Thank you for responding to the Local Government and Regeneration Committee’s Call for Evidence on the Air Weapons and Licensing (Scotland) Bill. All submissions will be examined and considered as part of the Committee’s scrutiny of the Bill.

Please be aware that questions marked with an asterisk (*) require an answer before you can submit the form.

Follow the Local Government and Regeneration Committee’s Twitter feed - all Committee tweets on this Bill will have the hashtag #aw&lbill.

* 1. Please supply your name and contact details:

Name: DOUGLAS CAMPBELL
Organisation: RENFREWSHIRE COUNCIL
Address 1: 
Address 2: 
City/Town: 
Postcode: 
Country: 
Email address (if no email leave blank): 
Phone Number:
2. Please confirm that you have read and understood the Scottish Parliaments “Policy on the treatment of written evidence by subject and mandatory committees”:

- Yes

3. Please confirm whether you are content for your name to be published with your submission:

- Yes

- No

4. Which of the three categories below best describes your interest in the Bill (please tick only one)?

- Personal
- Professional
- Commercial

5. Do you wish your email to be added to the Committee’s distribution list for updates on progress of the Bill:

- Yes

- No
6. Invitations to give oral evidence to the Committee on the Bill will be based on the submissions received. If you wish your submission to be included amongst those considered for possible invitation to give oral evidence, please indicate here.

☐ Yes

☐ No

7. You may answer questions on the entire Bill, or on any part of the Bill. Please indicate which parts of the Bill you are responding to? (You may select as many options that apply).

☐ All of the Bill

☐ Equalities, climate change and other Scottish Government objectives

☐ Air Weapons

☐ General licensing issues

Alcohol licensing

☐ Civic licensing – taxi/private hire car licensing

☐ Civic licensing – scrap metal dealers

☐ Civic licensing – theatre licensing

☐ Civic licensing – sexual entertainment venues
Name/Organisation: RENFREWSHIRE COUNCIL

4. Taxi and Private Hire Car Licensing

You may respond to all questions or only those you have a specific interest in. (Text boxes have no word limit, they will increase in size accordingly).

35. What benefits should the licensing of taxis and private hire cars deliver for customers?

The licensing system should ensure that taxis and private hire car vehicles are suitable and safe for the carriage of passengers and, in relation to taxis, that fares are consistently applied as permitted under the act. The power of local licensing authorities to determine the type of vehicles which are suitable enables them to promote equality for disabled persons (as Renfrewshire have done) and potentially to encourage greener forms of travel. To date, these matters have been left to the discretion of local licensing authorities, which autonomy we support, although the absence of legislation on vehicle standards can leave a local licensing authority open to litigation.

36. In what ways do customers, providers of taxi/private hire car services and local authorities benefit from the two-tier licensing regime for taxis and private hire cars?

We are aware that there have been suggestions that there should be only one category of hire car rather than the current two tier system. There is some benefit from the current system from the viewpoint of licensing authorities in that certain vehicles may be approved as suitable for use as taxis, particularly with a view to accessibility. If the distinction were to be removed, the policy in Renfrewshire that vehicles used as taxis be wheelchair accessible with no such automatic requirement for private hire cars (which contains a mixture of saloon vehicles and wheelchair accessible multiperson vehicles) may have to be amended and it may be harder to cater for the mixed needs of the public if the distinction were to be removed. Resolving issues of this type may cause some upheaval for local licensing authorities and potentially also for the travelling public.
37. The Government states that a radical overhaul of the current two-tier licensing regime would “clearly require a very high level of resource and would cause significant disruption for the trade, local authorities, the police and ultimately the travelling public”. What are your views on this and would the potential costs and disruptions outweigh any potential benefits of a unified system?

Reference is made to answer 36 above. In addition, we would comment that there would clearly have to be carefully considered transitional provisions before such an overhaul could occur. In addition, in our local authority area, there may be difficulties with the licence conditions during transition given that we have licence conditions we have approved for taxis which do not apply to private hire cars. Further, there may be confusion among the public, at least in the period after such an overhaul, as to the extent to which the fares charged by hire cars would be controlled under a new regime as well as whether a vehicle would be entitled to ply for hire. The current two tier system is at least understood by the majority of the general public at present.

38. Do the changes made by sections 60 (overprovision of private hire car licences) and 61 (testing of private hire car drivers) of the Bill strike the right balance in terms of introducing greater consistency while maintaining justifiable differences?

Reference is made to Answer 23, above. While we understand that the Scottish Government may not have used the same test for a quantitative restriction for private hire cars as already applies to taxis on the basis that measurement of taxi provision at ranks is possible unlike the position with private hire cars (which require to be pre-booked), we have concerns that “overprovision” may be difficult to measure. We do have concerns also that this may be a prohibitive cost for local licensing authorities, especially with two different tests having to be satisfied, and we have concerns as noted above in relation to private hire car licences effectively acquiring a financial value. We think consideration is required as to whether the proposed section would improve the service offered to the travelling public. We do think a policy introduced by a local licensing authority on the strength of Clause 60 of the Bill may be well received by licensed private hire car operators and drivers in enabling them to make a living and that, accordingly, there may be a benefit in reducing illegal trading by those drivers.
39. Do you have any views on the section 62 provisions bringing vehicles contracted for exclusive use for 24 or more hours within the licensing regime for taxis and private hire cars, and should any exemptions be included in the Bill?

We welcome this provision as it is currently open to abuse and difficult to enforce where drivers claim the vehicle is being used for exclusive hire. However, we also consider that the development of taxi apps may result in increased numbers of vehicles carrying passengers for hire and that the licensing system should therefore be strengthened to ensure that adequate electronic records are made available to the Police and Civic Licensing Standards Officers to ensure that vehicles are being booked legitimately.