

Corporate and Community Services Department

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Date: 9 April 2021

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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 13 April at 10.00am.**

A pre-meeting for Elected Members will take place at 9.30am.

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.**

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 items 3-7 of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 6 and 14 of Part I of Schedule 7A of the Act as appropriate".

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

Paragraph 14 – Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime – all items.

3. **Private Hire Driver's Licence – Application for Renewal – Report by Chief Officer (Legal & Procurement) (copy attached, pages 3 - 6).**
4. **Taxi Driver's Licence – Application for Renewal – Report by Chief Officer (Legal & Procurement) (copy attached, pages 7 - 14).**
5. **Private Hire Driver's Licence – Application for Renewal – Report by Chief Officer (Legal & Procurement) (copy attached, pages 15 - 20).**
6. **Private Hire Driver's Licence – Application for Grant – Report by Chief Officer (Legal & Procurement) (copy attached, pages 21 - 26).**
7. **Private Hire Driver's Licence – Application for Renewal – Report by Chief Officer (Legal & Procurement) (copy attached, pages 27 - 30).**
8. **Proposal for Amendment to Current Wheelchair Accessible Vehicle Policy and Other Policies – Report by Chief Officer (Legal and Procurement) (copy attached, pages 31 - 36).**

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EAST RENFREWSHIRE COUNCILLICENSING COMMITTEE13 April 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), and make a temporary amendment to the inspection schedule applicable to older vehicles.

RECOMMENDATION

2. That the Committee considers the information included in the above 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) amending the current requirement for all licensed vehicles more than 7 years old to be subject to full vehicle inspections at 6 monthly intervals.

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. At the same time, it was agreed that East Renfrewshire Council would adopt an age limit policy in respect of vehicles first being licensed by the Council, specifying the age at which these vehicles would be allowed to remain licensed, and the introduction of twice yearly vehicle inspections being required for all vehicles having reached 7 years since the date of first registration.

REPORT

4. Since the introduction of the policy concerning Wheelchair Accessible Vehicles (WAV's), the number of WAV's licensed by the Council has increased dramatically from a starting point of 4 to a total of 40 (17/03/2021), 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. As mentioned in the previous paragraph, the unprecedented decline in demand for the services of Taxis and Private Hire Cars during the period of restrictions imposed by both National and Scottish Coronavirus legislation, has resulted in a drastic cut in the numbers of licensed vehicles actually operating. At present East Renfrewshire Council records indicate that there are 442 vehicle operator licences shown as current and valid. (52 Public Hire – Taxis, and 390 Private Hire Cars). Enquiries by the report author have confirmed that Booking Offices are, and indeed have been throughout the period of restrictions, operating at figures well below that which they experienced pre-pandemic. One Booking Office which would normally be responsible for the control and operation of over 200 vehicles, at one point found its fleet reduced to 12. After a year of restrictions they have now managed to increase that number to 69, although this is still far below the numbers required when and if the demand for Taxis/ Private Hire Cars increases.

As the demand for Taxis and Private Hire Cars decreased, and the number of licensed drivers who were willing to continue to operate during the period of restrictions increased, large numbers of licensed vehicles were effectively parked, and not used. This however did not remove the liability imposed on vehicle operators, to ensure that their vehicles were kept up to date with the statutory requirements for vehicle excise, insurance, and MOT, as well as the Council's vehicle inspections, either annual or 6 monthly as determined by the age of the vehicle. As can be easily understood, this has placed a major financial burden on vehicle operators who were unable to recoup any money due to the vehicles being inactive, in the majority of instances since March 2020.

8. Due to circumstances, the Council Depot based at Carnwadric Road, Thornliebank, have reduced the number of inspection appointments to 3 per day, 3 days per week (Tuesday/ Wednesday/ Thursday). Assuming the Depot is in operation for 50 weeks per year, this allows a maximum of 450 vehicle examinations to be carried out each calendar year. As East Renfrewshire Council currently licences 442 vehicles, there is very little extra provision to take account of vehicles requiring 6 monthly inspections, or vehicles to be substituted onto an existing licence, either as a result of the vehicle operator changing and renewing their vehicle, or a temporary change due to a vehicle requiring to undergo accident repairs.

(Enquiries with management at the Depot have confirmed that the number of inspection appointments may be able to be increased in the future, however no details have been confirmed.)

9. It is anticipated that if 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, and an obvious increased demand for vehicle inspection appointments.

10. 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, to assist current vehicle operator licence holders of all licensed vehicles to reduce the annual financial outlay involved in operating licensed vehicles more than 7 years old, and prevent any additional demand on the Council Depot, which may result in vehicles being unable to be inspected for a lengthy period.

11. 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) The retention of the requirement for a new vehicle operator licence to be in respect of a WAV, and applicable only to Taxi Operator applications.
- (c) The suspension of the current Council policy which requires all licensed vehicles more than 7 years since the date of first registration, be subject of full inspections at 6 monthly intervals. The suspension if agreed should be for a period of 2 years, and thereafter reviewed to determine if twice yearly inspections were required to be reinstated.

RECOMMENDATION

12. That the Committee considers the information included in the above 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) amending the current requirement for all licensed vehicles more than 7 years old to be subject to full vehicle inspections at 6 monthly intervals.

Local Government (Access to Information) Act 1985

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17 March 2021

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15 March 2021

To the Licensing Committee in regard to the possible change to the Wheelchair Access Vehicle licensing.

In 2020 due to the Covid-19 pandemic, Eastwood Mearns suffered a huge decline in business that we are still hoping to recover from. We firmly believe that the relaxation, removal, or revision to the wheelchair access license requirement will help the local economy re-grow.

Prior to the pandemic, we managed a fleet consisting of 210 vehicles, 16 of which were wheelchair access (8%). For the whole of 2019, Eastwood Mearns drivers completed 610,598 hires. 1,837 of those bookings were wheelchair access requests which consists of **0.30%** of the completed hires.

In 2020 we completed 244,867 bookings, 345 of which were wheelchair access booking (**0.14%**).

At the time of writing this, we are managing 69 drivers which means our fleet size dropped 67% from 2019. The bookings between 2019 to 2020 shows a decline of 59%. And although we only have 69 drivers at the moment, 6 of them are wheelchair access vehicles.

I am sure the council are fully aware that there will be a number of drivers who have let their licences expire, which in normal circumstances would mean that they are forced to licence a wheelchair access vehicle if they wish to operate in East Renfrewshire again. Of course, this would cost the driver considerably more money than a normal saloon vehicle, more running costs, and there is practically no market for re-selling the vehicle.

On top of that the, we do not see any sizeable demand for wheelchair access vehicles that would require this rule to be in place, even prior to the Covid 19 pandemic.

We are hopeful that the economy will re-grow, but we do fear that we could be left in a position where we are unable to meet customer demand should the wheelchair rule be left in place.

I trust this reaches you all in good health.

Kind regards,

Brian Cherry

Eastwood Mearns Taxis

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