

**Corporate and Community Services Department**

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TO: Councillors A. Convery (Chair); B. Cunningham (Vice Chair); C. Gilbert; S. Miller; and P. O'Kane.

**LICENSING COMMITTEE**

A meeting of the Licensing Committee will be held on **Tuesday 16 February at 10.00am.**

A pre-meeting for Elected Members will take place at 9.45am.

The agenda of business is listed below.

**Caroline Innes**

C INNES

DEPUTY CHIEF EXECUTIVE

(DIRECTOR OF CORPORATE AND COMMUNITY SERVICES)

**This is a virtual meeting.**

1. **Report apologies for absence.**
2. **Declarations of Interest.**
3. **Proposal for Amendment to Current Wheelchair Accessible Vehicle Policy and Other Policies – Report by Chief Officer (Legal & Procurement) (copy attached, pages 3 - 6).**

**Resolution to Exclude Press and Public**

It is recommended that the Committee passes the following resolution:-

"That under Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 6 of Part I of Schedule 7A of the Act as appropriate".

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Paragraph 6 – Information relating to the financial or business affairs of any particular person (other than the authority).

4. **Amendment to Conditions Applicable to Booking Office Licence held by East Ren Taxis – Report by Chief Officer (Legal & Procurement) (copy attached, pages 7 - 10).**

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EAST RENFREWSHIRE COUNCILLICENSING COMMITTEE16-February 2021Report by Civic Government Enforcement OfficerPROPOSAL FOR AMENDMENT TO CURRENT WHEELCHAIR ACCESSIBLE VEHICLE  
POLICY AND OTHER POLICIES**PURPOSE OF REPORT**

1. To provide background information relative to a proposal to amend the current policy in force within East Renfrewshire regarding applications for vehicle operator's licences requiring to be in respect of Wheelchair accessible Vehicles (WAV's), make a temporary amendment to the age limits due to coronavirus and propose the introduction of a knowledge test for private hire drivers.

**RECOMMENDATION**

2. That the Committee considers the information included in the report with a view to:
  - (a) amending the current Council policy in respect of WAV's to remove the requirement for either (1) all new Taxi and Private Hire Operator Licences, or (2) all new private Hire Operators Licences to be wheelchair accessible;
  - (b) to temporarily increase age limits for private hire and taxi vehicles by 18 months longer than the present limit for vehicles; and
  - (c) to introduce from 1<sup>st</sup> April 2021 the requirement for all new private hire driver licence holders and those having held a private hire driver licence for less than 3 years (as at that date) on renewal to sit a practical and/or theory knowledge test.

**BACKGROUND**

3. In April 2017, East Renfrewshire Council Licensing Committee agreed to introduce a policy that would require all applicants for the grant of new vehicle operator's licences, both public and private hire, to be submitted in respect of vehicles which were wheelchair accessible (WAV's). This decision was taken following almost 4 years of discussions, and was intended to increase the number of WAV's licensed by the Council, and remove an obvious barrier for passengers with disabilities being able to access suitable transport.

## REPORT

4. Since the introduction of the policy, the number of WAV's licensed by the Council has increased dramatically from a starting point of 4 to a total of 40 (08/12/2020), and encompasses a wide range of vehicles from those which can accommodate 1 wheelchair user + 1 additional passenger, to vehicles which are capable of accommodating 2 wheelchair users, accompanied by up to 4 additional passengers. These vehicles currently operate on all of the Booking Office networks within East Renfrewshire, and are generally available at all times.

5. At the introduction of the policy, it was agreed that after a period of 3 years, the policy would be reviewed to determine its effectiveness, and to decide what changes, if any, should be implemented. Unfortunately, the introduction of severe restrictions on 24 March, 2020, linked to efforts to combat Coronavirus, prevented a full report being submitted for the information and attention of the Licensing Committee.

6. Since the introduction of restrictions associated with Coronavirus, there has been an unprecedented decline in the Taxi and Private Hire Car trade, with all persons involved experiencing a dramatic reduction in income, if not in a large number of instances, a total loss. Booking Offices have reported as much as an 80% reduction in booking requests, and as a result, a large number of drivers have either not worked since April, or have left the trade entirely. As the economic situation has deteriorated, individual owner/ operators have been forced to allow their vehicle operator's licences to expire, mainly due to the costs involved in renewing the licence, and paying for the appropriate insurance that allows the vehicle to be used for hire and reward.

7. It is anticipated that both the current restrictions are relaxed, if not removed altogether, and the financial situation begins to improve, a number of persons who have previously held vehicle operators licences, and were forced by circumstances to allow the licence to lapse, will consider submitting applications for the grant of new vehicle operator's licences to East Renfrewshire Council. At present, this would involve the purchase of a WAV, thus placing a further financial burden on the applicants, at a time when most are attempting to reduce their outgoing expenses.

8. In an effort to assist any potential applicants to realise their desire to afford to operate a licensed vehicle, it is therefore suggested that consideration be given to amending the current WAV policy in respect of new licence applications. A number of options are listed for discussion and consideration:

- a) removal of the requirement for a new vehicle operator licence application to be in respect of a WAV;
- b) removal of the requirement for a new vehicle operator licence to be in respect of a WAV, and applicable only to Private Hire Car Operator applications.

9. The Civic Government (Scotland) Act 1982 was recently amended to introduce the possibility of "knowledge tests" being introduced for Private Hire drivers. Previously, knowledge tests were only applicable to taxi licences. As the vast majority of vehicles/drivers licensed in East Renfrewshire are Private Hire, customer service could be improved by introducing such a test in this council area. Knowledge Tests can take the form of a written or practical test and are presently conducted by our civic government licensing standards officer (enforcement officer). That post is presently part time but there may be a financial implication if the number of tests requires a change to full time or overtime working.

10. The present Coronavirus emergency period has resulted in a very substantial drop in trade for the taxi and private hire business. As a result it can be financially challenging for an operator to replace a vehicle which has reached its age limit. It is therefore proposed that a temporary extension of 18 months be applied to all age limits.

## RECOMMENDATION

11. That the Committee considers the information included in the report with a view to:
- (a) amending the current Council policy in respect of WAV's to remove the requirement for either (1) all new Taxi and Private Hire Operator Licences, or (2) all new private Hire Operators Licences to be wheelchair accessible;
  - (b) to temporarily increase age limits for private hire and taxi vehicles by 18 months longer than the present limit for vehicles; and
  - (c) to introduce from 1<sup>st</sup> April 2021 the requirement for all new private hire driver licence holders and those having held a private hire driver licence for less than 3 years (as at that date) on renewal to sit a practical and/or theory knowledge test.

## Local Government (Access to Information) Act 1985

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08 December 2020

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