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Aberdeen City council
Town House
Broad Street
Aberdeen
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Dear Sirs,

OPEN LETTER TO LICENCING COMMITTEE
RE IMPROVING TAXI/PRIVATE HIRE AVAILABILITY IN ABERDEEN

We write to you today to highlight some issues that have become apparent during our 19 months of trading within Aberdeen. We are a fairly new transport company to the city however we have over 50 combined years of industry experience. We as a company have invested heavily in innovative industry leading technology to ensure we are steering ourselves to the front of Aberdeen's highly competitive transport industry. However, it has become significantly apparent to us that Aberdeen City Council has completely failed to adopt the Civic Government Act Scotland 1982 licensing framework as it was designed and intended to govern the market forces of the industry.

Why we need to act now

As I am sure you are aware over the past year there has been a Bill debated. The provisions of this Bill have now been passed allowing the Scottish Parliament to make provisions for the licensing and regulations of air weapons act to amend the licensing (Scotland) Act 2005 and extend the licensing provisions of the Civic Government (Scotland) Act 1982. One of the main impacts of this Bill on the Civic Government (Scotland) Act 1982 will be to remove Clause 22 c "Nothing in sections 10 to 21 (with the exception of subsection (7) of section 21) of this Act shall.....apply to any vehicle while it is being used for carrying passengers under a contract for its exclusive hire for a period of not less than 24 hours." This has become known as "Contract Exemption" that enables vehicles on hire to a contract for a minimum period of 24 hours to operate without a licence. The removal of this exemption has the potential to bring a wide range of currently unlicensed services into the licensing regime. Causing a number of job losses. This will include but not limited to hospital and school transport, chauffeur-driven

cars, “party” buses and stretch limousines. Consultation respondents supported the removal of the exemption but a number of local authorities expressed concern over the impact of the proposal on the cost of contract services that they themselves used (e.g. to get children to school and social work contract). Due to the passing of this Bill there is now likely to be a significant skill shortage in the Local industry. That is unless the authorities continue to turn a blind eye to the Law currently in place as Aberdeen City Council are doing so at the moment. At the current time Aberdeen Council are servicing their own school/social work contracts and permitting delegates to be chauffeured around in un-licensed Private Hire Chauffeur Drive Vehicles.

We therefore believe that the Act will fail to be managed locally without one significant local policy amendment imposed by Aberdeen City Council in 1990. This amendment enforced mandatory testing for Private Hire car drivers. Examples of vehicles that now require to be licensed include any hire or reward Public Transport Function that is not Servicing a Wedding or funeral must be licensed. To break this down in Aberdeen we have at least twelve Chauffer drive company's all operating illegally with immediate effect putting over 30 people out of jobs albeit doing a prestige service which is deemed acceptable. We also have several Aberdeenshire companies using in excess of 200 Aberdeenshire licenses to service in excess of £2 million pounds worth of school contract work purely as a way to get around the Council's own policy of knowledge testing for Private Hire Cars, which is also against the law. In any other city in Scotland only vehicles licensed by their own authority are the one's doing this work. In turn our own authorities are the one's losing licensing revenue and losing out on access to a competitive pricing structure and competitive service levels.

Solution

In order for a solution to be established we would like for this matter to be discussed and for Aberdeen City Council to acknowledge the licensing framework in its current form. These amendments would include that removal of the requirement for all Private Hire cars to sit the same knowledge test as taxi drivers. There should be a test designed as a separate test to impose solely on Private Hire cars like they do throughout the rest of the country. This could be a simple topography test designed to facilitate the economic trends of the Private Hire industry. Like other successful authorities where Private Hire drivers have to demonstrate the use of mapping tools alongside a company developed policy which entrusts they are the market leaders.

Our reasons for doing this stem from the knowledge belief that currently Aberdeen City Council are allowing illegal practice to go un-noticed and un-enforced coupled with the belief that the legislation sits well and functions effectively in competitive market allowing market forces to dictate service levels

Yours Faithfully

Aberdeen Taxis Ltd