



City Chambers
DUNDEE
DD1 3BY

19th September, 2024

Dear Colleague

The undernoted members are requested to attend a MEETING of the **LICENSING COMMITTEE** to be held remotely on Thursday, 26th September, 2024 at 10.00am.

Members of the Press or Public wishing to join the meeting should contact Committee Services on telephone (01382) 434205 or by email at committee.services@dundeecity.gov.uk by no later than 5.00pm on Tuesday, 24th September, 2024.

Please submit any apologies for absence to Veronica Thomson, Committee Services Officer, on telephone 01382 434205 or email veronica.thomson@dundeecity.gov.uk.

Yours faithfully

GREGORY COLGAN

Chief Executive

Depute Lord Provost Kevin CORDELL

Bailie Christina ROBERTS

COUNCILLORS

Stewart HUNTER
Roisin SMITH

George McIRVINE

Wendy SCULLIN
Daniel COLEMAN

AGENDA OF BUSINESS

1 DECLARATION OF INTEREST

Members are reminded that, in terms of The Councillors Code, it is their responsibility to make decisions about whether to declare an interest in any item on this agenda and whether to take part in any discussions or voting.

This will include all interests, whether or not entered on your Register of Interests, which would reasonably be regarded as so significant that they are likely to prejudice your discussion or decision-making.

2 CIVIC GOVERNMENT (SCOTLAND) ACT 1982

(a) NEW APPLICATIONS GRANTED UNDER DELEGATED POWERS

LATE HOURS CATERING - NEW APPLICATION

No	Name	Address
1	Altea 4 Restaurants Ltd	McDonalds Restaurant, 4 Dayton Drive

PUBLIC ENTERTAINMENT – NEW APPLICATIONS

No	Name	Location	Date of Event
1	Finmill Centre LMG	Fintry Parish Church	07.09.2024
2	Live Tour Promotions Ltd	Slessor Gardens	06.09.2024 - 08.09.2024

PRIVATE HIRE OPERATORS - NEW APPLICATIONS

No	Name	Address
1.	Kawser Chowdhary	2/1 9 Malcolm Street
2.	Garry Hunter	65 Traquair Gardens

SKIN PIERCING & TATTOOIST - NEW APPLICATIONS

No	Name	Address of Premises
1	Amy Greenhill	Earl Grey Studio, 26 East Dock Street
2	Harrison McPhee	Earl Grey Studio, 26 East Dock Street

STREET TRADER - NEW APPLICATION

No	Name	Address
1.	Rhys M Stewart	77 Clement Park Place

TAXI DRIVER - NEW APPLICATION

No	Name	Address
1	Brian P McGarrity	44 Harestane Road

(b) TAXI DRIVER - NEW APPLICATIONS

No	Name	Address
1.	Vijender Singh	23 Grayhills Lane

The above applicant has failed to submit his SVQ, medical, UTRN, pass the street knowledge test and name an operator within the prescribed time. There are no objections to the application.

2	Shaun Workala	55 Turnberry Avenue
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The above applicant has failed to submit his, SVQ, medical, UTRN and name an operator within the prescribed time. There are no objections to the application.

3	Ben Walker	69 Ancrum Drive
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The above applicant has failed to submit his, SVQ, medical, UTRN, pass the street knowledge test and name an operator within the prescribed time. There are no objections to the application.

(c) FARES FOR HIRE OF TAXIS – ANNUAL REVIEW

It is reported that in terms of the agreed formula the proposed increase using transport indices is 12.72% which brings about the following changes to the tariffs which are recommended for approval. The proposals will have to be advertised and, subject to any public objections or appeal to the Traffic Commissioner, the new scales would take effect from 1st December, 2024. The undernoted increases in fares would apply to the initial charge and the mileage rates.

Tariff 1 (daytime) £3.75 increasing to £4.20 and each additional 1/10th of a mile to increase from 19p to 22p

Tariff 2 (weekday evenings) £4.09 increasing to £4.62 and each additional 1/10th of a mile to increase from 21p to 24p

Tariff 3 (weekend evenings) £4.43 increasing to £5.04 and each additional 1/10th of a mile to increase from 23p to 26p

Tariff 4 (festive period) £5.11 increasing to £5.58 and each additional 1/10th of a mile to increase from 26p to 31p

(d) TAXI & PRIVATE HIRE CAR UNMET DEMAND AND OVERPROVISION SURVEY REPORTS

A copy of the Taxi Demand Study is attached (**Appendix 1**) and the Private Hire Car Overprovision Study is attached (**Appendix 2**). - **Pages 1 and 33**

- (i) The Private Hire report recommends that there is a state of overprovision of private hire cars in Dundee. It is therefore suggested that the Committee accepts this recommendation as a proposal for consultation purposes and that the locality for the determination of overprovision be the whole of the Dundee City Council area, since private hire cars are not subject to any internal geographic restrictions. This would be a provisional finding that there is such overprovision within that stated locality. The Head of Democratic and Legal Services and the Licensing Office would then arrange for a public consultation on any such proposal and a report thereon would be

submitted to the Committee in due course. The suggested consultation period would run until 20th December, 2024.

- (ii) The taxi unmet demand report suggests that there may now be a situation where licences can be granted and that the limit be reduced to 469. The current number of Taxi Licences in the Dundee City area is 455. In that event, the Committee would require to determine a mechanism for the grant of new licences and which types of vehicle should be placed on service by any prospective operators. The Committee will be aware that there are 3 potential policy issues here which would be affected by the grant of any new licences, namely, the previously adopted target of a 60%/40% WAV to saloon ratio in the overall taxi fleet; the corporate plate policy; and the policy which requires all new vehicles to be electric cars. Accordingly, it is recommended that the Head of Democratic and Legal Services and the Licensing Office be instructed to carry out a consultation (i) to determine if the 60/40 ratio is still appropriate; (ii) should the electric cars only policy for new licences be retained or should other types of vehicle be allowed; (iii) should the corporate plate policy be revised to allow other types of vehicle to be placed on service; and (iv) how any new licences which may become available should be allocated. The suggested period for this consultation would be for it to run until mid-January 2025 given the range of issues involved and a report would thereafter be submitted to the Committee for a final decision to be made.

3 HOUSING (SCOTLAND) ACT 2006

(a) HOUSES IN MULTIPLE OCCUPATION - DELEGATED

No	Name	Person Responsible	Address
1	Nilupul Foundation	Easylets Ltd	22 New Inn Entry (2nd & 3rd Floor)
2	Peter & Deborah Nowotny	Finlayson Gore Ltd	1D Wellington Street
3	Peter & Deborah Nowotny	Finlayson Gore Ltd	3/2, 5 Blackness Avenue
4	John, Margaret, Michael & Nicholas Brennan	Finlayson Gore Ltd	12 Constitution Court
5	Christopher Logan	Finlayson Gore Ltd	37 Taylors Lane
6	Jennifer Foley	Jennifer Foley	93C Commercial Street
7	Md Rasel & Kristine Sarkar	Md Rasel Sarkar	5 Cleghorn Street

(b) HOUSES IN MULTIPLE OCCUPATION - NEW APPLICATIONS

The undernoted applications have been received:-

No	Name	Person Responsible	Address
1	Dundee City Council	Dundee City Council Children & Families	7 Fairbairn Street

The Licensing Committee at its meeting on 8th August, 2024 agreed to defer the application to allow for consideration of the building standards report – copy attached (**Appendix 3**). The original letter of representation from PSSU is also attached (**Appendix 4**). – **Pages 53 and 57**

4 CIVIC GOVERNMENT (SCOTLAND) ACT 1982, (LICENSING OF SHORT-TERM LETS) ORDER 2022

(a) SHORT TERM LETS – NEW APPLICATIONS

The undernoted applications have been received:-

No	Name	Person Responsible	Address
1	Classified Properties Ltd	Khalid Mehmood	38 Unicorn Court

The Licensing Committee at its meeting on 5th September, 2024 agreed to defer the application to allow checks to be made on the posting of the notice. The original letter of objection from a member of the public is attached (**Appendix 5**). Further information has also been received from the objector – copy attached (**Appendix 6**). The original letter of representation received from PSSU is also attached (**Appendix 7**). - **Pages 59, 83 and 87**

2	Aliona & Hugh Levins	Aliona Levins	596 Perth Road
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The Licensing Committee at its meetings held on the 8th August, 2024 and 5th September, 2024 agreed to defer the application to allow the applicant to be in attendance. The Committee also agreed to deal with the application at this meeting if the applicant fails to attend. The original letter from PSSU is attached (**Appendix 8**). - **Page 89**

3	Angela Walters	Angela Walters	11 Sunnybrae Terrace
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The Licensing Committee at its meeting on 5th September, 2024 agreed to defer the application to allow the applicant to be in attendance. The Committee also agreed to deal with the application if the applicant fails to attend. The original letter of representation from PSSU is attached (**Appendix 9**). - **Page 91**

4	Adrian Harry	Adrian Harry	2/2, 24 Gardner Street
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A letter of representation has been received from PSSU – copy attached (**Appendix 10**). - **Page 93**

The Committee may resolve under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3, 6 and 9 of Part I of Schedule 7A of the Act.

5 HOUSING (SCOTLAND) ACT 2006

(a) HEARINGS

6 ANTISOCIAL BEHAVIOUR ETC (SCOTLAND) ACT 2004; LANDLORD REGISTRATION

(a) LANDLORD REGISTRATION – NEW APPLICATION

7 CIVIC GOVERNMENT (SCOTLAND) ACT 1982

(a) TAXI DRIVER'S LICENCE - SUSPENSION HEARING - MEDICAL

(b) PRIVATE HIRE DRIVER/PRIVATE HIRE OPERATOR – SUSPENSION HEARING

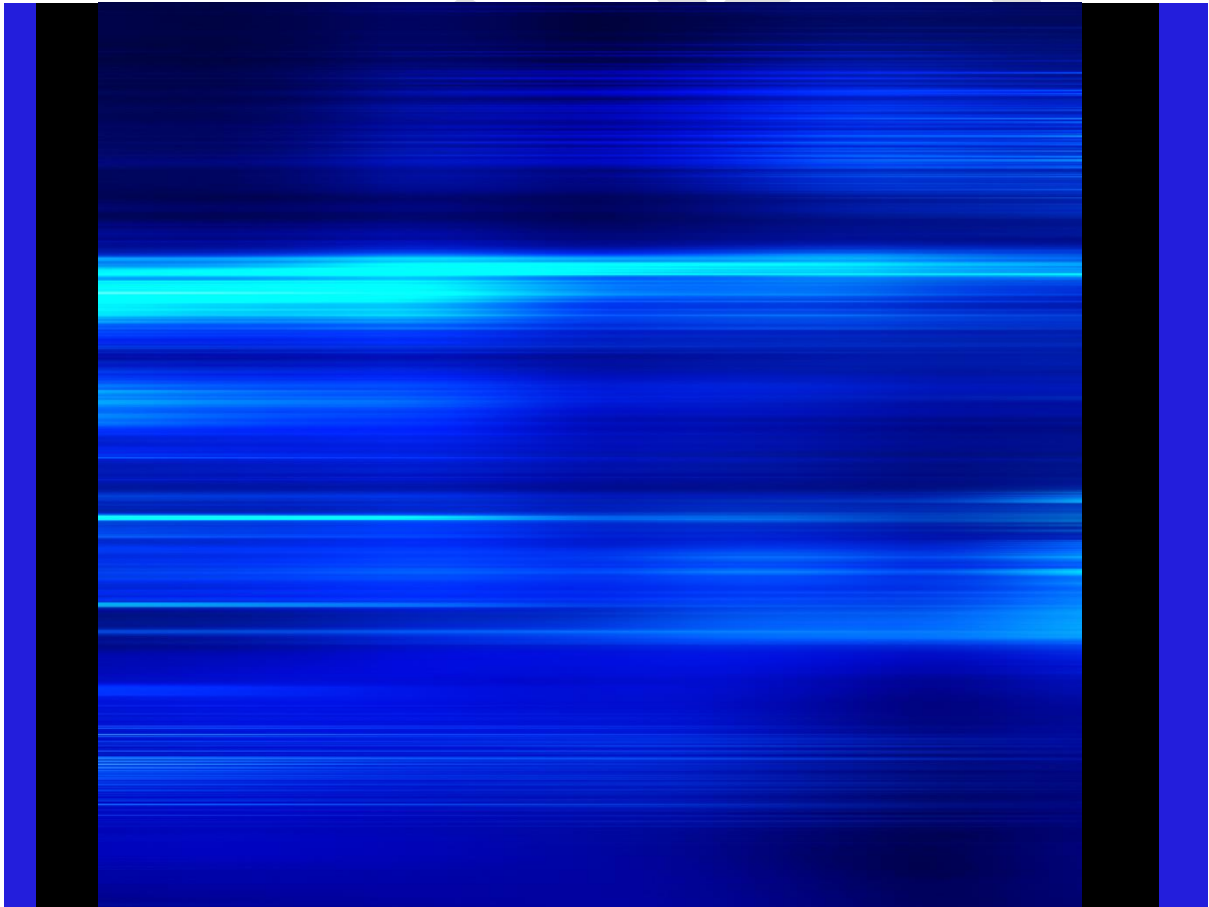
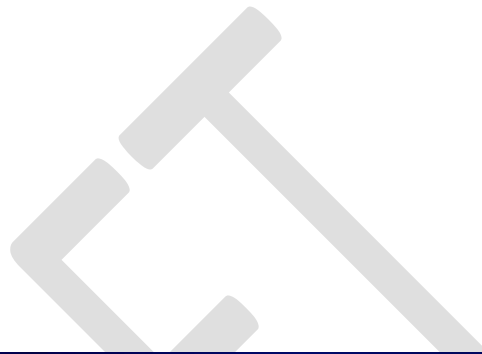
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Final Report

Document no: 1
Version: Final Report

Dundee City Council

Taxi Demand Study
12 August 2024



Final Report

Client name: Dundee City Council

Project name: Taxi Demand Study

Client reference:

Project no:

Document no: 1

Project manager: Liz Richardson

Version: Final Report

Prepared by: Liz Richardson

Date: 12 August 2024

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1	16.05.24	Draft Report	LR	PM	PM	LR
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Appendix A. Additional information 2

1. General

This taxi demand study has been conducted by Jacobs on behalf of Dundee City Council (DCC).

The overall objective is to provide a full survey of demand for taxis in Dundee and to determine whether significant unmet demand for taxis exists in terms of Section 10 (3) of the Civic Government (Scotland) Act 1982. Specific objectives of the study are to determine:

- Whether there is any significant unmet demand for taxi services in Dundee; and
- If significant unmet demand is found, recommend how many licences would be required to meet this.

This study sits in the context of both Scottish Government guidance and other relevant statutes of law (Acts) which are summarised below.

In 2023, the Scottish Government reissued Best Practice Guidance for Taxi and Private Hire licensing. The Scottish Government takes the view that decisions as to the case for limiting taxi licences should remain a matter for licensing authorities in light of local circumstances. The Guidance also provides local authorities with assistance in local decision making when they are determining the licensing policies for their local area. Guidance is provided on a range of issues including flexible taxi services, vehicle licensing, driver licensing and training.

The Equality Act 2010 provided a new cross-cutting legislative framework to protect the rights of individuals and advance equality of opportunity for all; to update, simplify and strengthen the previous legislation; and to deliver a simple, modern and accessible framework of discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

The Taxis and Private Hire Cars (Disabled Persons) Act 2022 aims to further reduce discrimination against disabled people by extending some of the existing 2010 Act duties to apply to more disabled people and more taxi operators. The amendments include: • Extending the protections currently afforded to place duties on the driver of a taxi or private hire that has been hired to transport a disabled person who is able and wants to travel in a non-wheelchair accessible vehicle. This will benefit wheelchair users whose wheelchairs can be folded and stowed while travelling in a non-designated taxi or private hire car. • Wheelchair users whose wheelchairs cannot be folded and stowed while travelling will further benefit from the new requirement on licensing authorities to publish a list of wheelchair accessible vehicles in their area – making it easier for them to identify services they can use. • Extending the protections currently afforded to wheelchair users using a designated wheelchair accessible taxi or private hire car and/or assistance dog users to all disabled passengers regardless of the vehicle they travel in

2. Background

This section of the report provides a general background to the taxi market in Dundee and the relevant legislation governing the market.

2.1 Background

Dundee is a city and council area located in eastern Scotland with a resident population of 147,720 (2021 mid-year estimate, National Records of Scotland). The city has recently been announced as a UNESCO City of Design and has received significant recent investment especially around its waterfront (some £1 billion), creating the potential for 7,000 jobs and a significant increase in visitor numbers.

In terms of the licensing of taxis and private hire vehicles, DCC operated a derestricted market until 2013 when the Licensing Committee reinstated the numerical limit at 611. An unmet demand study was undertaken in 2015 and the limit was then reduced to 605. In 2016, following a further unmet demand study, the limit was reduced further to 575. Another unmet demand study was undertaken in 2017 and the authority resolved that no new licences would be issued until the number of licences fell below 555. The last unmet demand study was undertaken in 2023 and the Council decided to reduce the numerical limit down to 475.

As of 26th May 2024 there were 455 licensed taxis operating in Dundee. Some 27% of the fleet was fully electric.

The private hire fleet consists of 176 vehicles. In view of the size of this fleet, relative to the taxi fleet, it is evident that taxis are the dominant force in the Dundee market.

2.2 Provision of Taxi Stands

There are currently 22 official taxi stances located throughout the Dundee licensing area; the locations and times of operation of each of the stances are provided in Appendix 1.

2.3 Taxi Fares and Licence Premiums

Taxi fares are regulated by the Local Authority. There are four tariffs across the following periods:

- Daytime – Monday to Sunday, 6am until 10pm
- Weekday evenings – Monday to Thursday, 10pm until 6am
- Weekend evenings – Friday to Sunday, 10pm until 6am
- Festive period – 24th December from 6pm until 6am 27th December, and 31st January from 6pm until 6am 3rd January

The standard daytime charge tariff is made up of two elements; an initial fee (or 'drop') of £3.75 for entering the vehicle and a fixed price addition of 19p per 0.1 mile, dependent on the tariff in place, or uncompleted part thereof travelled, plus fixed additions for waiting time. Fixed additional charges are also in place for extra passengers or luggage. A standard two-mile daytime fare undertaken by one individual would therefore be £6.79. The tariffs are outlined in detail in the fare card in Figure 2.1 overleaf.

Figure 2.1 – Farecard for Dundee. (Values were set 1st December 2022)

DUNDEE CITY COUNCIL - FARES FOR THE HIRE OF TAXIS
FARES 1ST DECEMBER 2022

For the first passenger carried:-

CHARGES	TARIFF 1 DAYTIME	TARIFF 2 WEEKDAY EVENINGS	TARIFF 3 WEEKEND EVENINGS	TARIFF 4 FESTIVE PERIOD
Initial hire not exceeding 4/10th of a mile (704 yards) or 189 seconds of waiting time or a combination of both time and distance	Monday to Sunday 6am to 10pm £3.75	Monday to Thursday 10pm to 6am £4.09	Friday to Sunday 10pm to 6am £4.43	Throughout period £5.11
Each additional 1/10th of a mile (176 yards) or part thereof, or 42 seconds of waiting time or part thereof, or a combination of both time and distance	19p	21p	23p	26p
EXTRAS - ALL TARIFFS	For each passenger in excess of the first passenger			50p
	For each parcel carried in the luggage compartment, boot or rack			50p
FESTIVE PERIOD	Between 6pm on 24th December until 6am on 27th December and between 6pm on 31st December until 6am on 3rd January			

NB No charge shall be made for a child's perambulator or carriage, any items designed to assist the mobility of users such as wheelchairs or walkers, a bag or bags containing loose groceries or shopping carried in a taxi, whether in the luggage compartment or inside the taxi.

SOILING CHARGE (which results in the vehicle being taken off service for any period of time) Minimum - £25, Maximum - £50

1st December 2022

The trade magazine, Private Hire and Taxi Monthly, publish monthly league tables of the fares for 365 authorities across the UK over a two-mile journey. Each journey is ranked with one (1st) being the most expensive. The April 2024 table showed that Dundee rated 219^h in the table, indicating that Dundee has lower than average fares.

Table 2.1 overleaf provides a comparison of other similar authorities in Scotland, based on population figures and the presence of a large city or town, in terms of their rank based on fares.

Table 2.1 - Comparison of neighbouring authorities in terms of fares (Source: Private Hire and Taxi Monthly, April 2024)

Local Authority	Rank
City of Edinburgh	27
Glasgow City	41
Fife	91
South Lanarkshire – Cambuslang	208
West Lothian	215
Dundee	219
Aberdeen City	232
South Lanarkshire – E Kilbride	241
Renfrewshire	290
South Lanarkshire – Clydesdale	293
North Lanarkshire	325
South Lanarkshire – Hamilton	326

This table shows that fares in Dundee are mid-range in comparison to other similar authorities.

3. Definition, Measurement and Removal of Significant Unmet Demand

3.1 Introduction

This section provides a definition of significant unmet demand derived from experience of over 100 unmet demand studies since 1987. This leads to an objective measure of significant unmet demand that allows clear conclusions regarding the presence or absence of this phenomenon to be drawn.

Following this definition, a description is provided of the Significant Unmet Demand Simulation Model (SUDSIM) which is a tool developed to determine the number of taxi licences required to eliminate significant unmet demand, where such unmet demand is found to exist. This method has been applied to numerous local authorities across the UK and has been tested in the courts as a way of determining if there is unmet demand for taxis.

3.2 Overview

Significant Unmet Demand (SUD) has two components:

- Patent demand – that which is directly observable; and
- 'Suppressed' demand – that which is released by additional supply.

Patent demand is measured using stance observation data. Suppressed (or latent) demand is assessed using data from the stance observations and public attitude interview survey. Both are brought together in a single measure captured as an Index of Significant Unmet Demand (ISUD).

3.3 Defining Significant Unmet Demand

The provision of evidence to aid licensing authorities in making decisions about taxi provision requires that surveys of demand be carried out. Results based on observations of activity at taxi stances have become the generally accepted minimum requirement.

The definition of significant unmet demand is informed by two Court of Appeal judgements:

- R v Great Yarmouth Borough Council ex p Sawyer (1987); and
- R v Great Castle Point Borough Council ex p Maude (2002).

The Sawyer case provides an indication of the way in which an Authority may interpret the findings of survey work. In the case of Sawyer v Yarmouth City Council, 16 June 1987, Lord Justice Woolf ruled that an Authority is entitled to consider the situation from a temporal point of view as a whole. It does not have to condescend into a detailed consideration as to what may be the position in every limited part of the Authority in relation to the particular time of day. The authority is required to give effect to the language used by the Section (Section 16) and can ask itself with regard to the area as a whole whether or not it is satisfied that there is no significant unmet demand.

The term 'suppressed' or 'latent' demand has caused some confusion over the years. It should be pointed out that following Maude v Castle Point Borough Council, heard in the Court of Appeal in October 2002, the term is now interpreted to relate purely to that demand that is measurable. Following Maude, there are two components to what Lord Justice Keene prefers to refer to as 'suppressed demand':

- What can be determined inappropriately met demand. This is current observable demand that is being met by, for example, private hire cars illegally ranking up; and

- That which arises if people are forced to use some less satisfactory method of travel due to the unavailability of a taxi.

If demand remained at a constant level throughout the day and week, the identification and treatment of significant unmet demand would be more straight-forward. If there were more cabs than required to meet existing demand, there would be queues of cabs on stances throughout the day and night and passenger waiting times would be zero. Conversely, if too few cabs were available there would tend to be queues of passengers throughout the day. In such a case it would, in principle, be a simple matter to estimate the increase in supply of cabs necessary to just eliminate passenger queues.

Demand for taxis varies throughout the day and on different days. The problem, introduced by variable demand, becomes clear when driver earnings are considered. If demand is much higher late at night than it is during the day then an increase in cab supply, which is large enough to eliminate peak delays, will have a disproportionate effect on the occupation rate of cabs at all other times. Earnings will fall, and fares might have to be increased sharply to sustain the supply of cabs at or near its new level.

The main implication of the present discussion is that it is necessary, when considering whether significant unmet demand exists, to take account of the practicability of improving the standard of service through increasing supply.

3.4 Measuring Patent Significant Unmet Demand

Taking into account the economic, administrative and legal considerations, the identification of this important aspect of significant unmet demand should be treated as a three stage process as follows:

1. Identify the demand profile;
2. Estimate the passenger and cab delays; and
3. Compare estimated delays to the demand profile.

The broad interpretation of the results obtained from undertaking this process is summarised in Table 3.1.

Table 3.1 – Existence of SUD determined by comparing demand and delay profiles

Demand is:	Delays during peak only	Delays during peak and other times
Highly peaked	No SUD	Possibly a SUD
Not highly peaked	Possibly a SUD	Possibly a SUD

It is clear from the content of the table above that the simple descriptive approach fails to provide the necessary degree of clarity to support the decision making process in cases where the unambiguous conclusion is not achievable. However, it does provide the basis of a robust assessment of the principal component of significant unmet demand. The analysis is therefore extended to provide a more formal numerical measure of significant unmet demand, which is based on the principles contained in the descriptive approach but provides greater clarity. A description is shown overleaf.

This measure feeds directly off the results of observations of activity at the stances. In particular, it takes account of:

- Case law that suggests an authority should take a broad view of the market;
- The effect of different levels of supply during different periods at the stance on service quality; and

- The need for consistent treatment of different authorities and the same authority over time.

The Index of Significant Unmet Demand (ISUD) was developed in the early 1990's and is based on the following formula. The Seasonality Factor (SF) element was introduced in 2003 and the Latest Demand Factor (LDF) element was introduced in 2006 to reflect the increased emphasis on latent demand in DfT Guidance. The ISUD calculation is as follows:

$$\text{ISUD} = \text{APD} \times \text{PF} \times \text{GID} \times \text{SSP} \times \text{SF} \times \text{LDF}$$

Where:

APD = Average Passenger Delay calculated across the entire week in minutes.

PF = Peaking Factor. If passenger demand is highly peaked at night, the factor takes the value of 0.5. If it is not peaked the value is 1. Following case law, this provides dispensation for the effects of peaked demand on the ability of the Trade to meet that demand. To identify high peaking we are generally looking for demand at night (at weekends) to be substantially higher than demand at other times.

GID = General Incidence of Delay. This is measured as the proportion of passengers who travel in hours where the delay exceeds one minute.

SSP = Steady State Performance. The corollary of providing dispensation during the peaks in demand is that it is necessary to focus on performance during "normal" hours. This is measured by the proportion of hours during weekday daytimes when the market exhibits excess demand conditions (i.e. passenger queues form at stances).

SF = Seasonality Factor. Due to the nature of these surveys, it is not possible to collect information throughout an entire year to assess the effects of seasonality. Experience has suggested that taxi demand does exhibit a degree of seasonality and this is allowed for by the inclusion of a seasonality factor. The factor is set at a level to ensure that a marginal decision either way obtained in an "untypical" month will be reversed. This factor takes a value of 1 for surveys conducted in September to November and March to June, i.e. "typical" months. It takes a value of 1.2 for surveys conducted in January and February and the longer school holidays, where low demand and the absence of contract work will bias the results in favour of the taxi trade. A value of 0.8 is applied for surveys conducted in December during the pre-Christmas rush of activity. Generally, surveys in these atypical months, and in school holidays, should be avoided.

LDF = Latent Demand Factor. This is derived from the public attitude survey results and provides a measure of the proportion of the public who have given up trying to obtain a taxi, at either a stance or by flagdown, during the previous three months. It is measured as 1+ proportion giving up waiting. The inclusion of this factor is a tactical response to the latest guidance.

The product of these six measures provides an index value. The index is exponential and values **above the 80 mark** have been found to indicate significant unmet demand. This benchmark was defined by applying the factor to the 25 or so studies that had been conducted at the point it was developed. These earlier studies had used the same principles but in a less structured manner. The highest ISUD value for a study where a conclusion of no significant unmet demand had been found was 72. The threshold was therefore set at 80.

The ISUD factor has been applied to over 80 studies by Jacobs and has been adopted by others working in the field. It has proved to be a robust, intuitively appealing and reliable measure.

Suppressed/latent demand is explicitly included in the above analysis by the inclusion of the LDF factor and because any known illegal plying for hire by the private hire trade is included in the stance observation data. This covers both elements of suppressed/latent demand resulting from the Maude case referred to above and is intended to provide a 'belt and braces' approach. A consideration of latent demand is also included where there is a need to increase the number of taxi licences following a finding of significant unmet demand. This is discussed in the next section.

3.5 Determining the Number of New Licences Required to Eliminate Significant Unmet Demand

To provide advice on the increase in licences required to eliminate significant unmet demand, Jacobs has developed a predictive model. Significant Unmet Demand Simulation Model (SUDSIM) is a product of 20 years experience of analysing taxi demand. It is a mathematical model which predicts the number of additional licences required to eliminate significant unmet demand as a function of key market characteristics.

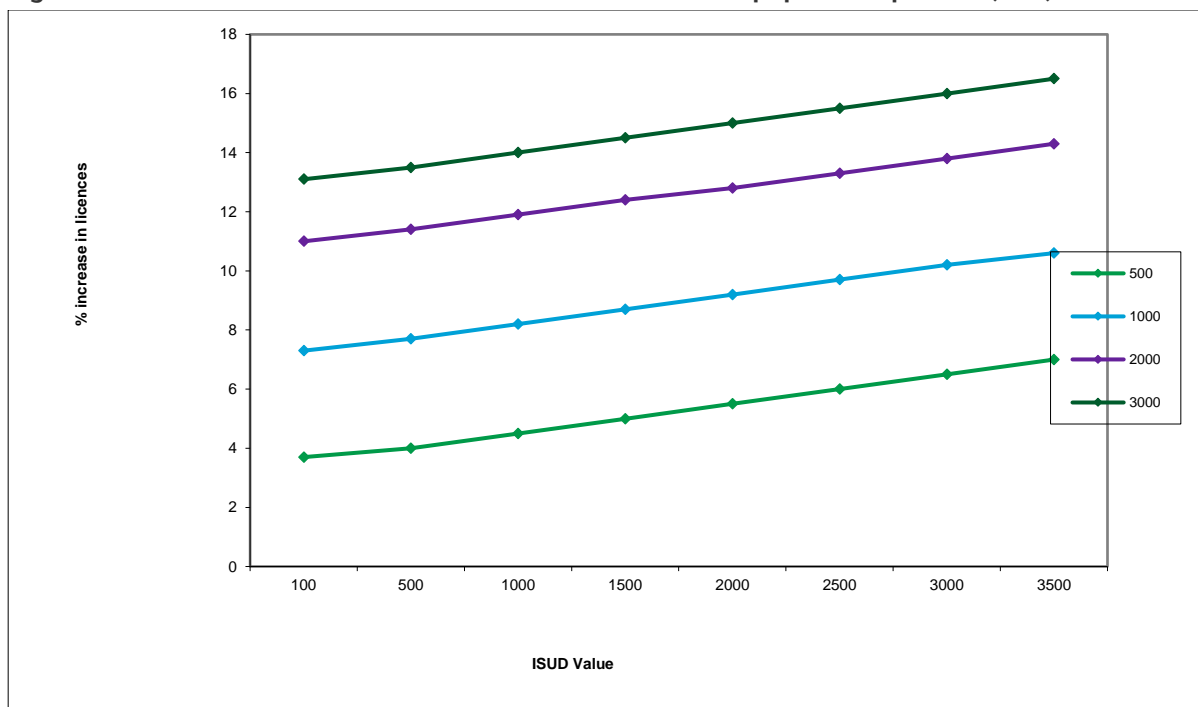
SUDSIM represents a synthesis of a queue simulation work that was previously used (1989 to 2002) to predict the alleviation of significant unmet demand and the ISUD factor described above (hence the term SUDSIM). The benefit of this approach is that it provides a direct relationship between the scale of the ISUD factor and the number of new hackney licences required.

SUDSIM was developed taking the recommendations from 14 previous studies that resulted in an increase in licences and using these data to calibrate an econometric model. The model provides a relationship between the recommended increase in licences and three key market indicators:

- The population of the licensing authority;
- The number of taxis already licensed by the licensing authority; and
- The size of the SUD factor.

The main implications of the model are illustrated in Figure 3.1 below. The figure shows that the percentage increase in a taxi fleet required to eliminate significant unmet demand is positively related to the population per taxi (PPT) and the value of the ISUD factor, over the expected range of these two variables.

Figure 3.1 – Forecast increase in taxi fleet size as a function of population per taxi (PPT) and the ISUD value



Where significant unmet demand is identified, the recommended increase in licences is therefore determined by the following formula:

$$\text{New Licences} = \text{SUDSIM} \times \text{Latent Demand Factor}$$

Where:

Latent Demand Factor = (1 + proportion giving up waiting for a taxi at either a stance or via flagdown).

3.6 Note on Scope of Assessing Significant Unmet Demand

It is useful to note the extent to which a licensing authority is required to consider peripheral matters when establishing the existence or otherwise of significant unmet demand. This issue is informed by *R v Brighton Borough Council, ex p Bunch* 1989¹. This case set the precedent that it is only those services that are exclusive to taxis that need concern a licensing authority when considering significant unmet demand. Telephone booked trips, trips booked in advance or indeed the provision of bus type services are not exclusive to taxis and have therefore been excluded from consideration.

¹ See Button JH 'Taxis – Licensing Law and Practice' 2nd edition Tottel 2006 P226-7

4. Evidence of Patent Unmet Demand – Stance Observation Results

4.1 Introduction

This section of the report highlights the results of the stance observation survey. The stance observation programme covered a period of 225 hours during March 2024². Some 10,338 passengers and 8,542 departures were recorded across eight selected stances. A summary of the stance observation programme is provided in Appendix 2.

The results presented below summarise the information and draw out its implications. This is achieved by using five indicators:

- The Balance of Supply and Demand – this indicates the proportion of the time that the market exhibits excess demand, equilibrium and excess supply.
- Average Delays and Total Demand – this indicates the overall level of passengers and cab delays and provides estimates of total demand.
- The Demand/Delay Profile – this provides the key information required to determine the existence or otherwise of significant unmet demand.
- The Proportions of Passengers Experiencing Given Levels of Delay – this provides a guide to the generality of passenger delay.

4.2 The Balance of Supply and Demand

The results of the analysis are presented in Table 4.1 below. The predominant market state is one of equilibrium. Excess supply (queues of cabs) was experienced during 9% of the hours observed while excess demand (queues of passengers) was experienced 12% of the hours observed. Conditions were generally favourable to customers at all times of the day.

Table 4.1 – The balance of supply and demand in the Dundee stance-based taxi market (percentage of hours observed)

Period		Excess Demand (Max Passenger Queue ≥ 3)	Equilibrium	Excess Supply (Min Cab Queue ≥ 3)
Weekday	Day	4	79	17
	Night	16	75	9
Weekend	Day	8	83	8
	Night	21	77	2
Sunday	Day	11	82	8
2024		12	79	9

² Due to the time constraints of the study the rank observations were undertaken during Ramadan, which may have had an impact on delays at ranks.

Period	Excess Demand (Max Passenger Queue ≥ 3)	Equilibrium	Excess Supply (Min Cab Queue ≥ 3)
Total 2023	15	75	10
Total 2019	11	53	37
Total 2018	8	71	21
Total 2016	8	64	28
Total 2015	8	46	46
Total 2013	6	60	34

NB – Excess Demand = Maximum passenger queue ≥ 3 . Excess Supply = Minimum Cab Queue ≥ 3 – values derived over 12 time periods within an hour.

As detailed in Table 4.1, conditions have remained similar for passengers since the previous study in 2023. The number of hours where excess demand was observed has **decreased to 12%** while the hours the market is in equilibrium has **increased from 75% to 79%**.

4.3 Average Delays and Total Demand

The following estimates of average delays and throughput were produced for each selected stance in Dundee (Table 4.2).

The survey suggests some 10,338 passenger departures occur per week from stances in Dundee involving some 8,542 cab departures. The taxi trade is concentrated at the stance at Nethergate (Steeple Church), accounting for 52% of the total passenger departures. On average cabs wait 8.93 minutes for a passenger. On average passengers wait 0.72 minutes for a cab.

Since the previous study in 2023, passenger demand and delay has remained **relatively stable**.

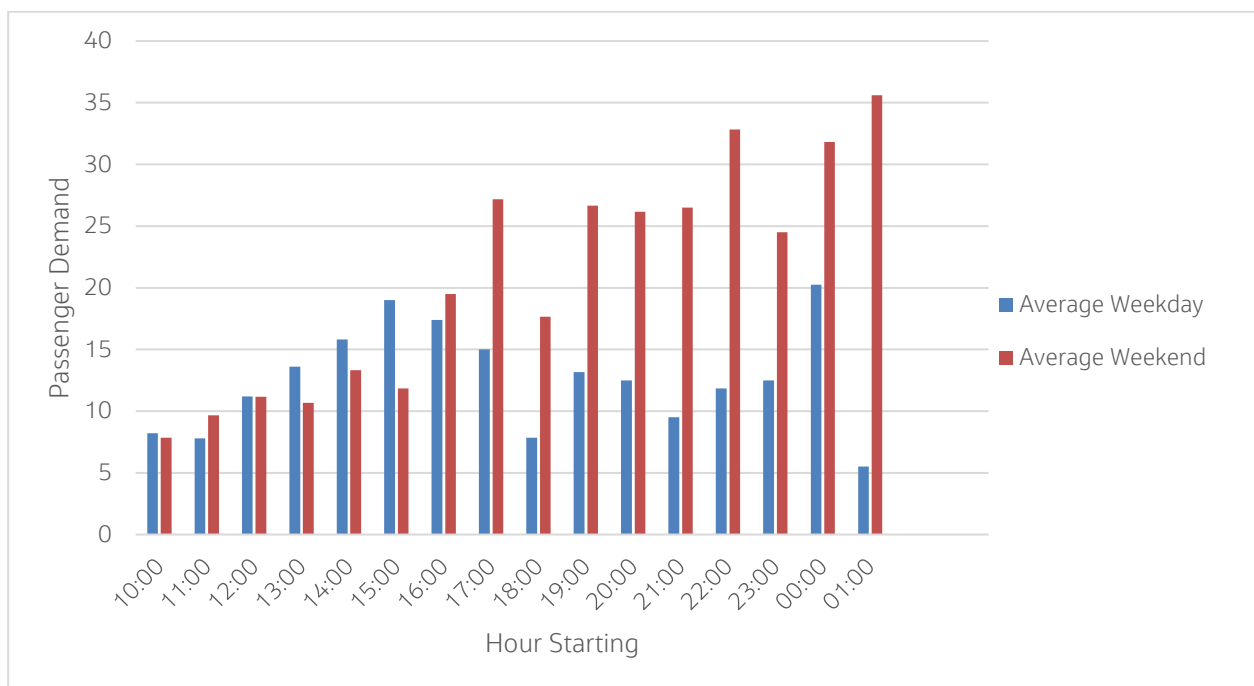
Table 4.2 Average Delays and Total Demand (Delays in Minutes)

Stance	Passenger Departures	Cab Departures	Average Passenger Delay in Minutes	Average Cab Delay in Minutes
Dundee Rail Station	1,613	1,152	1.10	12.48
Nethergate (Steeple Church)	5,363	4,543	0.36	8.96
Market Gait	59	165	0.43	7.58
Meadowside	24	16	0.00	17.86
Nethergate DCA	340	295	0.36	3.97
Lochee High Street	263	216	0.56	9.35
Brook Street, Broughty Ferry	1,831	1,329	1.87	4.33
Nine Wells Hospital	846	828	0.00	12.93
2024	10,338	8,542	0.72	8.93
<i>Total 2023</i>	<i>10,725</i>	<i>8,553</i>	<i>0.77</i>	<i>10.36</i>
<i>Total 2019</i>	<i>12,824</i>	<i>8,630</i>	<i>0.54</i>	<i>20.28</i>
<i>Total 2018</i>	<i>14,017</i>	<i>10,196</i>	<i>0.25</i>	<i>12.51</i>
<i>Total 2016</i>	<i>19,456</i>	<i>13,302</i>	<i>0.21</i>	<i>11.42</i>
<i>Total 2015</i>	<i>15,081</i>	<i>9,296</i>	<i>0.09</i>	<i>18.54</i>
<i>Total 2013</i>	<i>10,492</i>	<i>7,230</i>	<i>0.28</i>	<i>20.31</i>

4.4 The Delay/Demand Profile

Figure 4.1 provides a graphical illustration of passenger demand for the Monday to Saturday period between the hours of 10:00 and 01:00.

Figure 4.1 Passenger Demand by Time of Day in 2024 (Monday to Saturday)



The profile of demand shows a peak in demand between midnight and 1am on a weekday and between 1am and 2am on a weekend. Demand is much higher on a weekend.

Figure 4.2 Passenger Delay by Time of Day in 2024 (Monday to Saturday)

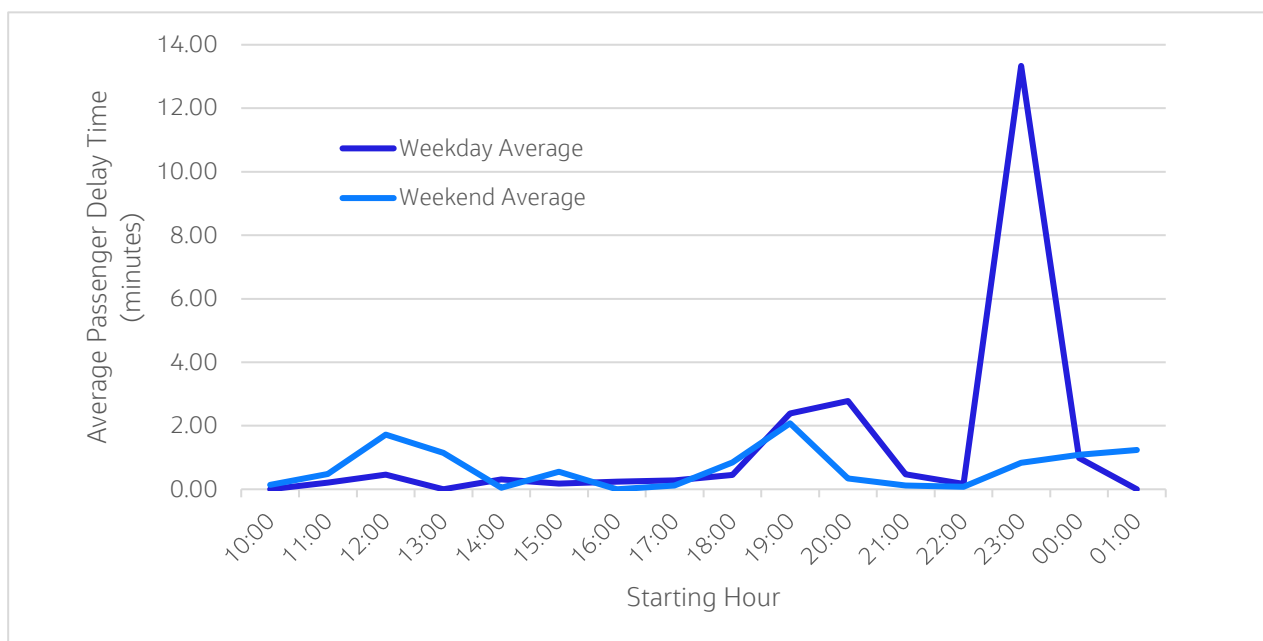


Figure 4.2 provides an illustration of passenger delay by the time of day for the weekday and weekend periods. It shows that delay peaks on weekdays between 2300 and 0000. It peaks at 1900 on weekends.

The rank observations highlighted an average delay at Brook St on a Thursday of 15 minutes between 2300 and 0000.

4.5 The General Incidence of Passenger Delay

The stance observations data can be used to provide a simple assessment of the likelihood of passengers encountering delay at stances. The results are presented in Table 4.3 below.

Table 4.3 – General incidence of passenger delay (percentage of passengers travelling in hours where delay exceeds one minute)

Year	Delay > 0	Delay > 1 min	Delay > 5 min
2024	13.92	6.97	0.57
2023	14.88	7.52	0.24
2019	7.10	3.31	0.51
2018	3.98	2.11	0.14
2016	8.29	1.73	0.00
2015	5.03	1.98	0.22
2013	9.28	2.93	0.81

In 2024, 6.97% of passengers are likely to experience more than a minute of delay. It is this proportion that is used within the ISUD as the 'Generality of Passenger Delay'. This is lower than in 2023.

Its should also be noted that the festival of Ramadan was during the rank observations. However, this appeared to have little impact on the supply of taxis and any passenger delay.

5. Public Consultation

5.1 Introduction

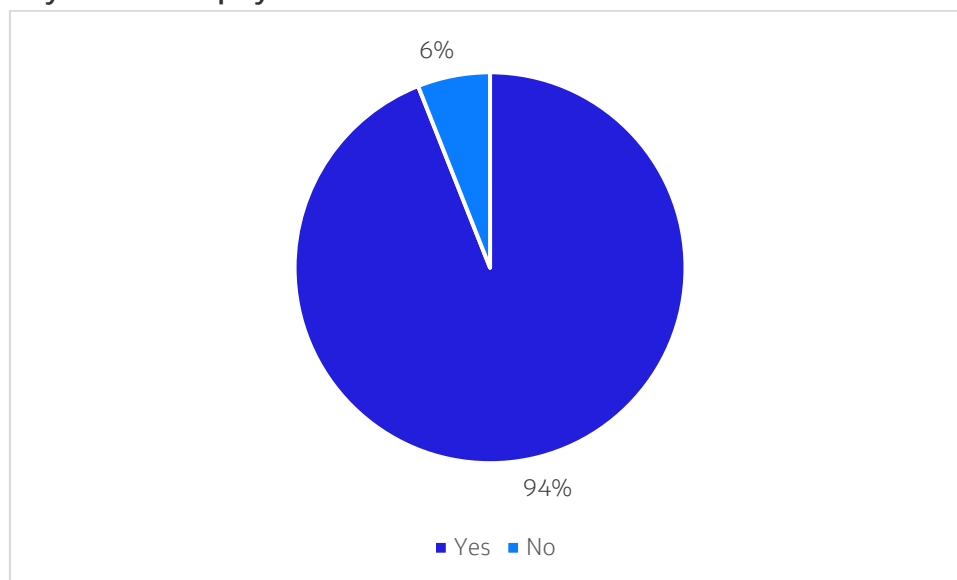
A public attitude survey was designed with the aim of collecting information regarding opinions on the taxi market in Dundee.

The survey was hosted online and promoted via DCC's website. In total, 701 people responded to the survey. It should be noted that in the tables and figures that follow the totals do not always add up to the same amount which is due to one of two reasons. First, not all respondents were required to answer all questions; and second, a number of respondents failed to answer some questions that were asked.

5.2 General Information

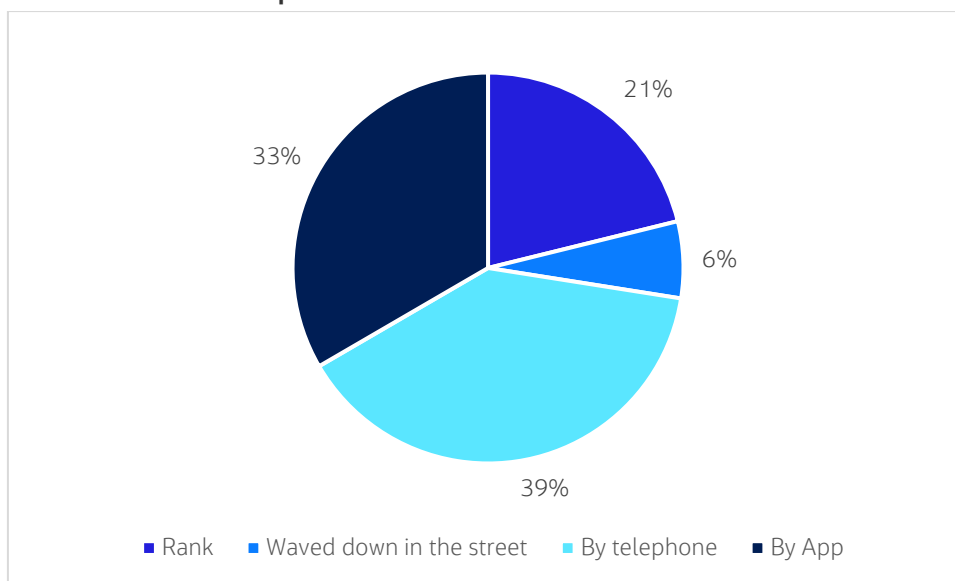
Respondents were asked whether they had made a trip by taxi in the past three months. Figure 5.1 shows that 94% of the survey population had made a trip by taxi in the last three months and only 6% (39) had not.

Figure 5.1 – Have you made a trip by taxi in the last three months?



Respondents that had identified themselves as trip makers were asked how they obtained their taxi or private hire vehicle. Of the responses, the most common answer (39%) stated that they obtained their vehicle by telephone. Some 21% hired their taxi at a rank, whereas obtaining it via an app accounted for 33%, as shown in Figure 5.2.

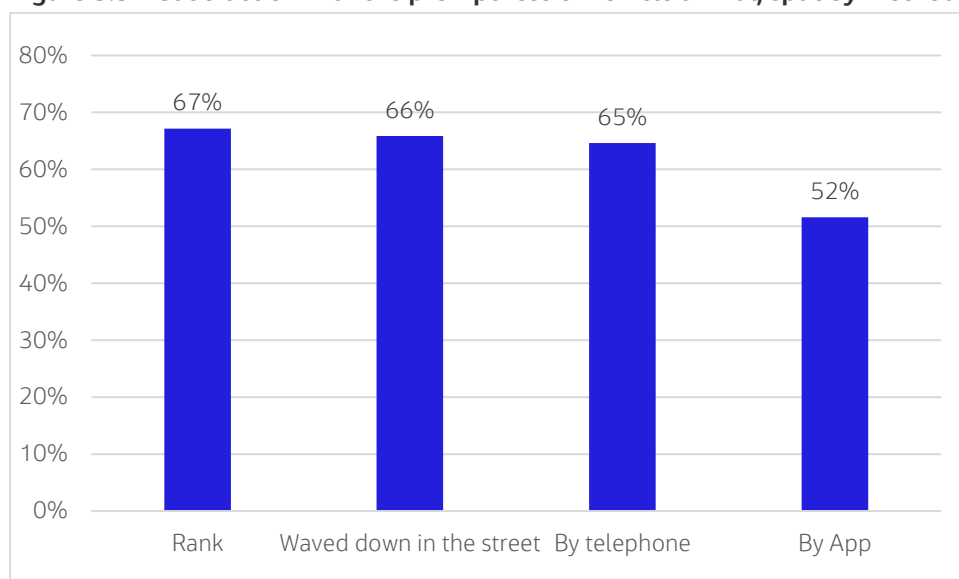
Figure 5.2 – Method of hire for last trip



Respondents were asked what type of vehicle they had obtained on their last trip. Some 81% were saloons, and 16% were wheelchair accessible – the remaining 3% were categorised as other and varied from electric cars to mini buses.

Trip makers were then asked if they were satisfied with the time taken and the promptness of the vehicle's arrival. When considering all hirings, 61% were satisfied with their last taxi journey. Figure 5.3 looks at the individual methods of hire and how that transpires to the satisfaction (presented as a percentage) with the time taken and promptness of its arrival. Obtaining your taxi at a rank presented the most satisfied respondents (67%) and the least satisfied were those who ordered by app (52%).

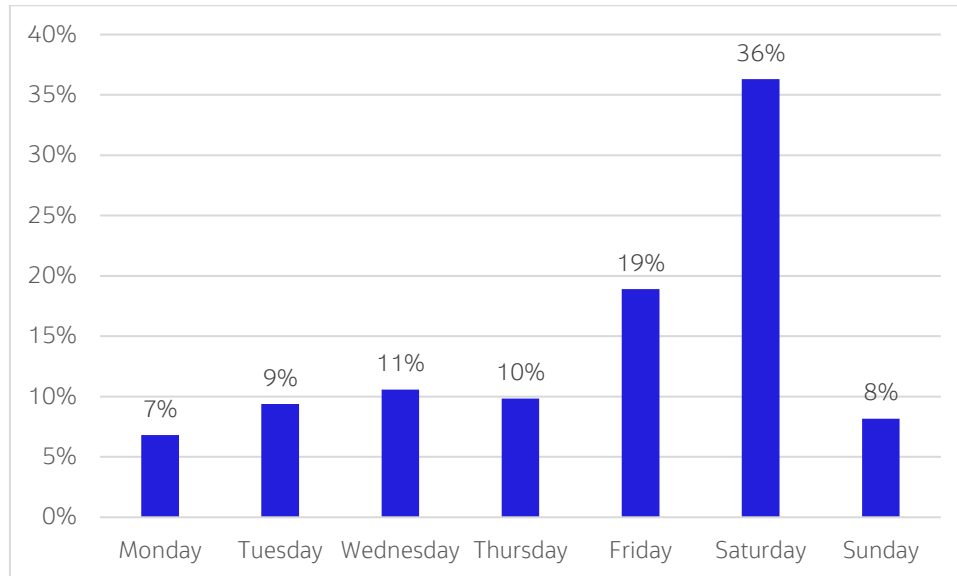
Figure 5.3 – Satisfaction with the promptness of vehicle arrival, split by method of hire



Respondents were also asked at what time of the day they obtained their taxi and on what day of the week it was. The results indicate that 35% took a taxi in the day time (before 6pm), followed by 40% in the evening (6pm-10pm) and 24% at night time (after 10pm). Figure 5.4 shows what day of the week respondents obtained

a taxi. Saturday was the most popular, with 36% of respondent's journeys occurring on this day, followed by 19% happening on a Friday. Monday was the least popular day, with only 7% of journeys occurring; generally, as it got later into the week, the days got busier.

Figure 5.4 – Day of the week respondents obtained a taxi



Respondents were asked to rate five elements from their last taxi journey in Dundee from very poor to very good. The results in Figure 5.5 show that most elements were generally good or very good. When poor ratings were given, respondents were asked to provide a reason for their rating. Negative ratings included reasons such as:

- Driver speeding, not wearing a seatbelt
- Driver didn't have enough battery to take me home
- Taxi smelt of cigarettes
- Cash only
- Long wait for a wheelchair accessible vehicle
- Driver was not clear on where he was going
- Long route taken, and
- Driver unkempt.

Figure 5.5 – Rating of last journey

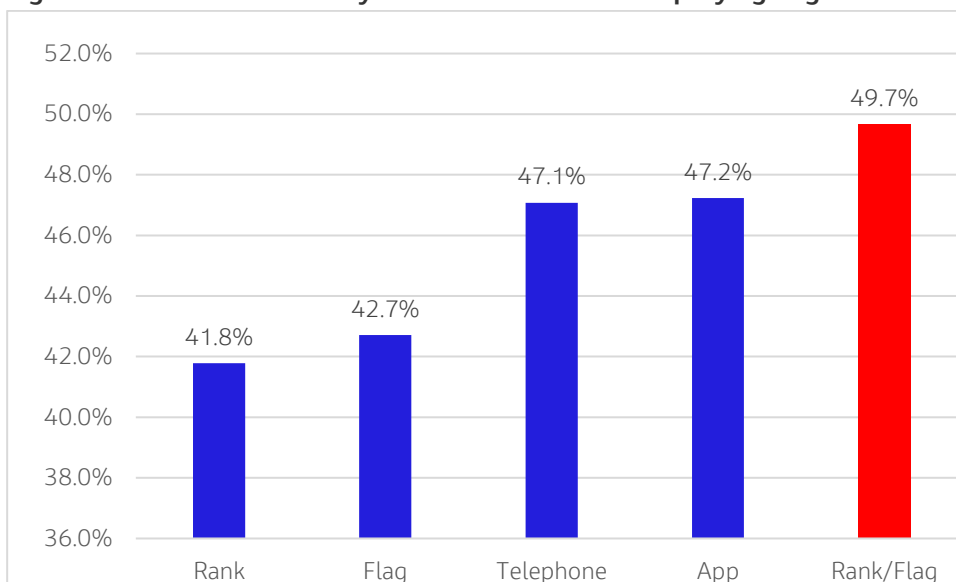


Those respondents rating aspects as poor were asked if additional driver training was required. Some 59% felt this was not necessary.

5.3 Attempted method of hire

To measure demand suppression, all respondents were asked to identify whether they had given up waiting for a taxi at a rank, on the street, by telephone or through their app in Dundee in the last three months. The results are summarised in Figure 5.6. This indicates that most people gave up waiting for a taxi by app.

Figure 5.6 – Latent demand by method of hire – Given up trying to get a taxi?

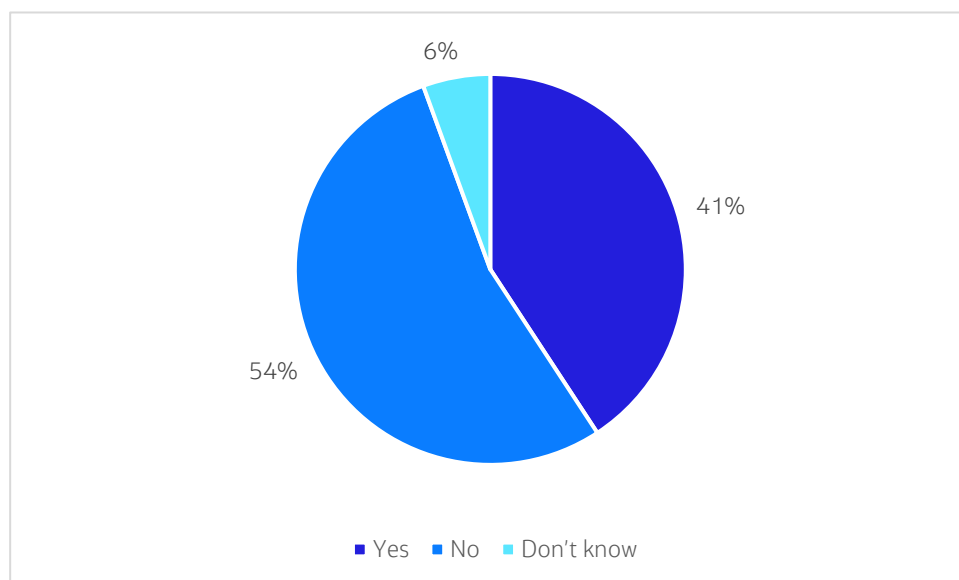


This analysis has implications for the interpretation of the results (see Chapter 8).

5.4 Service Provision

Participants were subsequently asked whether they feel there are enough taxis in Dundee at the current time for their personal needs. Some 54% commented that there are insufficient taxis in Dundee (see Figure 5.7).

Figure 5.7 – Do you think there are enough taxis in Dundee to suit your needs?



Respondents were then asked whether they supported the current limitation policy. Some 48% did not support the policy of numerically restricting taxis.

The survey then asked respondents whether taxi services in Dundee could be improved. Some 69% of the respondents believed they could be, whilst 22% felt that no improvement was needed. The remainder (9%) did not know at the time. Those that believed improvements could be made were asked how they could be improved. Some common suggestions were:

- Make them all wheelchair accessible
- More knowledgeable drivers
- More taxis at busy times
- More customer service training
- More drivers, and
- Allow credit and debit cards.

5.5 Ranks

Respondents were asked if they felt there was enough provision of taxi ranks in Dundee. Some 53% of respondents felt that there are currently enough ranks in Dundee. Suggested improvements from respondents who answered 'no' are listed in Table 5.1.

Table 5.1 – Suggested improvements for taxi ranks in Dundee

Suggested Improvement	No. of Responses
Provide information on location of existing	46
Provide new ranks	103
Improve signage of existing ranks	44
All of the above	11
Other	32

A number of other suggested improvements included:

- Make drivers use the ranks
- More accessible pick up areas in pedestrian zones
- Allow Uber, and
- Provide taxi marshals.

Respondents were asked if there were any locations in Dundee where new ranks were needed. A total of 45% did not know, but 18% felt new ranks were needed. The most common locations cited included:

- Perth road
- Supermarkets
- Top of Hilltown
- Kingsway Retail park, and
- High St/Crichton St.

Respondents were informed that DCC set a numerical limit on the number of taxis (that can legally wait and pick up at a rank or be flagged). Some 48% did not support this policy.

5.6 Summary

Key points from the public attitude survey can be summarised as:

- 94% of the respondents have used a taxi in Dundee in the last 3 months.
- 39% of taxis have been obtained by prebooking by telephone.
- 61% of the respondents agreed that they were overall satisfied with the promptness of taxi arrival in Dundee.
- Saturday was the most popular day for a taxi service to be used.

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- 49.7% of respondents had given up trying to obtain a taxi by rank or flag down.
- 54% of respondents believe there are not enough Taxis in Dundee.

6. Consultation

6.1 Introduction

Guidelines issued by the Scottish Government state that consultation should be undertaken with the following organisations and stakeholders:

- All those working in the market;
- Consumer and passenger (including disabled) groups;
- Groups which represent those passengers with special needs;
- The Police;
- Local interest groups such as hospitals or visitor attractions; and
- A wide range of transport stakeholders such as rail/bus/coach providers and transport managers.

To consult with relevant stakeholders across Dundee, written consultation was undertaken.

6.2 Trade Consultation

A virtual focus group was held with representatives of the taxi and private hire (PH) trade.

Current restriction policy and availability of Taxis

Attendees considered that the current limitation policy should be maintained. There was recognition that at peak times there could be a longer wait for vehicles.

Attendees considered there to be more than enough taxis in Dundee at the moment and that there was no need for any more vehicles.

Ranks

It was considered that more ranks would always be welcomed especially with issues of over ranking at some locations.

Vehicles

It was felt that the quality of vehicles was improving and that the Low Emission Zone has facilitated this. However, some drivers want to see what DCC do with regard to taxis and PHCs before they commit to purchasing new vehicles. Attendees also wanted to see hybrid vehicles allowed in Dundee.

Safety

Attendees wished to see gated controlled entry at EV charging stations.

Private Hire Cars

Attendees wished to see PHCs numerically limited in Dundee.

In addition to the focus group, some members of the trade submitted views by email and this was collated by a spokesperson for the group. There views are set out below (in verbatim):

Dundee City Taxi Drivers Association

I can confirm that we do not need any more Private Hire Licences issued through Dundee City Council. due to the following reasons;

1. We have more than demand for white plates on the road, which are mostly electric cars, which increase congestion in the city.
2. These hold the charging stations to get other vehicles charged while waiting for the job assigned through the office.
 1. Directly impact the livelihood of the other taxi drivers who do not work through office i.e street cabs.
3. Oversaturation negatively impact traditional public transports services.
4. Excess of Private Hire Taxis pick up the fares from the street and pretend that they have rebooked jobs from office specially on weekend busy time.
5. Private hire jobs are already despatched through office both taxis and private hire same time. So, enough taxis available to cover Dundee Public Taxis or transportation demand.

RMT

The reason our members at the RMT are asking for the private hire should be capped is there is a few reasons

- 1) There is enough hire & reward vehicles in Dundee (you will get complaints from people who only use them at the weekend.)
- 2) It is so easy to fit the criteria to put a private hire you don't get experience of an operator that has been in the trade long enough.
- 3) Other cities are curtailing the use of private hire (Edinburgh).

I apologise for late reply, we only have 4 private cars the rest are all yellow plate taxis which are between 45 to 50 cars it varies, we take approximately 18000 to 20000 thousand completed jobs a month, the private hire do cover more jobs then yellow plates since they don't have an option to pick up from the street other than that, all our jobs are sent out on the system there is no favourite between private hire and yellow plates, when the ranks are busy that's the only time we struggle other then that we cover all jobs quite comfortably, I don't think we need any more white plates...i hope this for fill your requirements, if you need any more information please feel free to contact myself, thanks

Anonymous trade member

I have a 30 private hire operators. Jobs aren't allocated to private hire or taxi. Its goes by the nearest car in the area. I feel there is enough private hire cars in Dundee to cover customer demands between the 3 taxi Company's in Dundee.

Tele taxis /private hire

1. We have 157 private hire vehicles in Tele Taxis office
2. Private Hire cars are allocated the same Hackney cars when it comes to jobs, if a customer phones for a car they can either get a taxi or private hire vehicle, there is no difference in the way we allocate work to them.
3. We definitely feel there are more than enough private hire vehicles in Dundee City, as there is just about enough work out there for the amount of cars in the city at the moment and if any more licences were issued it would severely impact the drivers.

6.3 Indirect (Written) Consultation

A number of stakeholders were contacted by email and signposted to an online consultation. This assured that Scottish Government guidelines were fulfilled and all relevant organisations and bodies were provided with an opportunity to comment.

In accordance with advice issued by the Scottish Government, the following organisations were contacted:

- Dundee City Council;

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- Trade representatives;
- User/disability groups representing those passengers with special needs;
- Local interest groups including hospitals, visitor attractions, entertainment outlets and education establishments; and
- Rail bus and coach operators.

A summary of the responses received are provided below.

Dundee Taxi Association

Dundee Taxi Association (DTA) provided the following response:

“There are more than enough Private Hire in Dundee. There are no separate Private Hire offices in Dundee they work from same office as Taxis like a call centre. When a customer calls for a Taxi they can be sent a Private Hire. When Taxis or Private Hire drop off they are marked in that area with No preference. As there are no such thing as return to base now for Private Hire sector they simply sit marked in areas with Taxis. If a Private Hire is marked first or when they become first they are sent the next job. They are basically like a Taxi that can't sit on a rank which is just as well as Taxis more often than not can't get on a rank. I would also ask you to consider the following. Earnings are dropping, the low Emission Zones are starting end of May start of June & Taxis Private Hire will have to have more up to date vehicles which don't come cheap. Insurance for all vehicles are going through the roof as are repairs & maintenance. The Taxi & Private Hire needs some help and some breathing space. For those reasons the Dundee Taxi Association would ask that Taxis and Private Hire should be limited”

Dundee Access Panel

A member of the Access panel considered there not to be enough taxis or PHCs in Dundee, especially at peak times. They also suggested that some drivers avoided picking up wheelchair users at ranks.

7. Deriving the Significant Unmet Demand Index Value

7.1 Introduction

The data provided in the previous chapters can be summarised using the Jacobs ISUD factor as described in Chapter 3.

The component parts of the index, their source and their values are given below:

Average Passenger Delay (Table 4.2)	0.72
Peak Factor (Figure 4.2)	1
General Incidence of Delay (Table 4.3)	6.97
Steady State Performance (Table 4.1)	4
Seasonality Factor (Section 3)	1
Latent Demand Factor (Section 5)	1.497
ISUD (0.72*1*6.97*4*1*1.497)	30

The cut off level for a significant unmet demand is 80. It is clear that Dundee is well below this cut off point as the ISUD is 30, indicating that there is **NO significant unmet demand**. This conclusion covers both patent and latent/suppressed demand.

8. Supply of Taxis

8.1 Introduction

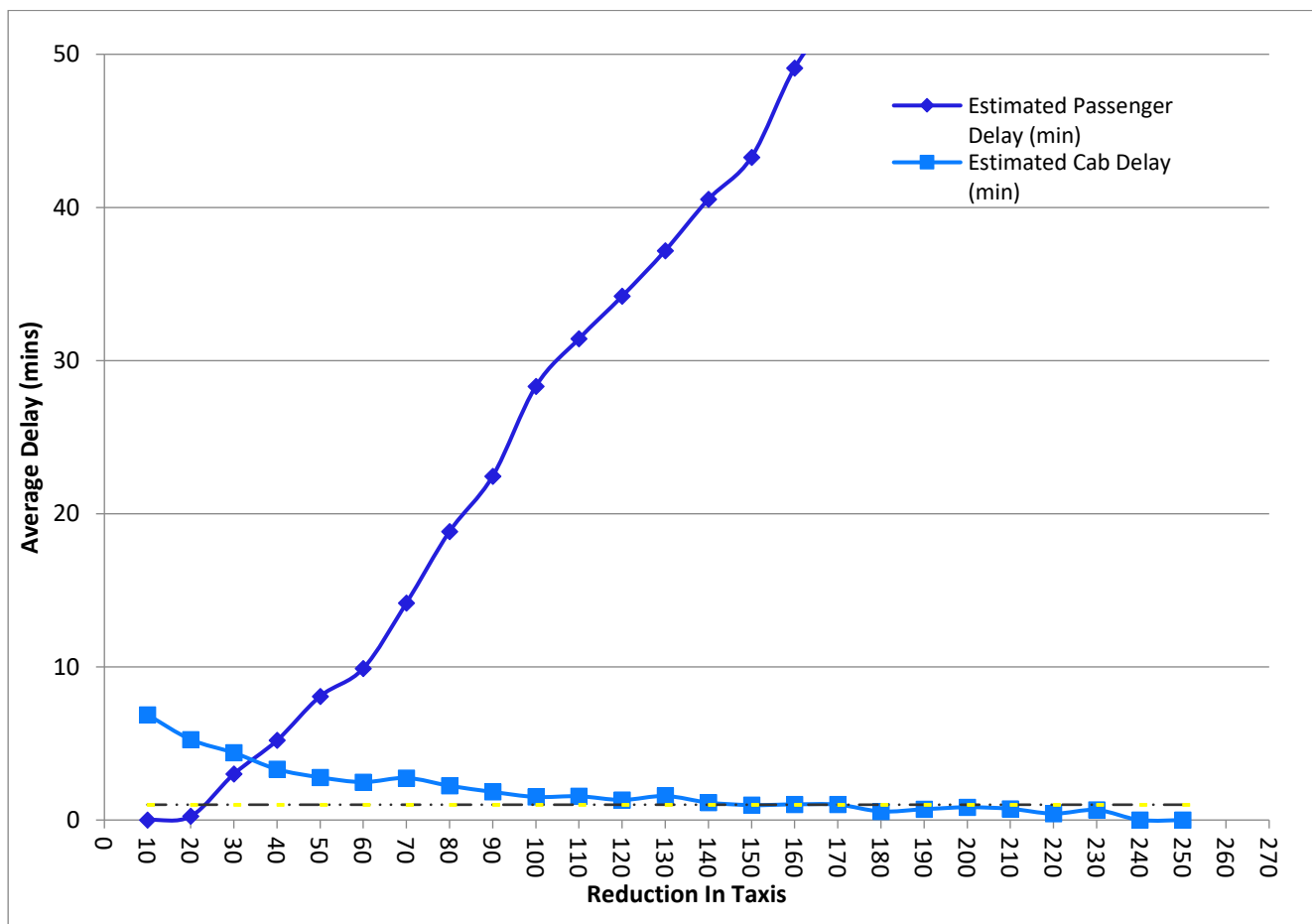
To examine the extent to which there may be an excess supply of vehicles, relative to demand in Dundee, a simulation exercise has been conducted. The exercise used Jacob's STAR4 simulation model (Simulation of Taxis at Ranks). The simulation takes a typical daytime observation period (in this case Nethergate stance between 10am and 6pm on 15th March 2024) and estimates the impact of reducing the number of vehicles serving the stance on cab and passenger queues and delays. The analysis is intended to be indicative of the general impact of reduced supply and should not be interpreted as a recommendation for any given reduction in the size of the fleet. The results of the analysis are presented in Figure 8.1 below.

8.2 Analysis

The analysis shows that the removal of around 18 licences from circulation on the day in question would have been unlikely to have resulted in any passenger delay at the stance. On the other hand, cabs at the stance would have experienced significantly faster turn-around times. A reduction in the fleet beyond this would result in the introduction of passenger delay at the stance, with the level of passenger delay generally increasing as the fleet is reduced in size. Average passenger delay would reach 1 minute if the fleet were to be reduced by 25 vehicles.

This exercise was designed to show the effect of removing licences during typical day time conditions. However, during non-typical conditions i.e. at a busy night time stance, the effect may differ.

Figure 8.1 – Assessment of Supply – Simulation Results



9. Summary and Conclusions

9.1 Introduction

Jacobs has conducted a study of the taxi market on behalf of Dundee City Council. The present study has been conducted in pursuit of the following objectives. To determine:

- Whether or not there is a significant unmet demand for taxi services within Dundee as defined in Section 16 of the Transport Act 1985; and
- How many additional taxis are required to eliminate any significant unmet demand.

This section provides a brief description of the work undertaken and summarises the conclusions.

9.2 Significant Unmet Demand

The 2024 study has identified that there is **NO evidence** of significant unmet demand for taxis in Dundee. This conclusion is based on an assessment of the implications of case law that has emerged since 2000 and the results of Jacobs's analysis.

It is clear from the results that **demand for taxi services has remained relatively stable in Dundee** since the last survey in 2023, but that people are well served by the trade given that passenger delay has remained at similar levels. However, there were some instances of longer delays especially at night.

9.3 Public Perception

Public perception of the service was obtained through the undertaking of an online survey. Overall, the public were generally satisfied with the service. Key points included:

- 94% of the respondents have used a taxi in Dundee in the last 3 months.
- 39% of taxis have been obtained by prebooking by telephone.
- 61% of the respondents agreed that they were overall satisfied with the promptness of taxi arrival in Dundee.
- Saturday was the most popular day for a taxi service to be used.
- 49.7% of respondents had given up trying to obtain a taxi by rank or flag down.
- 54% of respondents believe there are not enough Taxis in Dundee.

9.4 Recommendations

Our 2024 study has identified that there is **NO evidence of significant demand in Dundee**. This conclusion covers both patent and latent/suppressed demand and is based on an assessment of the implications of case law that has emerged since 2000 and the results of our analysis. Although the numerical limit was reduced to 475, the study was undertaken when there were 487 taxis in operation.

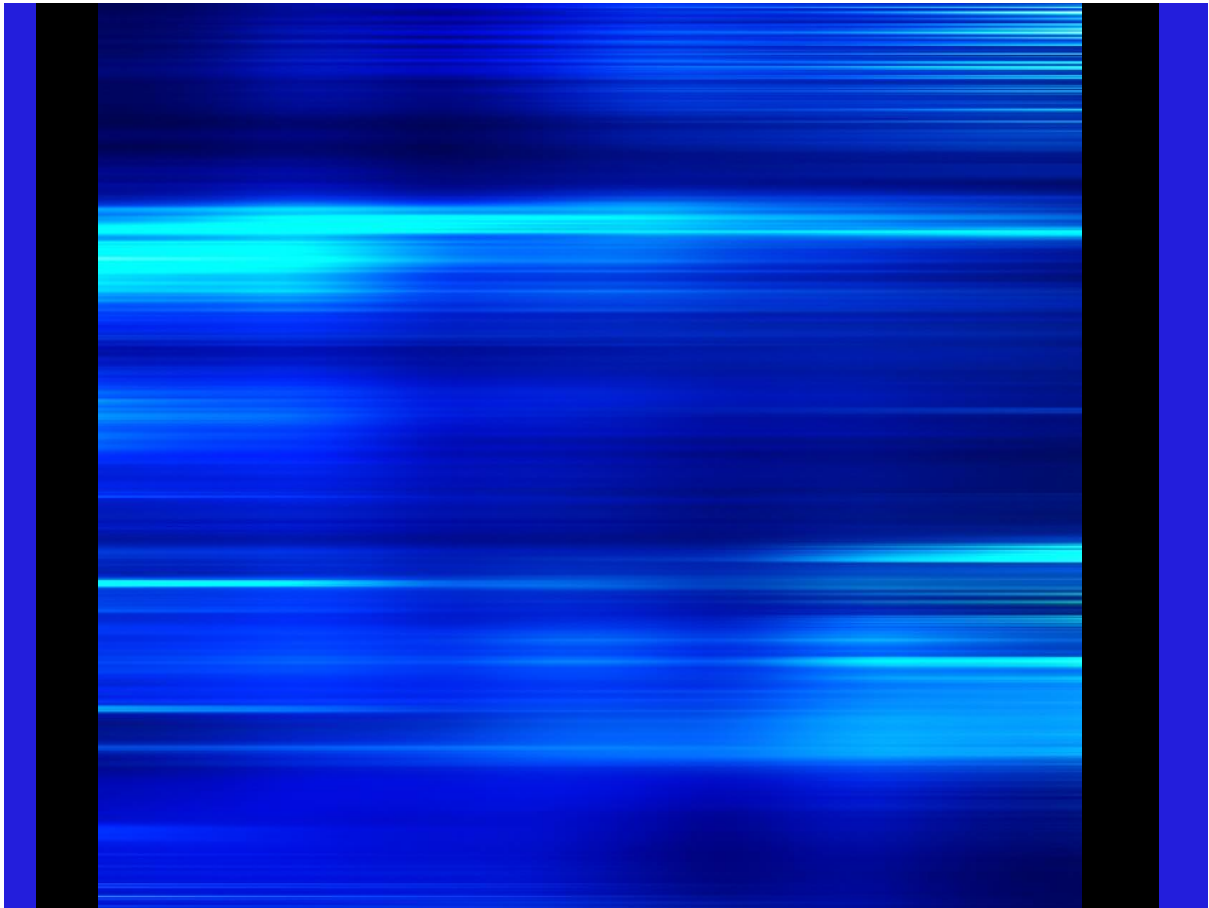
On this basis, the authority has the discretion in its taxi licensing policy and may either:

- Maintain the current limit of 475 taxi licences;
- Issue any number of additional plates as it sees fit, either in one allocation or a series of allocations;
or
- Reduce the numerical limit to 469.

Final Report

Dundee City Council

Private Hire Car Overprovision study
12 August 2024



Final Report

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1. Background

1.1 Objectives

Jacobs has been commissioned by Dundee City Council (DCC) to undertake an assessment of Private Hire Car (PHC) numbers in the city and identify whether a state of over provision currently exists. The main objectives to be addressed are:

- Determine what evidence of 'overprovision' of PHCs currently exists in the DCC area.
- If there is evidence of PHC overprovision, to make recommendations as to the number of licences necessary to meet demand from passengers and, therefore, a figure for a cap.
- If there is evidence of PHC overprovision, to assess what level of licences would be sustainable and, therefore, whether the Council should decide to adopt a policy regarding overprovision and the number of licences beyond which the Council should refuse to issue licences under Section 10 3A of the 1982 Act.
- Research the attitude of the relevant trade with respect to introducing any cap on numbers.
- Carry out independent research of public and other stakeholder attitudes on the need/support for such a cap.
- Make relevant recommendations to amend existing Council policy or introduce new policy.

1.2 Regulatory Background

In May 2017, amendments made to the Civic Government (Scotland) Act 1982 ("the 1982 Act") by Air Weapons and Licensing (Scotland) Act 2015 came into effect with the introduction of new Sections 10(3A), (3B) and (3C). This change in legislation introduced provisions to allow Licensing Authorities in Scotland to limit or cap the number of PHC licences issued. The relevant amendments to reflect such provisions were:

- **(3A)** Without prejudice to paragraph 5 of Schedule 1, the grant of a private hire car licence may be refused by a licensing authority if, but only if, they are satisfied that there is (or, as a result of granting the licence, would be) overprovision of private hire car services in the locality (or localities) in their area in which the private hire car is to operate.
- **(3B)** It is for the licensing authority to determine the localities within their area for the purposes of subsection (3A) and in doing so the authority may determine that the whole of their area is a locality.
- **(3C)** In satisfying themselves as to whether there is or would be overprovision for the purposes of subsection (3A) in any locality, the licensing authority must have regard to:
 - (a) the number of private hire cars operating in the locality; and
 - (b) the demand for private hire car services in the locality.

The statutory test in the 2015 Act is, however, different from the well-known test for 'unmet demand' for taxis. The Scottish Government issued guidance to Licensing Authorities on 24th October 2019 on how to assess overprovision (Private Hire Car Overprovision Assessment - Potential Assessment Tools, An Independent Report¹).

To date, there is only one example of a Scottish Council introducing a cap back in July 2019 prior to the guidance being published. This issue is untested in the courts and was introduced before guidance was published by the Scottish Government.

Following review of the 2019 Taxi Unmet Demand report, the Licensing committee agreed to include PHCs in order to determine if there was over provision. A further study was undertaken in 2023 and the Council decided not to introduce a cap.

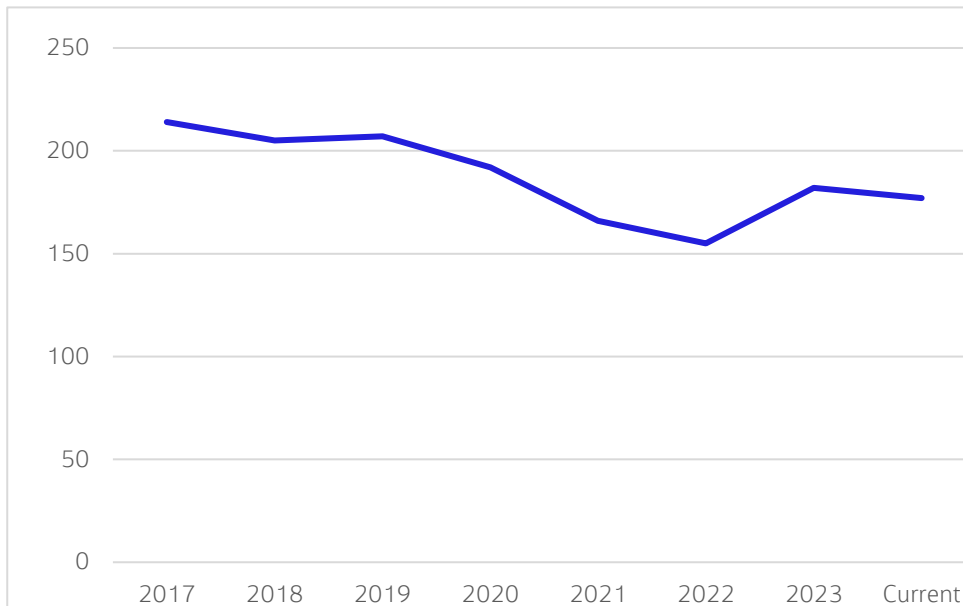
The PHC fleet in Dundee has fluctuated in size over the last ten years. However, it has always been smaller than the Taxi fleet in contrast to the majority of licensing authorities who numerically limit taxis.

¹ <https://www.gov.scot/publications/private-hire-car-overprovision-assessment-potential-assessment-tools-independent-report-produced-scottish-government/>

1.3 Vehicle numbers

Unlike Taxi vehicle licences, PHCs have not been numerically limited in Dundee. Numbers have fluctuated over time as detailed below in Figure 1-1. The number of vehicles peaked in 2017 (214) before steadily reducing every year to 2022. They then started to increase peaking at 182 in 2023 and have since been declining to a current level of 177.

Figure 1-1 PHC numbers in Dundee



To drive a PHC in Dundee, a PHC drivers' licence is required. However, this only permits the holder to drive a PHC that is not fitted with a taximeter. Anyone wishing to drive a PHC which is fitted with a taximeter should apply for a Taxi Driver's Licence. With this in mind, Figure 1-2 below shows previous and current numbers of Taxi and PHC drivers operating in the city. This figure demonstrates that driver numbers have remained relatively stable between 2017 and 2023 but have steadily declined in 2024.

Figure 1-2 PHC Driver Numbers operating in Dundee

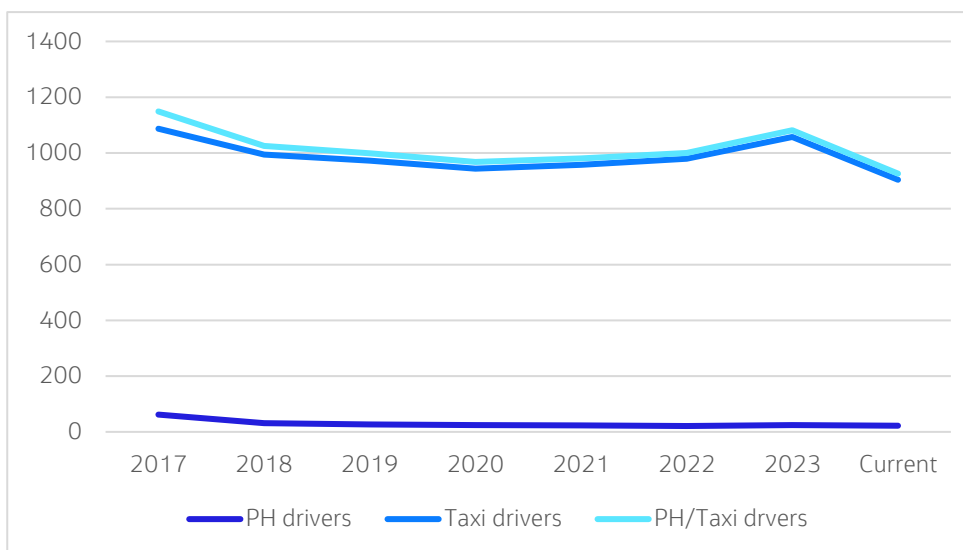
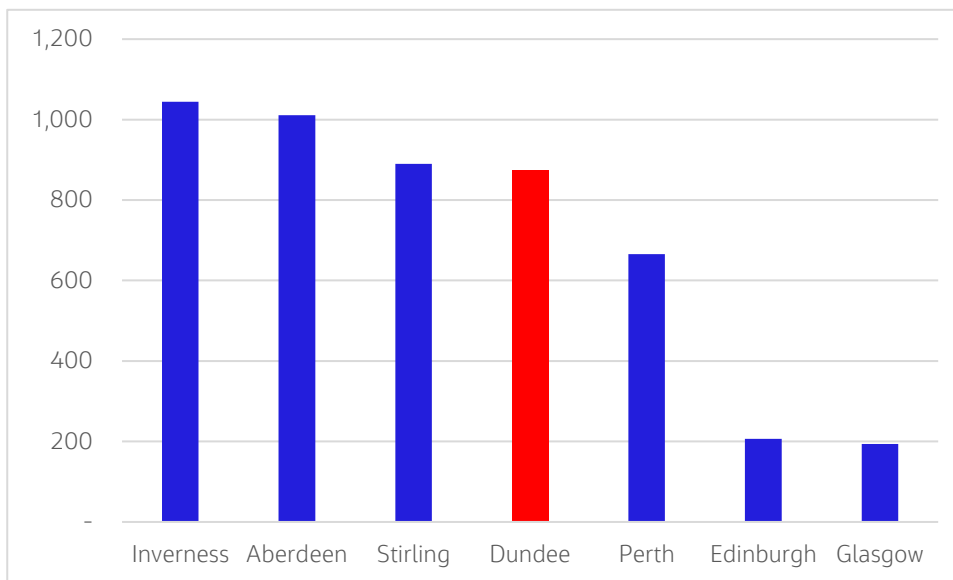


Figure 1-3 shows current PHC per capita provision for Dundee compared with other cities in Scotland based on relevant local authority and National Records of Scotland (NRS) population data. This demonstrates that Inverness has the highest number of people per PHC, thereby indicating that it has the lowest provision of the authorities shown. Dundee currently has the fourth lowest provision.

Figure 1-3 Population per PHC across licensing authorities (2024)



It should be noted that not all PHCs operate in the same way. For example, in some areas, a large fleet of PHCs may work for a single company which runs a booking office. Such vehicles may be kept busy through the booking system and undertake a high number of hires each day. Therefore a small number of such operators may dominate activity within an area. However, other private hire cars in the area may be independently owned and operated. Analysis of the licensing register indicates that Dundee currently has six booking offices and, to demonstrate the point above, one of these booking offices confirmed that it had 341 vehicles aligned to it.

2. Methodology for Overprovision

2.1 Background

The Air Weapons and Licensing (Scotland) Act 2015 introduced a number of amendments to the regime, namely:

- allowing for testing of private hire car drivers;
- requiring local authorities to appoint a civic licensing standards officer; and
- allowing local authorities to limit the number of private hire cars.

The 2015 Act introduced a power to allow licensing authorities to restrict the number of PHCs if it were determined that there was an overprovision. The newly added subsections of Section 10 of the Civic Government (Scotland) Act 1982 are set out above in Section 1.2 (Regulatory Background).

There is no simple numerical formula for pinpointing the threshold between provision and overprovision. Determining overprovision involves the application of reason and judgement in the interests of the community. Therefore, one of the key considerations that local authorities need to reflect on is whether the public would benefit from the introduction of a cap.

In October 2019 the Scottish Government published '*Private Hire Car Overprovision Assessment – Potential Assessment Tools, An Independent Report*' (see ¹ footnote above). This publication sets out a number of tests that can be used for a local authority to determine whether there is any over provision.

2.2 Overprovision tests

Based on available data from DCC, the following tests have been applied:

- Passenger complaints
- Driver ratios
- Driver turnover
- New businesses operating in a locality
- Driver availability to cover night-time demand
- Levels of multi shifting
- Pirating activity
- Extended wait times between hires

We also sought to determine the level of control in the PHC market by assessing the level of multiple vehicle licenses held by single individuals or companies.

In addition, we also asked the public about periods of time when they have experienced limited availability of PHCs as part of the public consultation detailed overleaf.

3. Public Consultation

3.1 Introduction

A public attitude survey was designed with the aim of collecting information regarding opinions on the PHC market in Dundee.

The survey was hosted online between April and May 2024 and promoted via DCC's website. In total, 701 people responded to the survey.

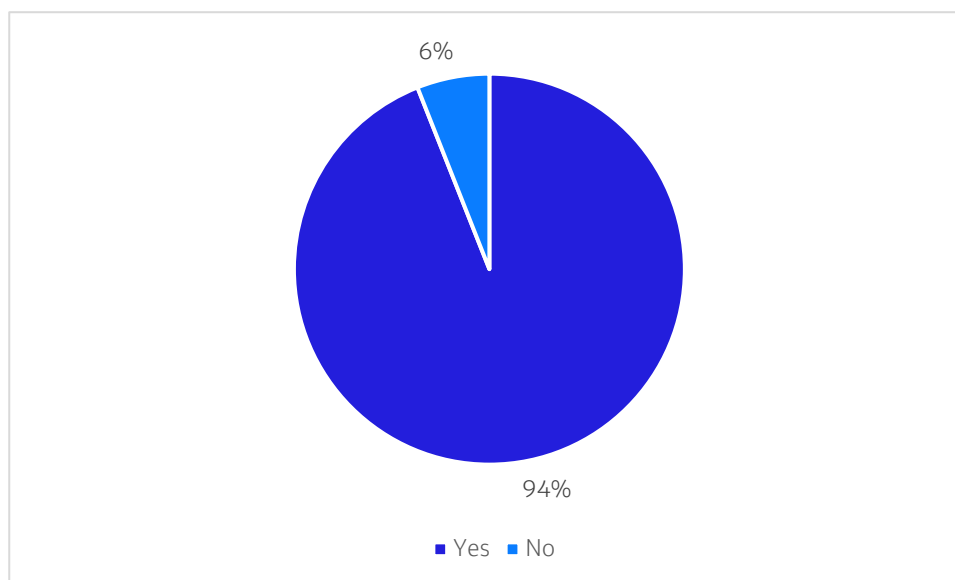
It should be noted that the total figures in the following tables and figures do not always add up to the same amount which is due to one of two reasons. First, not all respondents were required to answer all questions; and second, a number of respondents failed to answer some questions that were asked.

3.2 General Information

Respondents were asked whether they had made a trip by taxi or PHC in the past three months.

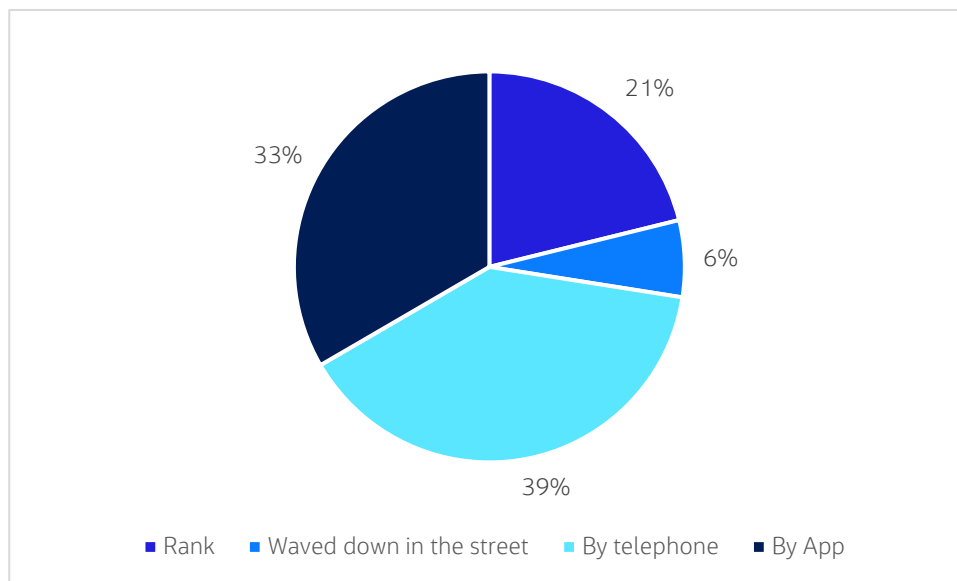
Figure 3-1 shows that 94% of the survey population had made a trip in the last three months and only 6% (39) had not.

Figure 3-1 Have you made a trip by taxi or private hire car in the last three months?



Respondents that had identified themselves as trip makers were asked how they obtained their taxi or private hire vehicle. From those responses, the most common answer (39%) stated that they obtained their vehicle by telephone. Some 21% hired their taxi at a rank whereas obtaining it via an app accounted for 33%, as shown in Figure 3-2 overleaf.

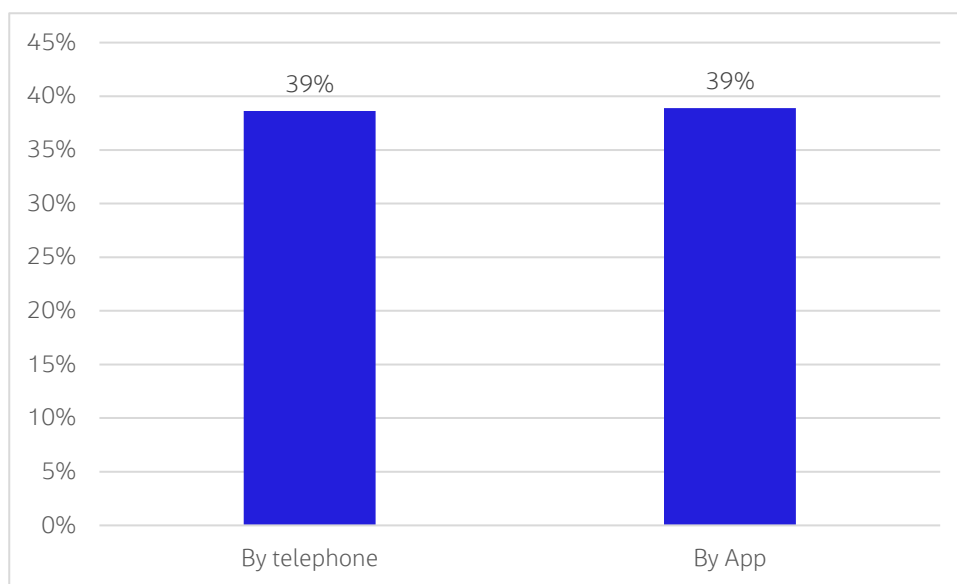
Figure 3-2 Method of hire for last trip



3.3 Attempted Method of Hire

All respondents were asked to identify whether they had given up waiting for a PHC booked by telephone, or through an online app in Dundee in the last three months. The results are summarised below in Figure 3-3.

Figure 3-3 Given up trying to make a hiring



As indicated in Figure 3.3, some 39% of respondents had given up waiting for a vehicle by telephone booking and/or by an app in the last three months.

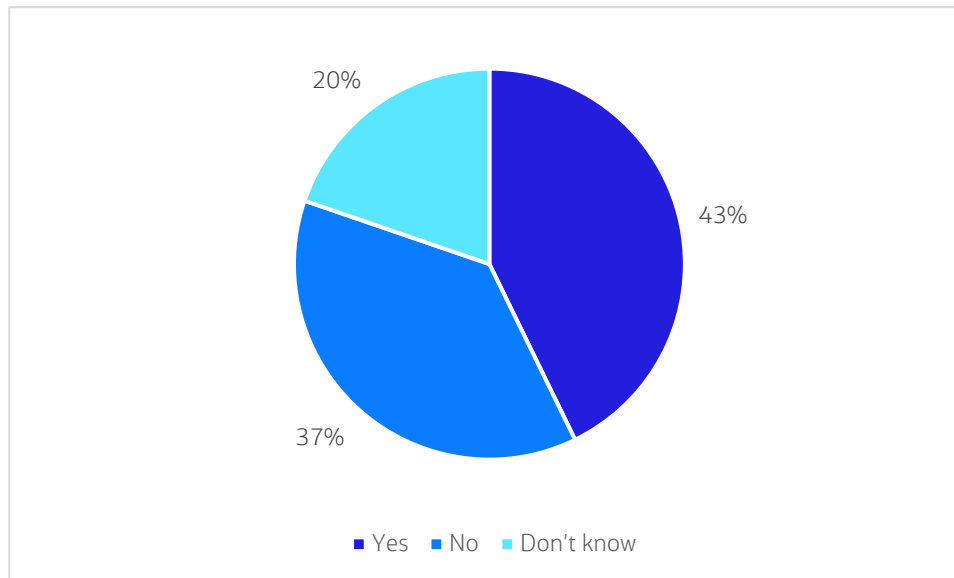
Of those stating that they had given up waiting for a vehicle, some 46% stated that this was between the times of 1800 and 2200 hours.

3.4 Views on availability and improvement of PHC services

Respondents were asked whether they considered there to be enough PHCs in Dundee.

Analysis showed that views were mixed with 35% considered there to be not enough, 43% considered there to be sufficient whilst 21% did not know. Respondents were then asked for their views on whether DCC should introduce a numerical limit on the number of PHCs. As detailed in Figure 3-4 below, respondents were similarly mixed in their views with 43% stating that a limit should be introduced.

Figure 3-4 Should DCC introduce a numerical limit on PHCs?



Respondents were then asked whether they felt that PHC services in Dundee could be improved.

Some 38% of respondents stated that services could be improved. Those who stated that they could be improved were asked in what way. Suggestions included:

- Allow 'Uber' in the City
- More variety of operators
- Make them all wheelchair accessible
- Vehicles could be cleaner like taxis
- More customer service training
- Allow transport of animals
- Need more vehicles
- Cheaper prices
- Have a minimum number of vehicles working at night – wait times can be ridiculous
- Accept card payments
- Dress codes for drivers

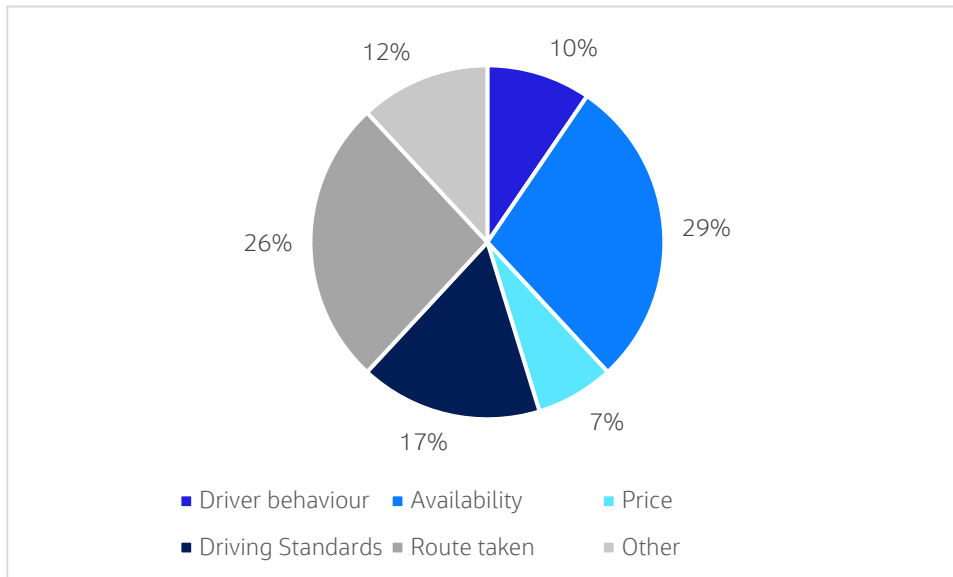
3.5 Complaints

Respondents were asked if they had made a complaint about a PHC in the last three months.

Of the 202 people stating that they had made a complaint, some 36% were against a PHC. Figure 3-5 below demonstrates that 29% of complaints were about availability. Those stating 'other' included:

- No big cars available and
- Cash only.

Figure 3-5 Nature of complaints made about PHCs



3.6 Summary

The key findings from the public consultation can be summarised as:

- 94% of respondents had made a taxi or PH journey in the previous 3 months.
- 33% had prebooked via an app whilst 39% had prebooked via a telephone booking.
- Some 39% had given up waiting for a booking made via telephone and 39% had given up waiting for a booking made by an app.
- Mixed views with introducing a numerical limit on PHCs – 43% considered that a limit should be introduced.
- Some 38% of respondents suggested that PHC services could be improved with suggestions such as access to a greater variety of operators, more provision on the network during the night and allow card payments

4. Stakeholder Consultation

4.1 Trade Meeting

Trade representatives were invited to attend a virtual focus group in April 2024. A summary of the discussion is provided below.

All attendees considered that PHCs should be numerically limited as they considered there is an over provision. It was noted that in Dundee, PHCs work for taxi operators and there is little distinguishing between the two. For example, when a customer calls requesting a vehicle, there is no distinguishing between a PHC or Taxi being dispatched – it is usually the nearest vehicle. Attendees felt that PHCs were encroaching on taxi work and that, if PHCs are not capped, this will deplete the taxi fleet as drivers cannot afford a Low Emission Zone (LEZ) compliant vehicle.

Anecdotal evidence of illegal plying for hire in Dundee was also raised at consultation.

4.2 Written Consultation

Several stakeholders were contacted by email during April 2024. These included:

- Dundee City Council;
- Trade representatives;
- User/disability groups representing those passengers with special needs;
- Local interest groups including hospitals, visitor attractions, entertainment outlets and education establishments; and
- Rail bus and coach operators.

Local Taxi and Private Hire Trade

Prior to this study being undertaken, the trade in Dundee came together to provide written views to DCC around numerically limiting the number of PHCs licensed. These points are set out in the feedback below:

Dundee City Taxi Drivers Association:

- Want to see the number of PHCs limited.
- Oversaturation negatively impacts traditional public transports services.
- Excess of Private Hire Taxis pick up the fares from the street and pretend that they have rebooked jobs from office specially on weekend busy time.
- Private hire jobs are already despatched through office both taxis and private hire same time. So, enough taxis available to cover Dundee Public Taxis or transportation demand.

Dundee RMT:

- There is enough hire & reward vehicles in Dundee.
- It is so easy to fit the criteria to put a private hire you don't get experience of an operator that has been in the trade long enough.
- It keeps Cartels at bay and the council have more control on Licensed vehicles, testing still got to be looked at thoroughly.

Dundee Taxi Association:

- Do not want to see any more Taxis or Private Hire in Dundee. Taxis are sitting on ranks for long periods most of the time. Even Private Hire are sitting about the streets waiting a job.

Final Report

- Less Taxi drivers want to work late at weekends due to anti social behaviour. Drivers can't make a living on a couple of hours at the weekend. More Taxis or Private Hire were to come on the age of the vehicles would increase.

Tele taxis:

- Have 157 private hire vehicles in Tele Taxis office.
- Private Hire cars are allocated the same Hackney cars when it comes to jobs, if a customer phones for a car they can either get a taxi or private hire vehicle, there is no difference in the way we allocate work to them.
- More than enough private hire vehicles in Dundee City.

Forum Representative:

- There is a need to cap Private hire in Dundee as many of the general public see Private hire as the same as Taxis, they expect the same knowledge of streets and standards. Full time drivers need to be able to make a living and from the information available it appears that many Private Hires are part time.
- It will help tackle air pollution and congestion in the city.
- The main concern is public safety and this will hopefully cut down pirating where private hires pick up off the street illegally.
- Not enough EV chargers.

Unite the union:

- There is a cap on taxis in the city of Dundee and private hire receive jobs allocated through taxi offices, this has a knock on effect on taxi rank provision in the city as private hire cover taxi work taxis are overflowing on ranks at times. This adds to congestion at ranks with taxis parking in bus bays and unofficial ranks appearing in the city centre.
- Drivers being reported to licensing on suspension hearings etc.
- This also has an effect on the environment due to more emissions being produced and poorer air quality in the city.
- Also operators of both hackneys and private hire have had to invest in newer vehicles due to the LEZ zones in May this year and there is still a substantial amount of vehicles to comply, capping private hire would give operators the chance to invest in newer vehicles and drivers be able to earn a wage and afford these newer vehicles.
- The trade has suffered greatly during the covid pandemic and have lost a lot of work since.
- Night time drivers have seen a drop in passengers due to the current situation with the economy, cost of living crisis and people not going out to pubs clubs socialising as much, also the free bus passes for kids and young adults and over 60 free bus pass does affect the footfall for both taxis /and private hire.

Dundee Access Group:

- Not to be enough taxis or PHCs in Dundee. Some operators only allow you to prebook a taxi using an automated service which does not give the user any confidence that its booked.

5. Overprovision Tests

To determine whether there is overprovision of PHCs in Dundee, the following tests have been applied. These tests are set out in Chapter 4 of the *Private Hire Car overprovision: Independent Assessment tool for Local Authorities* (see ¹ footnote above).

5.1 Passenger Complaints

The guidance suggests that an absence of passenger complaints may indicate that there is adequate provision of private hire services or that there is an existing overprovision of private hire services.

The public attitude survey suggested that, of the 202 people stating they had made a complaint, some 36% were against a PHC. Some 29% of these complaints were about availability.

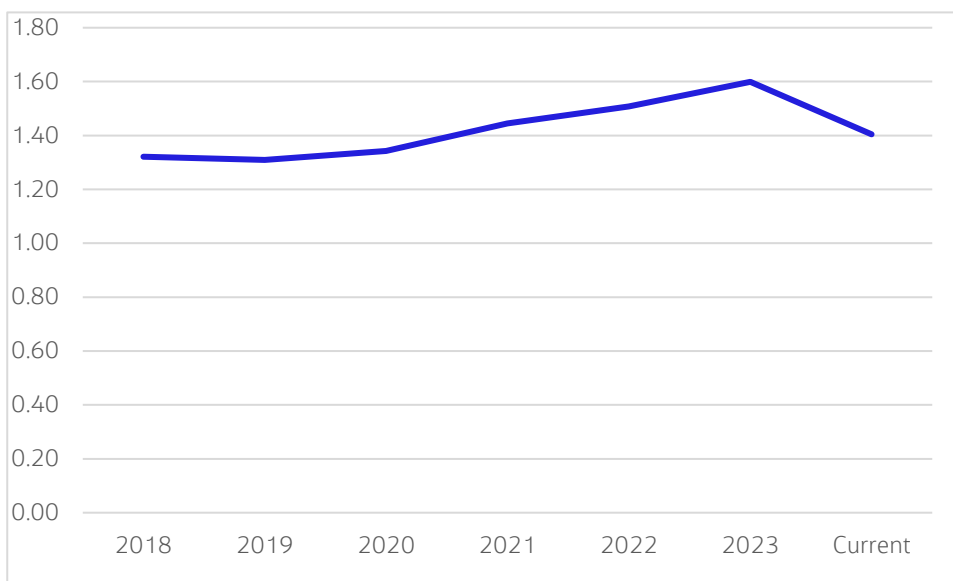
DCC had not received any complaints about PHC availability.

5.2 Driver ratios

Figure 5-1 looks at the ratio between the number of drivers licensed and the number of PHCs. This is a quick indicator of the effective fleet size. Lower ratios indicate that vehicles are predominantly operated by a single driver and, according to the guidance, can be an indicator of overprovision.

This is a difficult indicator to assess in Dundee as most PHCs require a Taxi driver licence. Therefore, we have looked at the ratio of PHC and Taxi drivers to total vehicles. Figure 5-1 shows that for every currently licensed vehicle there are 1.47 drivers. This ratio peaked in 2023 and is currently at a level similar to that in 2021.

Figure 5-1 Ratio of drivers to PHCs in Dundee



5.3 Driver turnover

A high level of driver turnover may be an indication that drivers find it difficult to make a living as a driver.

Table 5-1 overleaf at the number of PHC drivers applying to renew their licence between 2017 and 2024. It shows that renewals have declined since peaking in 2020, suggesting that a number of drivers have left the trade. This cannot be wholly attributed to drivers being unable to make a living, as anecdotal evidence suggests that a number of drivers left the trade during the pandemic to take up other occupations. It can also be associated with drivers not being able to maintain the costs incurred with being a PHC driver.

Table 5-1 Licence renewal applications to DCC

Year	Number of renewal applications
2024	22
2023	0
2022	0
2021	0
2020	24
2019	0
2018	0
2017	14

5.4 New businesses operating in a locality

The guidance suggests that new businesses may drive additional recruitment for drivers and may in turn lead to additional licenced vehicles becoming registered. If the increase in drivers and/or vehicles is sustained for several years, this could lead to overprovision.

From analysis of Dundee's licensing registers, Table 5-2 below sets out the applicant numbers for drivers and new businesses since 2018.

Table 5-2 New applications to DCC

	Number of new booking office applications	No of PHC driver applications
2024	0	0
2023	0	4
2022	0	0
2021	1	2
2020	1	3
2019	2	6
2018	0	10

Given the extremely low number of new business and PHC driver applications, it is clear these are not key drivers of overprovision.

5.5 Driver ability to cover night-time demand

The guidance states that if there is evidence that drivers are generally unwilling to work at night, this may be an indicator that drivers can derive sufficient earnings during daytime working to achieve their targets. Such a scenario may indicate that there is no overprovision.

A data request was issued to a number of booking offices to obtain data around a supply and demand for a week in April 2024. However only one operator provided this data. Therefore the analysis derived has relied on this sole dataset together with anecdotal evidence from the trade. This evidence suggests that there are fewer drivers working at night in Dundee. One of the reasons for this is due to drivers wanting to avoid anti-social behaviour. However, it may also be due to drivers earning sufficient earnings by working during the day.

The public consultation feedback results also suggested that 39% of people had given up waiting for a taxi prebooked by telephone and 39% by app

5.6 Levels of multi shifting

Discussion with PHC and Taxi trade representatives suggest PHCs in Dundee are usually double shifted 7 days a week with shift patterns typically 0600 – 1800 and 1800 – 0600 hours. Consultation with the trade suggested that nighttime drivers have seen a reduction in passenger numbers.

5.7 Pirating activity

The recent unmet demand study (Taxi Demand Study, Jacobs, May 2024) undertaken to assess taxi demand did not identify any issues with PHCs illegally plying at ranks. However, the consultation exercise with taxi trade representatives suggested this had been an issue.

5.8 Extended wait times between hires

Anecdotal evidence provided by the PHC representatives suggested that supply is greater than demand during the day.

6. Summary and Recommendations

The key objectives of the study are to:

- Determine what evidence of 'overprovision' of PHCs currently exists in the Dundee City Council area.
- If there is evidence of PHC overprovision, to make recommendations as to the number of licences necessary to meet demand from passengers and, therefore, a figure for a cap.
- If there is evidence of PHC overprovision, to assess what level of licences would be sustainable and therefore whether the Council should decide to adopt a policy regarding overprovision and the number of licences beyond which the Council should refuse to issue licences under Section 10 3A of the 1982 Act.
- Research the attitude of the relevant trade with respect to introducing any cap on numbers.
- Carry out independent research of public and other stakeholder attitudes on the need/support for such a cap.
- Make relevant recommendations to amend existing Council policy or introduce new policy.

- Objective 1: Determine what evidence there is of 'overprovision' of PHCs in the Dundee City Council area
- Objective 2: If there is evidence of PHC overprovision, to make recommendations as to the number of licences necessary to meet demand from passengers and therefore, a figure for a cap
- Objective 3: If there is evidence of PHC overprovision, to assess what level of licences would be sustainable and therefore whether the Council should decide to adopt a policy regarding overprovision and the number of licences beyond which the Council should refuse to issue licences under Section 10 3A of the 1982 Act

In line with the Scottish Governments publication: "*Private Hire Car Overprovision Assessment – Potential Assessment Tools*" (see reference above in Section 1.2), a range of relevant industry tools have been applied to address the above objectives. This work is summarised below (with recommendations) under one or more of these objectives following our analysis

At the present time, there is **some evidence of an 'overprovision of PHCs' in Dundee**. Of the tools applied, the absence of complaints, the low and decreasing driver ratios and a reduction in licence renewals could signify an overprovision. The sustained reduction in PHCs indicates that people are leaving the PH trade. The previous overprovision report, commissioned in 2023, noted that there had been an increase in the number of PHCs and, therefore, the report should be revisited in 12 months' time. A year on the decline in PHCs has continued.

- Objective 4: Research the attitude of the relevant trade with respect to introducing any cap on numbers

- Objective 5: Carry out independent research of public and other stakeholder attitudes on the need/support for such a cap

The taxi and PHC trade were **in favour of introducing a cap on PHC** as they considered that there were too many PHC's and this was impacting the taxi trade. The trade wholly agreed that there was an overprovision of PHCs.

Engagement with the public demonstrated **mixed views in relation to introducing a cap on PHCs**. Some 43% of respondents wished to see a cap introduced.

➤ **Objective 6: Make relevant recommendations to amend existing Council policy or introduce new policy**

Under the 2015 Act, licensing authorities are able to restrict the number of PHCs if it was determined that there was an overprovision of PHCs. The Scottish Government issued guidance to Licensing Authorities on 24th Oct 2019 on how to assess overprovision (*Private Hire Car Overprovision Assessment - Potential Assessment Tools, An Independent Report*²).

Application of these tests in Dundee has indicated that there **may be some overprovision in Dundee**.

Despite this, there remain high levels of public satisfaction and good levels of service. Therefore, should DCC choose to use the overprovision power, a formal overprovision policy should be developed and formally consulted on.

It is our recommendation that PHCs are capped at the current number of 177 vehicles.

² <https://www.gov.scot/publications/private-hire-car-overprovision-assessment-potential-assessment-tools-independent-report-produced-scottish-government/>

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Dundee City Council - Audrey May
5 City Square
Dundee
DD1 3BA

THE APPLICATION REFERENCE
IS 24/0011/HMO

Please quote this reference in
correspondence and when
enquiries are made regarding this
application.

If telephoning the number is
01382 433455

E-mail:
alex.banks@dundeecity.gov.uk

Date: 6 August 2024

Dear Sir/Madam

**The Building (Scotland) Act 2003
Housing (Scotland) Act 2006**

Proposal: New HMO Licence.

Location: The Fairbairn Street Young Persons Unit 7 Fairbairn Street Dundee DD3 7JH

I refer to your application for a Licence for a House in Multiple Occupation in respect of the above property and to the desktop study/visual inspection carried out.

Desktop Study/Inspection revealed the following points as noted in Appendix 1 below require action and a possible follow up inspection if required should be arranged with the surveyor.

Should you require clarification of the points listed below, please contact Alex Banks.

This report assumes a maximum occupancy of 6 persons.

IMPORTANT INFORMATION

It is the responsibility of the building owner or an appointed agent to ensure that warrants are submitted and notice of completions are accepted for work requiring a warrant. It is also important that any copies of documents required by the PSSU which relate to a warrant submission in respect of an HMO licence application are forwarded by the applicant/agent to the PSSU prior to a licence being granted as all warrant documents will only be issued to an applicant or duly appointed agent. If you require further clarification on the Building Warrant process please contact Alex Banks.

Yours faithfully

Alex Banks
Building Standards Surveyor

APPENDIX 1 –OBSERVATIONS

HMO Reference No: 24/0011/HMO
Proposal: New HMO Licence.;
Location: The Fairbairn Street Young Persons Unit 7 Fairbairn Street
Dundee DD3 7JH

Date : 6 August 2024

The points listed below are based on desktop study/site inspection carried out

A desktop study has noted the following Building Warrants which are relevant to the property:

Building Warrant 93/00373/BW

Proposal Erection of residential children's unit

Decision Date 14.06.1993

Completion Certificate 26.05.1994

Building Warrant 97/01113/BW

Proposal Alteration of kitchen to children's home, including blocking up of existing door & removal of existing kitchen door to create link to existing dining room

Decision Date 24.11.1997

Completion Certificate Warrant Expired - No Completion Certificate

Building Warrant 11/00495/ALT

Proposal Non Domestic - Addition of electromagnetic door holders to corridor doors

Decision Date 19.10.2011

Completion Certificate Warrant Expired - No Completion Certificate

Building Warrant 23/00228/NDOM6

Proposal Demolition of single storey building and garage.

Decision Date 04.05.2023

Completion Certificate

According to historic Building Warrants, the building is classified as being Non Domestic - Residential.

Clarification is required to establish the proposed use of the building. If the proposed use of the building has changed, a Building Warrant will be required in relation to the conversion and any works carried out.

It is unclear what building works have been undertaken on the property. Clarification is required to establish what works have been undertaken since the building was erected in 1994.

Any outstanding Completion Certificates will require to be applied for and the works associated with the Warrants listed where applicable. Please note a number of these Warrants will have expired and you may have to apply for a Letter of Comfort or Extension to Warrant.

To allow a full assessment of the building, detailed floor plans are required. The plans should include the following:

- All fire door locations and their ratings
- The location of all windows
- The location of all smoke detectors
- The location of all heat detectors
- The location of all carbon monoxide detectors
- The location of all emergency lighting & signage
- The location of the fire alarm control panel for the fire detection & alarm system and all call points. The specification of fire alarm fitted should be stated.
- Confirmation of the proposed use of each room and occupancy capacity

Fire Doors

The HMO site inspection noted alterations to the fire doors which appear to have compromised the integrity of the doors. The issues found were:

- Timber battens were screwed/nailed to a number of doors.
- Several fire doors appear to have been repaired. In the area of repair, smoke seals were missing.
- The fire door to the laundry room had a large vent cut into it. Clarification is required to establish if the vent is fire rated with the relevant intumescent fitted.
- Fire door ironmongery on several doors has been changed. Confirmation of the suitability of the ironmongery fitted to the doors is required in line with the fire door certification.

Please provide certification/specifications for all the fire doors and ironmongery.

Carbon Monoxide Detection

A carbon monoxide detector should be fitted to the ceiling between 1m to 3m of the appliance and not within 1m of an external opening.

Managed Premises

Please confirm if the building is managed and how this operates in the event of a fire.

Until the above points have been addressed, Building Standards is unable to support this application.



CHANGING FOR THE FUTURE

Memorandum

To	SENIOR ELECTORAL SERVICES & LICENSING OFFICER, SUPPORT SERVICES	
From	Gabrielle Hayes – Ext. 6842	
Our Ref	GH/PC HMO/3205	
Your Ref		
Date	26 July 2024	
Subject	Housing (Scotland) Act 2006 - Part 5	
	7 Fairbairn Street, Dundee – DCC Children & Families Services	(6 persons)
	08 August 2024 Licensing Committee	

In respect of the above application, I would make the following observations in regard to a licence being issued for a house in multiple occupation to the period 30 September 2026:

The following items identified following an inspection by PSSU on 07 June 2024 remain outstanding:

Bedrooms

1. Bedroom 1 - Re-secure BT box to ceiling in Bedroom 1 and fill hole in ceiling to meet with Scottish Fire and Rescue Service requirements.
2. Bedrooms 2, 3, 4, 5 and 6 - Do not have windows which provide the required aggregate glazed area equal to at least 1/15 of the floor area of the rooms they serve.

Living Room

3. Living room - Does not have a window which provides the required aggregate glazed area equal to at least 1/15 of the floor area of the rooms they serve.

Kitchen

4. Kitchen – Provide a carbon monoxide detector suitably located between one and three metres from the range cooker.
5. Kitchen - Re-fit edging strips to wall above splash-back, at left of dishwasher and right of sink.

Shower Rooms

6. Shower Room 1 - Repaint damaged radiator cover.
7. Shower Room 1 - Fill gap at ceiling around light switch pull cord rose, to meet Scottish Fire and Rescue Service requirements.

Laundry

8. Laundry - Sand and re-stain internal cill.

General

9. Provide a floor plan of the premises. This should be to a suitable metric scale
 - Scottish Fire and Rescue inspected this property on 12 June 2024 and have no objection to a licence being granted.
 - This application was received on 29 May 2024.

GABRIELLE HAYES
PRIVATE SECTOR SERVICES MANAGER

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Ashley Smith

From: [REDACTED]
Sent: 05 February 2024 15:39
To: licensing.board
Subject: Objection to Short-Term Let at Unicorn Court 38 West Victoria Dock Road DD1 3BH
Attachments: 20240125 Unicorn Court 2nd Floor lift landing.jpg; 20240131 Unicorn Court View from my front door.jpg

From: David Dukes

Address: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

05 February 2024

Dear Licensing Board,

I am writing to object to the application for a licence of a short-term let in respect of Unicorn Court, 38 West Victoria Dock Road DD1 3BH.

I live at [REDACTED] flat, which is on the second floor. The Unicorn Court building is split into 2 separate parts, with each part having its own entrance. Each floor has just 2 flats, with a small lift landing. The door of my flat is directly opposite the door of number 38, separated by 3.5 metres. I have attached photos to give an idea of how small the space is on the lift landing and how close the 2 front doors are to each other.

Number 38 has been used as a short-term let since September 2022 and I have lived opposite at [REDACTED] since 2017.

During the last 17 months there have been 3 separate companies managing the flat.

The flats are poorly insulated with regards to sound and so any noise on the landing can be heard from inside the flats. This is exacerbated by the lift landing being so small and the front doors of the flats being so close.

When visitors arrive to occupy number 38, they are invariably in, "Holiday mode" and when up to 6 people are on the lift landing the noise they make can be heard clearly in my flat.

I have raised the issue of noise several times with each of the 3 managing companies, however there is never anything they can do as they are not onsite.

I have had many nights sleep interrupted by people staying in number 38 behaving in a raucous manner on the lift landing late at night and in the early hours.

I have had people staying at number 38 returning to the flat late at night, drunk, and ringing my doorbell as they don't know which flat they are staying in.

Because there are just two flats on each floor, I have no neighbour with whom I might share some of this stress, so every time there is an incident, it falls to me to either talk to the visitors, which I am reluctant to do over concern for my personal safety or contact the management company, which I can only do via the airbnb website, or call the police.

In March 2023 3 women had the flat for 5 days and used it for sex work. Men were visiting at all hours and eventually, when I realised what the flat was being used for I reported it to the police.

The police were concerned, apart from the flat being used for prostitution, that the women may have been the victims of trafficking.

I have walked out of my flat and the lift-landing has been thick with marijuana smoke, which I also reported to the police.

All these incidents I reported to the managing company at the time but as they were not on site they were unable to do anything. I also reported this to the Dundee Antisocial Behaviour Team.

All this noise and anti-social behaviour has been extremely stressful for me. Every day I don't know who might arrive and how disruptive they will be. I can not relax in my own home. I have had

In this objection I have tried to show that the premises at Unicorn Court are not suitable for use as a short-term let due to the building layout and close proximity of the flats, which causes undue nuisance, stress and compromise to my personal safety.

I appreciate your attention in this matter.

Sincerely,
David Dukes

Pamela Smith

From: David Dukes <[REDACTED]>
Sent: 16 August 2024 09:49
To: licensing.board; short-termlets
Subject: Objection to Short-Term Let at Unicorn Court 38 West Victoria Dock Road DD1 3BH
Attachments: _T8210P6422411490_2024_08_16_01_34_46.mp4

Dear Licensing Board,

There has been another incident regarding the short-term let at 38 West Victoria Dock Road.

Last night, from 01:30 am, I was woken by the sound of someone banging on the door of number 38. This went on for around 20 minutes. The same person then rang my doorbell repeatedly. The person was one of four people who had arrived to stay in the flat the previous afternoon.

I phoned the person who manages the flat and left a voicemail notifying him of what was happening and that I was going to call the police, which I then did as I felt unsafe. I have attached a doorbell video as evidence.

I am living in a permanent state of stress as there is a constant turnover of people using the flat and I never know what sort of persons will be staying there and what sort of disruption they may cause. I feel unsafe in my own home. Surely this situation cannot be regarded as acceptable.

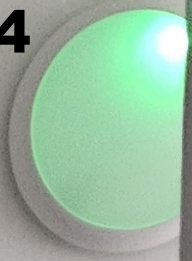
Thank you,
David Dukes

This page is intentionally left blank

63



64



38

Public Notice
Please do not use the door for storage or
other purposes.
Please do not use the door for storage or
other purposes.
Thank you.



Ashley Smith

From: [REDACTED]
Sent: 21 August 2024 15:16
To: licensing.board
Cc: short-termlets
Subject: Objection to Short-Term Let at Unicorn Court 38 West Victoria Dock Road DD1 3BH
Attachments: 38 Unicorn Court Airbnb sms message log.docx; 2022 2023 38 Unicorn Court Airbnb message log Honest Apartments.docx; 2023 02 38 Unicorn Court Airbnb message log Travelnest.docx; 2023 03 20 38 Unicorn Court call with airbnb.docx; 2023 38 Unicorn Court Airbnb message log Louise Wilcox.docx

Dear Licensing Board,

I have had a call from Terri from Private Sector Services who wanted to discuss with me the use of 38 Unicorn Court as a short-term let.

During our conversation I outlined that there had been 3 different sets of people operating the flat as, "Hosts" and renting the flat from the company that owns it, which is based in England. Also, there have been many occasions when I have had to contact the people operating the flat due to issues with noise, mess and other anti-social behaviour. I mentioned that mainly the only way I have had to contact the hosts is by sending a message via the airbnb website and that these messages are still available.

More recently I have been able to contact the current hosts via SMS text message and that I also have these messages.

Terri thought it might be useful for the Licensing Board to have these messages, to help paint a more complete picture of events, so I have extracted them into word documents and attached them.

The documents attached are:

2022 2023 38 Unicorn Court Airbnb message log Honest Apartments

This is a record of my communication with the first person who was renting the flat out as an airbnb, via the airbnb website.

2023 03 20 38 Unicorn Court call with airbnb

This is message communication via the airbnb website to me from airbnb in America as I'd called them directly to report the issue with the sex-workers. I spent several hours on the phone to airbnb only to receive anodyne, obviously scripted replies during the phone calls.

2023 38 Unicorn Court Airbnb message log Louise Wilcox

This is communication with the second people to rent the flat out as an airbnb. In this the host tells me that she is stopping her involvement with the flat due to the feedback I'd given her.

2023 02 38 Unicorn Court Airbnb message log Travelnest

This is communication with the current hosts of the flat, before we started sending sms texts. This is an ongoing issue with the smoke alarm in the flat, which is often being set off. This is obviously a safety concern as the smoke alarm may be faulty, the possibility of which I have suggested to the hosts. The last time the smoke alarm went off was at 07:01 on Monday 19th August, which it did intermittently for a period of 20 minutes.

38 Unicorn Court Airbnb sms message log

This is the most recent communication, via sms texts.

In this log there are 2 unsolicited messages to me from the host offering me what amounts to bribes. I have not responded to these.

Today I have spoken to Yasmin of the Anti-Social Behaviour Team who tells me that the 3 Anti-Social Behaviour reports that I have raised regarding this flat have been passed to the Private Services Sector Team.

For completeness they are:

ASB496394720 03/13/2023 02:12:25 PM
ASB607679283 04/21/2024 06:12:07 AM
ASB639231739 08/16/2024 03:08:58 PM

Thanks and Regards,


Oct 11, 2022

Your enquiry for 4 guests on 10–17 Dec 2022 has been sent. [Show listing](#)

2:43 AM

Is 38 unicorn court dundee your flat?

If so the smoke alarm is pinging

David3:14 AM

Hello David, thank you for your query. I will be with you shortly to respond

David9:20 AM

Hello David

I am so sorry for the inconvenience.

I am trying to contact the guest and will contact our maintenance team to investigate too.

Are you able to advise whether the pinging is continuing or was temporary and whether last night was the first night you heard it?

Kind regards

David

Honest Apartments / Honest Relocation

10:37 AM

Hi,

The alarm pinging started sometime last night, I became aware of it at around 02.30 and sent a message to you shortly after.

One symptom of the pinging of the smoke alarm is a flat battery, so it will continue until the fault is fixed.

I changed the batteries in both smoke alarms for the flat owner about 2 years ago so they shouldn't be flat already as they normally last much longer.

I suppose it could be the CO alarm, I'm not sure what that might sound like if it's faulty.

I don't think the tenant is currently in the flat as I haven't heard any coming or going for several days.

On another subject, I thought I'd take the opportunity of making you aware that the people who were working in the flat back in August have left a large pallet in the bin store which makes it inconvenient to get to the bins and encourages others to leave large items in there. They should have arranged for it to be picked up by the council as per the notice in the bin store.

I hope you can arrange for the pallet to be uplifted by the council.

Regards,
David Dukes

David10:50 AM

Hello David

Thank you for that information which is very helpful.

I manage the property on behalf of others so have been messaging guest, owner and maintenance people this morning and will let you know what action transpires. Our suspicion too, is the battery.

You mention having changed the battery. Was that a favour for a friend or are you a maintenance or electrical person? I ask because we are always looking for such trades people.

I am sorry about the disruption caused by the pallet. I will make arrangements to have it removed.

Do please let me know whenever you observe difficulties, especially if whilst folk are in occupation or have just left as we do take deposits that can be used for remedy. We do go to a lot of measures to try and ensure that our operations do not disturb or inconvenience others and will always attend to matters when reported.

I am not able to put a telephone number in this portal but you can find ours quite easily by searching online for our company name which is below. We are based in Southampton

Alternatively if you confirm your flat number I can post our full contact details to you

Kind regards

David
Honest Apartments / Honest Relocation

David8:26 PM

Hello David

I am so sorry but I haven't managed to get someone out today to attend to the alarm but a tradesman will be attending in the morning to do so.

You were correct that the occupant is absent at present

Kind regards

David
Honest Apartments / Honest Relocation

Oct 15, 2022

4:27 AM

I have just been woken by the slamming of the front door of 38 Unicorn Court and loud voices on the lift landing at 03.50 am.

I was unable to get to sleep until gone midnight for the same reason: people coming and going every few minutes yesterday (Friday) evening, the front door slamming and people having conversations in loud voices outside on the lift landing. This finally ceased at 00:05 IE. just after midnight.

There are only two flats on the floor and the lift landing is only a small area, with the front doors of the 2 flats quite close to each other, with the lift door in between.

Could you please get in touch with whoever is occupying the flat and ask them to keep the noise to a minimum late at night and in the early hours.

Regards,
David Dukes (Resident of 40 Unicorn Court)

David 8:59 AM

Hello David

My goodness, I am really sorry to hear this.

Several of our communications to visitors draw attention to the property being in a residential setting and ask for consideration not to disturb neighbours. I will raise this matter with the occupant and ask them to deter from making unreasonable noise, especially during night-time hours

Kind regards

David
Honest Apartments / Honest Relocation

Mar 7, 2023

Your enquiry for 2 guests on 12–16 Mar 2023 has been sent. [Show listing](#)

12:05 PM

38 Unicorn Court Dundee

There is a very strong smell of marijuana being smoked on the lift landing and it's coming from the flat that you manage.

I live in the flat opposite on the same landing.

This is totally unacceptable. Please let me know today what you are going to do about this.

David Dukes

David 2:38 PM

Hello David

Thank you for letting me know. You are correct, that is completely unacceptable. I will investigate and address with occupants and decide on the best course of action. I will revert to you in due course

Kind regards

David
Honest Apartments / Honest Relocation

Mar 8, 2023

David 9:51 AM

Hello David

We arranged for attendance at the property yesterday afternoon but at that time the use of marijuana couldn't be detected. We have communicated with the current occupant and will continue to monitor. I would appreciate you updating me if you believe there are any further occurrences together with any information regarding the time of observation, exact location etc. We have strict no smoking policies so take this matter seriously, even for non-drug related smoking

Thank you again for alerting me

Kind regards

David
Honest Apartments / Honest Relocation

Mar 9, 2023

3:24 AM

I've just been woken at 03.05 am by a woman's voice outside my flat, talking to someone in the lift; presumably the woman who is renting the flat. Once again there is a smell of marijuana outside the flat; as I'm awake, I checked.

David 9:09 AM

Hello David

I am sorry to hear that you were woken this morning.

This is to acknowledge that I have your message and also your voicemail. We are investigating further and will revert in due course

Kind regards

David

David 3:54 PM

Hello David

We have communicated with the occupants multiple times and the property has been attended by two people. Whilst the 'evidence' isn't conclusive the 'suspicion' is strong. We have raised complaint with the booking channel through which they came. We have also complained in detail to the occupants.

In response we have required them to leave. This process will be complete by 10.00 am tomorrow morning when our team will visit again to attend to the property.

We have been given assurances that there will be no smoking, no drugs, no late night visitors nor noise. Do please let me know should this be otherwise.

Whilst it may have been preferable to remove them today this hasn't been possible. However, the benefit of our type of lease arrangement is we can remove unsuitable folk with a day or two. As you probably already know that process with a standard tenancy can take up to six months.

We don't have absolute control over peoples behaviour although we have many processes in place which aim to pre-select suitable occupants. Unfortunately these are not 100% foolproof (as is also the case with standard AST tenancies).

I apologise again for the disturbances but assure you that whenever you raise legitimate concern we do take what action we can within both our contracts and the law.

I trust that you will have a good night and there will be some peace of mind that they are leaving by the morning

Kind regards

David

Honest Apartments / Honest Relocation

Mar 10, 2023

1:30 AM

Fri 10 Mar 2023

01:05

This afternoon and evening there have been several men in the flat at different times, each staying for 25-30 minutes. I have taken photos, recorded vehicle registrations and descriptions and times as I wondered if the information would be useful in case the women are being trafficked.

The last man left the flat at 22.20 Thursday.

Just after this I called the police to report this as it is beyond doubt that the flat is being used for prostitution. I gave them your number when they asked for it.

All week there have been numerous comings and goings, for which I recorded the times as it was becoming increasingly irritating as every time, the door to the flat is allowed to bang shut. The smoke

alarm has been going off several times every day. I started to get really suspicious yesterday when I was woken at 03.05 as previously described and heard a vehicle drive away; obviously one of the voices I heard at that time must've been the punter going down in the lift.

So perhaps you could tell me, what recourse do I have? What procedure do I follow to make a complaint? Which channel was used to book the flat?

You, and your business have brought drugs and prostitution to my door. I no longer feel safe in my own home. I hope your profits are worth the cost.

David 1:58 AM

Hello David

Thank you for your email and the detail that you have given this time, which is quite informative and helpful.

I am pleased that you have given details to the police and once they make contact I will share details of names with them. If they don't contact me then I will contact them. Is there a crime reference number I can use? Did you share the number plates with the police? If not would you be willing to share them with me so that I may do so?

It is unfortunate that we didn't have these details yesterday as armed with this level of information we would certainly have rung the police ourselves and could probably have had them removed yesterday. It is difficult when the only evidence we have is little more than 'suspicion'.

As I stated before we do take measures to prevent this type of use as it is a significant issue for both our operation and reputation. We seldom get these instances and I am not aware of this occurring at this address before. However, you are always welcome to raise any concerns you have and if so would ask that you share as much information as quickly as possible in order to help us implement actions as swiftly as possible. As I said previously we do have to act in accordance with our contracts and the law. Eviction is a matter that has to be considered and dealt with carefully. The more evidence there is the easier and swifter that can occur.

In terms of your request about complaint I have taken note and will review with our team and the owner

Kind regards

David

Honest Apartments / Honest Relocation

Mar 17, 2023

9:56 AM

Please let me know the airbnb listing number for this property as I wish to make a complaint via airbnb

David4:58 PM

Hello David

Are you having new problems, in which case do please let me know so that I can deal with it.

I did release name information to the police in regards to the previous occupant.

As I have always said whenever we are aware of a problem we will take action to deal with it.

AirBnB don't use a reference number system so you will need to refer to the address

Kind regards

David

Honest Apartments / Honest Relocation

Feb 2

Your enquiry for 1 guest on 4–9 Feb has been sent. [Show listing](#)

11:34 AM

Please take down the notice that you have put on the door of your flat; it makes the place look like a doss-house.

Thank you.

Feb 8

6:51 PM

The smoke alarm in your flat is being set off by your visitors several times a day since they have been there. Today it has gone off 6 times.

The sound insulation between the flats is very poor so it sounds very loud in my flat.

It is stressful enough living with a short-term let so near to my home. Having the noise of the smoke alarm just adds to the level of stress.

Please ask your tenants to cease whatever they are doing to set the smoke alarm off.

Thank you.

May 27, 2023

Your enquiry for 6 guests on 1–6 Jun 2023 has been sent. [Show listing](#)

8:17 AM

I live on the landing opposite your flat: 38 Unicorn Court Dundee.

I have already pointed out to the previous host that the flats are very close together and not very well sound insulated. There are more than 6 people occupying the flat and they have been coming and going until the early hours making noise on the landing and slamming doors.

As a result of your tenants' behaviour I have had yet another sleepless and stressful night.

I have doorbell video of the excessive occupancy and noise which i will be reporting again to Dundee council officers who are very concerned about short term lettings in Dundee.

Regards,

Hello,

I'm very sorry to hear this and that you are being disturbed by the behaviour of the guests.

Please can you send the doorbell video to me, my email is:

(Without the space in .com)

I will then be able to speak with the guest directly to resolve this.

Many thanks,

12:19 PM

Dear,

Since the flat has been used for short-term lettings there have been several occasions when I have had concerns for my safety due to the behaviour of occupants of the flat and have had to call the police and the anti-social behaviour team at Dundee council on several occasions; the last being when 3 eastern European women were using the flat for sex-work and drug usage.

I have no idea about the current occupants of the flat and what sort of people they are; if they know that I have brought this to your attention then I have to concern myself with what the possible consequences might be in terms of their subsequent behaviour towards me.

Regards

12:23 PM

Ok, I totally understand.

Please be assured the current occupants will not be informed of any involvement from yourself.

Thank you very much for bringing this to our attention.

Kind Regards,

May 28, 2023

Invitation to book expired

Jun 12, 2023

Your enquiry for 2 guests on 23–28 Jun 2023 has been sent. [Show listing](#)

7:18 PM

A group of young men have moved in to the flat this afternoon and like the previous group, let the front door of the flat slam noisily shut whenever they are entering or leaving the flat, which is often. The previous group were coming and going at all hours of the night, slamming the door and making sleep very difficult.

This is very stressful for me and is affecting my health.

Could you please arrange for a door closer mechanism to be fitted to the front door so that it cannot be slammed.

Regards,

Hello

Sorry to hear this and that it is affecting your health.

Yes, of course we can look at getting a door closer mechanism fitted as soon as we're able to.

Kind Regards,

Jun 21, 2023

Your enquiry for 1 guest on 2–7 Jul 2023 has been sent. [Show listing](#)

11:14 AM

Your tenants have left a mess outside the flat door from a bag of their rubbish which has also been trailed down the stairs.

Perhaps you could make a request of your cleaning firm that they clear the mess on the landing up and the stairs.

Hello,

Thank you for informing us of this.

I have messaged them as a gentle reminder regarding the rubbish. (No mention of you, so please do not worry)

Aug 1, 2023

10:49 PM

Hello

Just wanting to let you know, we no longer host 38 Unicorn Court.

Your feedback regarding the guests and how it was impacting you assisted in our decision to give it up. We have handed it over to another company who will continue to let it in the same way!

However they live only 1 mile away, so will be able to be on top of any issues arising from the guests instantly.

Wish you all the best.

2024 05 03

09:58

Hi David,

I wanted to follow up on our recent conversation regarding the property. We've had a discussion with the landlord, and it appears that we are indeed legally bound to complete the contract .

Given recent events and concerns about potential future inconveniences, the landlord asked us to install a camera and noise detector to monitor guest behavior. This is aimed at ensuring the smooth operation of the property and the comfort of both guests and neighbors.

We believe this proactive measure will help address any issues before they escalate, and we're committed to maintaining a positive environment for all parties involved.

Khalid

Classified Properties Ltd

2024 05 05

17:36

Hi Khalid,

The people to whom you have rented your flat have been making a lot of noise; slamming the flat door repeatedly, having loud conversations on the lift landing and shouting.

As I have told you, these flats are not well soundproofed so all this noise can be heard distinctly in my flat.

Please contact your tenants and ask them to keep the noise level down in the common area.

Please let me know for how long they will be staying.

Thank you,

David

17:42

Hi David

I will contact them now

They will leave tomorrow morning

2024 05 14

10:08

The people who you have in your flat are making a lot of noise both inside the flat and on the lift landing. Please ask them to keep their noise down.

How long will they be staying for?

10:15

Hi David,

Apologies,

I will ask them to stop making noises

Thanks

2024 05 24

09:58

Hi David,

I hope you're doing well.

As we are about to start returning this property to landlord, I wanted to discuss a recent decision by the landlord to allocate this property to Dundee Social Services.

I understand this may not be the most favourable outcome for you. To present an alternative, I have a proposal that might work better for both of us.

If we continue using this property as a short let, I would be happy to offer you 10% of the total revenue. And I will settle down noises and other issues, In return, I would need your cooperation in ensuring smooth operations, which includes removing your Ring camera.

Please let me know if this arrangement sounds agreeable to you or if you have any questions. I am open to discussing this further to find a mutually beneficial solution.

Best regards,

Khalid

2024 07 14

10:24

Hi David,

I hope this message finds you well. I wanted to extend my thanks for your cooperation in ensuring our short let business runs smoothly. As a token of our appreciation, we would like to offer you 10% of the earnings, amounting to £200.

Could you please share your bank details so we can proceed with the transfer?

Thank you

Best regards,

Khalid

Classified properties ltd

38 unicorn court

2024 07 28

15:24

Your, "Guests" have left their rubbish on the lift landing, please dispose of it today, before it starts smelling.

15:25

Ok

I will do it

Thanks for letting me know

2024 08 16

01:56

There is one of your guests ringing my doorbell repeatedly. It is 01.54 in the morning. I have called the police and left you a voicemail message to that effect. I am concerned for my safety. Please come and control your guests.

Mar 20, 2023



Airbnb Support 7:19 PM

Hi,

I'm sorry for this experience. I'm sending you to the correct team right now to make sure you receive prompt assistance.

If this is an emergency or you feel that your personal safety is threatened in any way, please contact the local police or emergency services immediately.

Best,



Airbnb Support 8:04 PM

Hello,

Thank you for taking the time to speak with me. We take these reports seriously and are currently reviewing this matter.

If you get in contact with the police again, please provide the local authorities the following link to our Law Enforcement Portal to reach us directly:

airbnb.com/lert

Please do not hesitate to reach out if you have any questions or concerns. I will be happy to assist you. You can reach me directly by replying to this email.

Best regards,

Isaac

Airbnb's Safety Ambassador

Mar 22, 2023



Airbnb Support 1:37 AM

Your issue is important to us, so I want to let you know I won't be able to respond to this query until Mar 24th, 2023.

If you require urgent assistance, please call us. Otherwise, I'll continue to work on your case on Mar 24th, 2023.

All communications will be documented in this case.

Best,
Isaac
Airbnb's Safety Ambassador

Mar 24, 2023



Airbnb Support8:29 PM

Hello,

Isaac here again form Airbnb's Safety department. Hope you are having a great day!

I just came back from my scheduled days off. It's to let you know that we are still working in your case.

Once I've got any update I'll let you know here on this thread the conclusion of our investigation.

Hope you have a great weekend!

Best regards,
Isaac
Airbnb's Safety Ambassador

Mar 28, 2023



Airbnb Support1:13 AM

Hello,

Again, thank you for the time you took to report what happened during the reservation. We've taken appropriate action based on your report, and it wouldn't have happened without you.

I'm going to close this thread now. If there's anything else you'd like to share, or if you have additional questions in the future, feel free to contact us, visit:

airbnb.com/help/contact_us

Thanks,

Isaac

Airbnb's Safety Ambassador

Licensing Committee 5th September 2024 - 38 Unicorn Court Short term let application

David Dukes <[REDACTED]>

Fri 06/09/2024 13:47

To:licensing.board <licensing.board@dundeecity.gov.uk>

📎 3 attachments (2 MB)

20240129_080450.jpg; Screenshot_20240905_132625_Airbnb.jpg; Screenshot_20240905_132633_Airbnb.jpg;

Dear Licensing Board,

During the meeting there was an issue raised over the validity of the posting of the Site Notice.

I have attached a photo that I took of the notice on 29 January 2024. The notice was posted on Friday 26 January. It was posted on a door in the entrance lobby of the building, which is only accessible to residents. This was the first and only time that the notice was posted anywhere inside the building and it was not up for more than 2 weeks before it was taken down.

I am not aware of the notice having been posted anywhere that would be visible to members of the passing public.

On a separate issue, when the license was being read out by one of the committee members, the occupancy was stated as being for 4.

The flat is advertised on two separate ads on airbnb, one ad states 5 guests, the other states 6 guests. The flat is also advertised on another renting channel: VRBO, where the ad states that the flat sleeps 6.

I have attached 2 screenshots of the 2 ads on airbnb which state the number of guests.

Regards,
David Dukes

This page is intentionally left blank



85

1 / 42

Quayside Apartments

Entire rental unit in Dundee City Council,
United Kingdom

5 guests · 2 bedrooms · 3 beds · 1.5 bathrooms

★ No reviews yet



Hosted by Hina

1 year hosting

A comfortable apartment in the heart of the new quayside development area. Just a few minutes walk to the fantastic V & A



Quayside 2-Bed Apartment in Dundee

Entire rental unit in Dundee City Council,
United Kingdom

6 guests · 2 bedrooms · 4 beds · 1 bathroom

★ 4.50 · 6 reviews



Hosted by Travelnest

3 years hosting



Park for free

This is one of the few places in the



Memorandum

To	SENIOR ELECTORAL SERVICES & LICENSING OFFICER, SUPPORT SERVICES	
From	Gabrielle Hayes – Ext. 6842	
Our Ref	GH STL/ DD00207N	
Your Ref		
Date	21 August 2024	
Subject	Civic Government (Scotland) Act 1982 (Licensing Of Short-term Lets) Order 2022 Unicorn Court, 38 West Victoria Dock Road, Dundee – SECONDARY LETTING 5 September 2024 Licensing Committee	(4 persons)

In respect of the above application, I would have no objection to a licence being issued for a Short-term Let to the period 31 January 2027.

No objections have been received from the Planning Section of the City Development Department, Food Safety & Health & Safety Section of Neighbourhood Services or the Scottish Fire and Rescue Service.

GABRIELLE HAYES
PRIVATE SECTOR SERVICES MANAGER

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CHANGING FOR THE FUTURE

Memorandum

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To **SENIOR ELECTORAL SERVICES & LICENSING OFFICER, SUPPORT SERVICES**

From Gabrielle Hayes – Ext. 6832

Our Ref GH STL/ DD00206P

Your Ref

Date 26 July 2024

Subject **Civic Government (Scotland) Act 1982 - (Licensing Of Short-term Lets) Order 2022**
596 Perth Road, Dundee – Mrs Aliona Levins (2 persons)
HOME LETTING
08 August 2024 Licensing Committee

In respect of the above application, I would make the following observation in regard to a licence being issued for a Short-term Let to the period 31 January 2027:

- The applicant has not provided public liability insurance with £5m cover as required. A valid policy for £1m cover has been submitted.
- The Electrical Installation Condition Report is not signed by the contractor and does not confirm that the extent of the testing meets the minimum requirement.
- The Portable Appliance Test expires on 04/08/24 and a new one will require to be submitted.

This application was accepted as having been received on 30 Sept 2023 and therefore the last scheduled Committee for this to be determined at is 5 Sept 2024.

GABRIELLE HAYES
PRIVATE SECTOR SERVICES MANAGER

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CHANGING FOR THE FUTURE

Memorandum

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To **SENIOR ELECTORAL SERVICES & LICENSING OFFICER, SUPPORT SERVICES**

From Gabrielle Hayes – Ext. 6832

Our Ref GH STL/ DD00105P

Your Ref

Date 21 August 2024

Subject **Civic Government (Scotland) Act 1982 - (Licensing Of Short-term Lets) Order 2022**
11 Sunnybrae Terrace, Dundee – Ms Angela Walters (2 persons)
HOME SHARING
5 September 2024 Licensing Committee

In respect of the above application, I would make the following observation in regard to a licence being issued for a Short-term Let to the period 31 January 2027:

- The following items, identified during an inspection on 25 April 2024 and noted in the report from PSSU dated 2 May 2024 remain outstanding:

Health & Safety

- Ensure front door has a thumb-turn lock to allow egress from the property without the use of a key.
- Ensure the hall and landing are sufficiently lit for occupants to find their way out of the property. This could be achieved by these areas having one or more (as appropriate) automatic plug-in night lights of the type which continue to operate if the mains electricity fails. Where additional lighting is provided, a system should be established to ensure that the lighting is present and in working order at the commencement of each let.

Documentation

- Provide evidence of a current Buildings Insurance policy.
 - Provide evidence of current Public Liability Insurance with a minimum cover of £5m for a single incident.
- A current Gas Safety Certificate requires to be submitted.
 - This application was received on 29 September 2023 and therefore the last scheduled Committee for this to be determined at is 5 September 2024.

GABRIELLE HAYES
PRIVATE SECTOR SERVICES MANAGER

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Memorandum

To **SENIOR ELECTORAL SERVICES & LICENSING OFFICER, SUPPORT SERVICES**

From Gabrielle Hayes – Ext. 6832

Our Ref GH STL/ DD00182P

Your Ref

Date 11 September 2024

Subject **Civic Government (Scotland) Act 1982 - (Licensing Of Short-term Lets) Order 2022
24 Gardner Street (2/2), Dundee – Mr Adrian Harry (4 persons)
SECONDARY LETTING
5 September 2024 Licensing Committee**

In respect of the above application, I would make the following observation in regard to a licence being issued for a Short-term Let to the period 31 January 2027:

- No inspection of the property has taken place. The applicant previously indicated to PSSU that he may be withdrawing his application as he intended to sell the property however no confirmation of this has been received. Mr Harry has not responded to several communications (email and telephone message).
- No Scottish Fire & Rescue Checklist has been received with this application.
- No Electrical Installation Condition Report has been received for this application.
- The Gas Safety Certificate received with this application expired on 26 August 2024. A current certificate requires to be submitted.
- The Portable Appliance Test certificate submitted with this application expired on 28 August 2024. A current certificate require to be submitted.
- This application was received on 30 September 2023 and therefore the last scheduled Committee for this to be determined at is 26 September 2024.



GABRIELLE HAYES
PRIVATE SECTOR SERVICES MANAGER