

REPORT

To: CORPORATE SERVICES COMMITTEE		Subject: TAXI LICENSING - SURVEY OF DEMAND FOR TAXIS IN NORTH LANARKSHIRE	
From: ACTING HEAD OF LEGAL SERVICES			
Date: 14 AUGUST 2013	Ref: AA/GBM		

1. PURPOSE OF REPORT

- 1.1. The purpose of this report is to seek authority to instruct an independent survey of the demand for taxis in the North Lanarkshire area.

2. BACKGROUND

- 2.1. Section 10(3) of the Civic Government (Scotland) Act 1982 permits a licensing authority to refuse an application for a taxi licence for the purpose of limiting the number of taxis, provided that it is satisfied that there is no significant unmet demand for taxis in the area. This provision is used to prevent a situation arising where licensed taxi operators are unable to provide a proper service on economic or other grounds because an excessive number of licences have been granted. It is for licensing authorities to decide whether there is sufficient evidence of no significant unmet demand so that a licence should be refused to limit licence numbers accordingly.

- 2.2. North Lanarkshire is split into three areas for the purpose of taxi licensing and the restriction on the number of taxi licences in each is based on the limit on numbers determined by the former district authorities. These are as follows:-

North Area - 55 taxis
 Central Area - 238 taxis
 South Area - 182 taxis

The current number of taxi licences in the South Area is in fact 201 following a policy decision taken by the General Purposes Committee on 25 August 2004 to offer taxi licences to members of the South Area waiting list. The current figure for the Central Area stands at 241 following a Sheriff Court judgement in October 2005 to reverse a decision to refuse four licences.

- 2.3. Traditionally the approach taken by licensing authorities to test the demand for taxis has been to instruct an independent survey.
- 2.4. The Council instructed that the accuracy and currency of the aforementioned limits be tested in 2001, 2005, 2007 and 2010 by the Fraser of Allander Institute. This is an independent research body under the auspices of the University of Strathclyde.

3. REPORT

- 3.1. The Fraser of Allander Institute most recently conducted a survey of demand during April and May 2010 and its findings were reported to a meeting of this Committee held on 12 August 2010.

- 3.2. The current lack of an up-to-date independent survey increasingly renders the Council, as licensing authority, vulnerable to a speculative application for a taxi licence which, in terms of the Civic Government Act, would require to be determined within six months of receipt of an application. If such a speculative application was refused on the grounds narrated in Paragraph 2.1 above then the decision to refuse would be difficult to justify in the absence of an up-to-date survey.
- 3.3. The Committee is advised that there have been no complaints received from members of the public about any lack of availability of taxis and also that monitoring conducted by the Licensing Enforcement Officers at taxi stances within the main towns in North Lanarkshire does not indicate any lengthy waiting times by customers for taxis. It nevertheless remains the preferred and recommended option that current demand for taxis within North Lanarkshire be subject to independent scrutiny.
- 3.4. The Committee is advised that the cost of the 2010 survey was £16,000.

4. **CORPORATE CONSIDERATIONS**

- 4.1. The matters under consideration in this report reflect the Council's commitment to maintaining the regulation of taxi and private hire to periodic review.
- 4.2. Given the potential cost of a new survey, the Committee is asked to approve the obtaining of quotes for, and the instruction of, an independent survey through Public Contracts Scotland by invitation from organisations registered with them.

5. **RECOMMENDATION**

- 5.1. The Committee is asked to agree to the procurement of a survey of demand for taxis within the North Lanarkshire area.



Acting Head of Legal Services