

**REPORT TO: LICENSING COMMITTEE – 2ND AUGUST, 2018**  
**REPORT ON: MEMBERSHIP OF TAXI LIAISON GROUP**  
**REPORT BY: HEAD OF DEMOCRATIC AND LEGAL SERVICES**  
**REPORT NO: 233-2018**

## **1.0 PURPOSE OF REPORT**

To review the criteria for membership of the Taxi Liaison Group.

## **2.0 RECOMMENDATIONS**

It is recommended that:-

2.1 The membership of the Taxi Liaison Group be reconstituted as follows:-

- (i) One representative from each office and organisation meeting the criteria at 2.1(ii) below shall be entitled to attend meetings of the Taxi Liaison Group;
- (ii) Trade associations will only be entitled to send a representative provided they are able to demonstrate to the Licensing Committee that the associations each represent no less than 5% of licensed taxi drivers/operators in the city of Dundee (in the case of offices, these must demonstrate that at least 5% of licensed taxis/private hire cars operate from their premises);
- (iii) The meeting of the Taxi Liaison Group to be held on 21st August, 2018 be the last meeting held involving the current membership and that no further meetings be held until the proposed new meeting structure has been established;

2.2 The Head of Democratic and Legal Services be instructed to write to all of the current trade association and office members of the Group requesting that they provide a list of those licensed taxis/private hire cars/taxi drivers which are affiliated to them in order that entitlement to membership in accordance with paragraph 2.1(i) and (ii) can be ascertained;

2.3 The Head of Democratic and Legal Services report back to the Licensing Committee with a list of those trade associations and offices which meet the proposed new criteria in order that the revised membership of the Group may be confirmed by the Licensing Committee.

## **3.0 FINANCIAL IMPLICATIONS**

None.

## **4.0 MAIN TEXT**

4.1 The Committee, at its meeting on 29th March, 2018, requested officers to prepare a report concerning the membership and composition of the Taxi Liaison Group. This was as a result of an application for membership from a new organisation and also a number of concerns raised by existing members regarding the lack of any criteria for becoming a member which has resulted in the number of members increasing to the point where Group discussions are too fragmentary owing to the range of interests represented.

4.2 The concerns identified in the preceding paragraph have been repeated at intervals over a number of years and it is felt that the only way to address these concerns is to (a) establish a minimum number of licences affiliated to each trade/office in order that there are firm requirements which must be met before membership of the Group can be attained and (b) it is established, as far as possible, exactly how representative each member of the Group is.

4.3 There is no legal obligation on a licensing authority to maintain a standing group such as the Taxi Liaison Group for consultation with members of the trade. The only legal obligation regarding consultation with the taxi trade relates to the annual fares review under Section 17 of the Civic Government (Scotland) Act 1982. This requires the Council to "consult with

persons or organisations appearing to them to be, or be representative of, the operators of taxis operating within their area". Even in that regard, it is left to each individual licensing authority to determine whom those persons are and there is no statutory guidance as to how this is to be established. Enquiries with other Scottish local authorities have shown that very few have consultation groups which meet on a regular basis and none of them appear to have any hard and fast rules as to entitlement to membership. Again, it is a matter for each individual authority.

- 4.4 At the moment, there are 1,112 licensed taxi drivers in the city. There are also 571 taxis and 205 private hire cars. It is suggested that, as a minimum, each trade association must be representative of at least 5% of taxi drivers/taxi operators/private hire operators. Although there are no exact figures, it is generally believed to be the case that the vast majority, if not almost all, taxi operators and private hire car operators are also the holders of Taxi Driver's Licences. This means that the total number of persons who have a licence will be far short of the total number of all types of licences (1,888). In order to build in at least some allowance for taxi operators and private hire car operators who may not also be the holders of Taxi Driver's Licences, it is suggested that the figure of 1,200 be regarded as the total number of licences for the purposes of this exercise. This would mean that each trade association must have at least 60 members to meet the 5% threshold. As far as taxi offices are concerned, the gauge should be how many vehicles (taxis or private hire cars) are affiliated to that office. The total of taxis and private hire cars is 776 and 5% of this figure would be 39 (rounded up from 38.8) vehicles.
- 4.5 It is recommended that the Head of Democratic and Legal Services be instructed by the Committee to write to each of the current Group members asking them to provide a note of the number of individuals/vehicles affiliated to their association/office as above, together with a list of those persons. Some of the trade representatives currently on the Group have already indicated their willingness to provide this information. Unless there is a good reason for this information not being provided, it is also suggested that the Licensing Committee should give consideration to refusing membership to any association/office which refuses to provide the information. This would be a matter for future consideration of the Committee once the request has been made in the proposed letter from the Head of Democratic and Legal Services. Once this exercise has been completed, the Head of Democratic and Legal Services will report back to the Licensing Committee with a list of those associations/offices who would qualify under the proposed new criteria, together with details of any failure to provide the requisite information. Once a new list of membership has been approved by the Licensing Committee, each association/office on the list would be entitled to send one representative to future meetings of the Taxi Liaison Group.
- 4.6 A meeting of the Taxi Liaison Group under the current structure has already been called for 21st August, 2018. As it will not be possible to complete the proposed exercise prior to that meeting, it is suggested that this meeting continue under the current form, but that no further meetings be held until the proposed new membership structure has been established.

## **5.0 POLICY IMPLICATIONS**

This report has been screened for any policy implications in respect of Sustainable Development, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.

There are no major issues.

## **6.0 CONSULTATION**

The Chief Executive, Executive Director of Corporate Services and Executive Director of Neighbourhood Services have been consulted in the preparation of this report.

## **7.0 BACKGROUND PAPERS**

None.

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Head of Democratic and Legal Services

DATE: 24th July, 2018