicles and to support the Council's Equality Strategy?



Head of Democratic and Legal Services

Members seeking further information on the content of this report are asked to contact Paul Guidi, Acting Managing Solicitor (Licensing and Litigation) on extension 2294.