

For meeting on:

6 June 2019

Agenda **2019**

***East
Dunbartonshire
Council***

Booklet 3



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A Special meeting of East Dunbartonshire Council (Policy and Resources) will be held within **Tom Johnston Chamber, 12 Strathkelvin Place, Kirkintilloch on Thursday, 6 June 2019 at 5.30 pm.**

(Sgd) ANN DAVIE
 Depute Chief Executive – Education,
 People & Business

East Dunbartonshire Council
 12 Strathkelvin Place
 KIRKINTILLOCH
 Glasgow G66 1XT

Tel: 0141 578 8021

Date: 31 May 2019

AGENDA

1a Sederunt and Apologies

1b **Declarations of Interest** - Members are requested to intimate any declarations of interest in respect of any business to be considered.

1c **Determination of Exempt Business** – Members are requested to determine that the exempt business be considered with the press and public excluded.

1d Convener's Remarks

1e Any other business which the Convener decides is urgent

	Contact No.	Item No.	Description	Page No.
MINUTES				
.....	8021	2	Minute of Meeting of the Policy and Resources Committee of 11 April 2019. (Copy herewith).	1-6
.....	8076	3	Minutes of Special Meeting and Meetings of the Civic Government Appeals Board of 15 April, 29 April and 9 May 2019. (Copies herewith).	7-18
REPORTS				
.....	8025	4	Outstanding Business Statement - Report by Depute Chief Executive – Education, People & Business. (Copy herewith).	19-26
.....	8015	5	Review of the Council's Administrative Scheme - Report by Depute Chief Executive – Education, People & Business. (Copy herewith).	27-30
.....	8237	6	Education, People & Business - How Good is Our Service 2018-19 - Report by Depute Chief Executive – Education, People & Business. (Copy herewith).	31-86
.....	8237	7	Finance & Audit – How Good is Our Service 2018-19 – Report by Chief Finance Officer. (Copy herewith).	87-104

	Contact No.	Item No.	Description	Page No.
.....	232 8212	8	Health & Social Care Partnership – Scrutiny of Service Performance - How Good is Our Service 2018/19 - Report by Chief Executive. (Copy herewith).	105-132
.....	8015	9	Civic Government (Scotland) Act 1982: Outcome of Public Consultation on Review of Taxi and Private Hire Vehicle Operator's and Driver's Licence Conditions- Report by Depute Chief Executive – Education, People & Business. (Copy herewith).	133-304
.....	3458	10	Shared Equity Purchase, Torrance - Report by Depute Chief Executive – Education, People & Business. (Copy Report and Appendix 1 herewith).	305-310
.....	8524/8818	11	Impact Assessment Guide and Checklist - Report by Depute Chief Executive – Place, Neighbourhood & Corporate Assets. (Copy herewith). NB Appendix 2 is below	311-332
.....	8524	12	Infrastructure Commission for Scotland Call for Evidence – Council Response - Report by Depute Chief Executive – Place, Neighbourhood & Corporate Assets. (Copy herewith).	333-360

MOTIONS

13	<p>WITHDRAWAL OF LOCAL BUS SERVICES MOVED: COUNCILLOR MOODY SECONDED: COUNCILLOR POLSON</p> <p>Council notes that Glasgow Citybus (part of the West Coast Motors group) has given notice to the Traffic Commissioner of its intention to withdraw two of its local bus services currently operating in East Dunbartonshire, namely:</p> <p>Service 15 - Milngavie - Glasgow City Centre and; Service 142 - Bishopbriggs Circular</p> <p>Council condemns the decision to remove these vital local bus services that serve our local communities. This decision will have a particular negative effect on those individuals and groups of in East Dunbartonshire communities who rely on public transport to access employment, local services and leisure facilities.</p> <p>This withdrawal will lead to an increase in isolation to members of our communities leading to greater level of social exclusion for these individuals and groups which is in direct contrast to policy objectives in National, Regional and Local Transport Strategies and the Council's commitment to promoting inclusion.</p> <p>Council therefore,</p> <p>a. Invites all group leaders and independent Councillor to write to Glasgow Citybus outlining the Council's disappointment at their decision to withdraw these services; and</p> <p>b. Invites all group leaders and independent Councillor to write to the Scottish Government and Strathclyde Partnership for Transport outlining the Council's disappointment at the decision to withdraw these services and request a meeting to discuss the future options for ensuring these services are retained for the local communities.</p>
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	Contact No.	Item No.	Description	Page No.
14	NOTICE OF WITHDRAWAL OF BUS SERVICES MOVED: COUNCILLOR CUMMING Glasgow Citybus which currently operates bus service No15 that runs from Milngavie through Bearsden into the West End, Charing Cross and finally to the City Centre, has given notice that they will be withdrawing service No15, with the last day of operation being Saturday the 29th of June 2019. Service No15 is a well-used service with an excellent route design. In many cases users of this service have no access to alternative transport. Essentially, it is a lifeline that cannot be allowed to be lost by local people. This Council agrees that the Chief Executive: 1. Writes to The Chief Executive of Strathclyde Partnership for Transport offering the Council's full and unequivocal support in their efforts to review the situation to determine what actions need to be taken to ensure that essential links are maintained. 2. Writes to the Cabinet Secretary for Transport, Infrastructure and Connectivity, the MSPs for Clydebank and Milngavie, and Strathkelvin and Bearsden, the MP for East Dunbartonshire, and all West of Scotland list MSPs, asking them to campaign for the retention of this vital service to ensure onward travel links, and access to essential services are maintained. 3. Should report back to the full Council meeting on 27th June 2019 on any progress made in relation to the continuation or otherwise of Service No 15.			
EXCLUSION OF THE PUBLIC It is recommended that the Special Council pass the following Resolution:- “That under Section 50A (4) of the Local Government (Scotland) Act 1973, as amended, the press and public be excluded from the meeting for the following items of business on the grounds that they may involve the likely disclosure of exempt information as defined in Paragraphs 1, 2, 6, 8 and 9 of Part 1 of Schedule 7A of the Act”.				
.....	3458	10	Shared Equity Purchase, Torrance - Report by Depute Chief Executive – Education, People & Business. (Appendix 2 herewith).	361-362
.....	8639	15	Proposed Transfer of King George V Flat and Lockup, Bearsden to Housing Revenue Account - Report by Depute Chief Executive – Place, Neighbourhood & Corporate Assets. (Copy herewith).	363-368
.....	8639	16	Update on proposed sale of the former St Agatha’s Primary School, Kirkintilloch – Report by Depute Chief Executive – Place, Neighbourhood & Corporate Assets. (Copy herewith).	369-376

Minute of Policy and Resources Committee of East Dunbartonshire Council held within **Tom Johnston Chamber, 12 Strathkelvin Place, Kirkintilloch**, on **Thursday, 11 April 2019**.

Present: Councillors **CUMMING, JAMIESON, JOHNSTON, LOW, MECHAN, MOIR, MOODY, MURRAY, O'NEIL and POLSON**

Also Present Councillor **PEWS**

In Attendance: G. Cornes	Chief Executive
A. Bauer	Executive Officer – Assets & Facilities
A. Davie	Depute Chief Executive – Education, People & Business
K. Donnelly	Chief Solicitor & Monitoring Officer
A. Fegan	Communications and Engagement Manager
L. Galasso	Workforce Strategy Lead
T. Glen	Depute Chief Executive – Place, Neighbourhood & Corporate Assets
G. Mackintosh	Executive Officer - Housing
L. McKenzie	Team Leader – Democratic Services
V. McNulty	Executive Officer – Customer & Digital Services
G. Morrison	Principal Accountant
D. Pearce	Head of Community Health & Care Services
J. Robertson	Chief Finance Officer
C. Sinclair	Head of Mental Health, Learning Disability, Addictions and Health Improvement

Councillor Polson (Convener) presiding

1a APOLOGIES FOR ABSENCE

Apologies for absence were intimated on behalf of Councillors Fischer, Hendry and Renwick.

1b DECLARATIONS OF INTEREST

No declarations of interest were intimated.

1c DETERMINATION OF EXEMPT BUSINESS

The Convener advised that there was no exempt business contained within the papers.

1d CONVENER'S REMARKS

The Convener thanked Councillor Moody for his convenership of the Policy and Resources Committee over the past year and he advised that he would be Convener for the forthcoming year.

**POLICY AND RESOURCES COMMITTEE,
11 APRIL 2019**

1e ANY OTHER BUSINESS WHICH THE CONVENER DECIDES IS URGENT

The Convener advised that there were no other items of urgent business.

**2. MINUTE OF MEETING OF THE POLICY AND RESOURCES COMMITTEE
OF 12 FEBRUARY 2019**

There was submitted and noted Minute of Meeting of the Policy and Resources Committee of 12 February 2019, copies of which had previously been circulated.

**3. MINUTES OF SPECIAL MEETING AND MEETING OF THE CIVIC
GOVERNMENT APPEALS BOARD OF 12 FEBRUARY AND 4 MARCH 2019**

There were submitted and noted Minutes of Special Meeting and Meeting of the Civic Government Appeals Board of 12 February and 4 March 2019, copies of which had previously been circulated.

**4. MINUTE OF MEETING OF THE HUMAN RESOURCES APPEALS BOARD
OF 12 MARCH 2019**

There was submitted and noted Minute of Meeting of the Human Resources Appeals Board of 12 March 2019, copies of which had previously been circulated.

SEDERUNT

Prior to consideration of the following item of business, Councillor Cumming entered the meeting.

5. OUTSTANDING BUSINESS STATEMENT

Consideration was given to Report EPB/033/19/AD by the Depute Chief Executive – Education, People & Business, copies of which had previously been circulated, providing Members with an update on progress against decisions taken by the Policy and Resources Committee. Full details were contained within the Report and attached Appendix.

With reference to Page 19, Item 6, Bishopbriggs Relief Road Traffic Lights, Activation, and in response to a question from Councillor Low, the Depute Chief Executive – Place, Neighbourhood & Corporate Assets advised that Officers had raised this with Scottish Power and a further meeting would be arranged. He undertook to provide Members with an update following the meeting.

Following further consideration, the Committee agreed as follows:-

- a) to note the updates contained within the Outstanding Business Statement attached as Appendix 1 of the Report; and
- b) to note that actions marked as completed would be removed from the Outstanding Business Statement.

**POLICY AND RESOURCES COMMITTEE,
11 APRIL 2019**

6. GENERAL FUND REVENUE MONITORING AS AT PERIOD 10 2018/19

The Committee took up consideration of Report CFO/015/19/GM by the Chief Finance Officer, copies of which had previously been circulated, providing Members with the Council's consolidated revenue monitoring position as at the end of accounting Period 10, which represented Council expenditure from the 1 April 2018 to the 27 January 2019. Full details were contained within the Report and attached Appendices.

Following consideration, the Committee agreed as follows:-

- a) to note the financial position within the Council's general fund revenue;
- b) to note the updated savings position for 2018/2019; and
- c) to receive future financial reports in line with agreed protocols.

7. GENERAL SERVICES CAPITAL PROGRAMME MONITORING REPORT 2018/19

The Committee took up consideration of Joint Report CFO/019/19/SU by the Depute Chief Executive – Place, Neighbourhood & Corporate Assets and the Chief Finance Officer, copies of which had previously been circulated, providing the Committee with an update on the 2018/19 General Services Capital Programme which represented delivery of the Council's capital expenditure programme at Period 11 and reported on movements between 31 December 2018 and 24 February 2019. Full details were contained within the Report and attached Appendices.

Following consideration, the Committee agreed as follows:-

- a) to approve the revised funding and expenditure detailed within the Report;
- b) to note the projects that required to be re-profiled within the 10 Year Capital Programme; and
- c) to note the content of the Report.

8. EDUCATION, PEOPLE & BUSINESS - HOW GOOD IS OUR SERVICE Q3 (OCTOBER - DECEMBER 2018)

The Committee took up consideration of Report EPB/072/19/JG by the Depute Chief Executive – Education, People & Business, copies of which had previously been circulated, providing the Committee with the quarterly performance and progress reports covering the period October to December 2018 for the Education, People and Business Directorate. Full details were contained within the Report and attached Appendix.

With reference to Page 73, Consultation on Taxi and Private Hire Licensing Conditions, and in response to a question from Councillor Low regarding medical information, the Chief Solicitor & Monitoring Officer advised that a detailed Policy regarding driver fitness would be brought back to Committee.

**POLICY AND RESOURCES COMMITTEE,
11 APRIL 2019**

Following further consideration, the Committee agreed as follows:-

- a) to scrutinise the submitted Strategic Group Performance reporting template set out in Appendix 1 of the Report; and
- b) to request that progress on any identified improvement activity be reported in the Year end How Good Is Our Service evaluation review, which would be reported to the June meeting of Committee.

9. FINANCE & AUDIT – HOW GOOD IS OUR SERVICE Q3 (OCTOBER – DECEMBER 2018)

There was submitted Report CFO/024/19/JG by the Chief Finance Officer, copies of which had previously been circulated, providing the Committee with the quarterly performance and progress report covering the period October to December 2018 for the Finance and Audit Strategic Grouping. Full details were contained within the Report and attached Appendix.

Following consideration, the Committee agreed as follows:-

- a) to scrutinise the submitted Strategic Group Performance reporting template set out in Appendix 1 of the Report; and
- b) to request that progress on any identified improvement activity be reported in the Year end How Good Is Our Service evaluation review, which would be reported to the June meeting of Committee.

10. HEALTH & SOCIAL CARE PARTNERSHIP – SCRUTINY OF SERVICE PERFORMANCE - HOW GOOD IS OUR SERVICE Q3 (OCTOBER – DECEMBER 2018)

There was submitted Report CE/02/19/GC by the Chief Executive, copies of which had previously been circulated, providing the Committee with the quarterly performance and progress report covering the period October to December 2018 for Social Work as a part of the Health and Social Care Partnership reporting arrangements. Full details were contained within the Report and attached Appendix.

Following consideration, the Committee agreed as follows:-

- a) to scrutinise the submitted performance reporting template set out in Appendix 1 of the Report; and
- b) to request that progress on any identified improvement activity be reported in the Year end How Good Is Our Service evaluation review, which would be reported to the June meeting of Committee.

11. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: OUTCOME OF PUBLIC CONSULTATION ON REVIEW OF TAXI FARES

There was submitted Report EPB/064/19/KMD by the Depute Chief Executive – Education, People & Business, copies of which had previously been circulated,

**POLICY AND RESOURCES COMMITTEE,
11 APRIL 2019**

updating the Committee on the recent taxi fare consultation. Full details were contained within the Report and attached Appendix.

Following consideration, the Committee agreed as follows:-

- a) to note the responses received in respect of the public consultation as detailed within the Report;
- b) to approve and adopt the reviewed fare structure attached to the Report to fix fares and other charges in connection with the hire of a taxi or with the arrangements for its hire at current rates; and
- c) to authorise the Chief Solicitor & Monitoring Officer to give notice of the reviewed scales to taxi operators and relevant organisations within East Dunbartonshire in accordance with Section 17 of the Civic Government (Scotland) Act 1982 and to set the date on which the reviewed scales were to come into effect.

12. REVIEW OF PUBLIC ENTERTAINMENT LICENCES – OUTCOME OF CONSULTATION EXERCISE

There was submitted Report EPB/066/19/KMD by the Depute Chief Executive – Education, People & Business, copies of which had previously been circulated, updating the Committee on the recent Public Entertainment Licence (“PEL”) consultation. Full details were contained within the Report and attached Appendices.

The Chief Solicitor & Monitoring Officer was heard in response to Members’ questions in respect of the proposals.

Councillor Polson, seconded by Councillor Moody, moved the Recommendations contained within the Report.

Councillor Low, seconded by Councillor Jamieson, moved an Amendment to Page 118, Point 3, to read “... is *primarily* not commercial ...”

Following discussion, the Committee proceeded to a vote with seven Members voting for the Motion and two Members voting for the Amendment.

Therefore, the decision of the Committee was as follows:-

- a) to approve and adopt (i) the finalised Resolution attached to the Report, and (ii) the guidance on the application of the Resolution;
- b) to authorise the Chief Solicitor & Monitoring Officer to publish the Resolution in local newspapers in East Dunbartonshire in accordance with Section 9 of the Civic Government (Scotland) Act 1982 and to set the date on which the Resolution was to come into effect; and
- c) to instruct the Chief Solicitor and Monitoring Officer to (i) review the public entertainment licence application process with a view to introducing a more efficient and streamlined process for the applications, and (ii) to commence a

**POLICY AND RESOURCES COMMITTEE,
11 APRIL 2019**

review on the fee structure for public entertainment licences, with a view to introducing a sliding scale of fees to apply, dependent upon the nature of the event.

13. ALLOCATIONS POLICY 2019

There was submitted Report EPB/026/19/CM by the Depute Chief Executive – Education, People & Business, copies of which had previously been circulated, updating the Committee on Part 2 of the Housing (Scotland) Act 2014 (the “2104 Act”) which introduced new provisions relating to the allocation of social housing which came into effect on 1 May 2019. Full details were contained within the Report and attached Appendices.

Members noted that Officers had reviewed the Council’s existing Allocation Policy to ensure compliance with the updated legislation. Thereafter, the Executive Officer – Housing responded to Members’ questions.

Following further consideration, the Committee agreed as follows:-

- a) to adopt the updated policy; and
- b) to instruct Officers to implement the updated policy with effect from 1 May 2019.

14. DECORATION ALLOWANCE POLICY – ELECTRICAL REWIRE

There was submitted Report EPB/069/19/CM by the Depute Chief Executive – Education, People & Business, copies of which had previously been circulated, seeking Committee approval to update and implement a Pilot Decoration Allowance Policy that would compensate tenants for damage caused when electrical rewire work was undertaken. Full details were contained within the Report and attached Appendices.

Members noted the agreed allowance rate(s) would assist tenants to care for and redecorate most room(s) affected and would protect the Council’s asset.

With reference to Page 200, Table 1 and Page 201, Table 2, Maximum Allowance, and having heard from Councillor Low, the Convener advised that Table 2 would be amended to read “£750.00”.

Following further consideration, the Committee agreed as follows:-

- a) to note the content of the Report;
- b) to come to an agreed position on allowance rate(s) based on the model discussed within the Report; and
- c) to the introduction of decoration assistance to restore the decorative condition of tenant’s homes on completion of an electrical rewire programme of work.

Agenda Item 3

Minute of Meeting of the East Dunbartonshire Civic Government Appeals Board (the “Board”) held within **Tom Johnston Chamber, 12 Strathkelvin Place, Kirkintilloch**, on **Monday, 15 April 2019**.

Present:	Councillors	GIBBONS, JOHNSTON, LOW, MCGINNIGLE and THORNTON
In Attendance:	E. Crainie J. Frame C. Haggerty B. Moncur A. Munro J. McAuley	Solicitor Committee Services Officer Team Leader – Litigation and Licensing Corporate Fraud Officer Licensing Officer Licensing Officer
Also in Attendance:	F. Lavery Sgt. Stewart H. Atkinson B. Scott M. Scott P. Lawson I. Turnbull L. Benson C. Russell J. Waller	Police Scotland Police Scotland Team Leader – Development Applications Applicant - Agenda Item 2 Agenda Item 2 Solicitor – Agenda Item 2 Objector – Agenda Item 2 Objector – Agenda Item 2 Objector – Agenda Item 2 Objector – Agenda Item 2

Councillor Gibbons (Convener) presiding

1a APOLOGIES FOR ABSENCE

Apologies for absence was intimated on behalf of Councillors Ferretti, Goodall and Moody.

1b DECLARATIONS OF INTEREST

No declarations of interest were intimated.

1c DETERMINATION OF EXEMPT BUSINESS

The Board agreed that agenda Items 3, 4, 5a), 5b), 5c) and 6a) comprised exempt business and should be heard in the absence of the press and public.

1d CONVENER’S REMARKS

The Convener advised of an additional item of business, namely, Application for Renewal of Second Hand Vehicle Dealer Licence – Billy Scott Cars Ltd, copies of which were previously circulated, (Agenda Item 2, below refers).

CIVIC GOVERNMENT APPEALS BOARD
15 APRIL 2019

1e ANY OTHER BUSINESS WHICH THE CONVENER DECIDES IS URGENT

The Convener advised that there were no urgent items of business.

2. SECOND HAND VEHICLE DEALER LICENCE

Application for Renewal of Licence – Billy Scott Cars Ltd, 9 Lochview Road, Bearsden

Consideration was given to Report EPB/091/19/CH by the Depute Chief Executive - Education, People and Business, copies of which had previously been circulated, seeking the Board's consideration and determination of the application for the renewal of a second hand vehicle dealer licence in respect of Billy Scott Cars Ltd, 9 Lochview Road, Bearsden, Glasgow, G61 1PP. Attached as appendices to the Report were copies of the application form received on 3 January 2019 (Appendix 1), and a copy of the petition of objections from local residents dated 8 February 2019 (Appendix 2).

The applicant, his wife, M. Scott, and his solicitor, P. Lawson were present. The Convener sought confirmation that they were familiar with the procedures to be adopted during the hearing, a copy of which was tabled.

The Team Leader – Development Applications advised the Board that planning permission had been granted for the erection of the garage at the site with a condition that no more than four vehicles be on the site at any one time, and any more would constitute a change of use. She confirmed that no application had been received in respect of change of use to date.

At the invitation of the Convener, J. Waller addressed the Board on behalf of the objectors, during the course of which further correspondence from the objectors was tabled and circulated to all parties. He was heard in relation to the four main reasons for the objection as detailed within the tabled correspondence. The applicant and his solicitor were given the opportunity to ask questions of the objectors.

Thereafter, the applicant's solicitor addressed the Board in support of the application, during the course of which an inventory of productions was tabled and circulated to all parties. Thereafter, members of the Board were given the opportunity to ask questions of both parties, at the conclusion of which the Convener invited J. Waller, on behalf of the objectors, and the applicant's solicitor to sum up their respective cases. The Convener advised that the Board would retire and consider the matter in private.

In private, the Board considered the application, taking account of the objector submissions and the case submitted by the applicant's solicitor.

On reconvening, in the presence of all parties, the Convener thanked everyone for their attendance at the meeting. Councillor Johnston, seconded by Councillor Thornton moved refusal of the application on the grounds that the premises are not suitable for the conduct of the activity having regard to the location and character of the premises and the nature and extent of the proposed activity.

CIVIC GOVERNMENT APPEALS BOARD

15 APRIL 2019

The applicant's solicitor requested a Statement of Reasons. He also sought confirmation that a further application for different premises could be submitted within a year. The Team Leader – Litigation & Licensing referred to Paragraph 6 (1) of the Civic Government (Scotland) Act 1982 and advised that should there be a material change any future application would be dealt with appropriately.

EXCLUSION OF THE PUBLIC

The Board resolved that under Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the press and public be excluded from the meeting for the following items of business on the grounds that they may involve the likely disclosure of exempt information as defined in Paragraphs 12 and 14 of Part 1 of Schedule 7(A) of the Act.

3. TAXI OPERATOR'S LICENCE

Revocation of Taxi Operator's Licence – Application No. 089

Consideration was given to Report EPB/089/19/CH by the Depute Chief Executive - Education, People and Business, copies of which had previously been circulated, seeking the Board's consideration of the revocation of the taxi operator's licence in respect of Application No 089. Attached as appendices to the Report were copies of the change of partnership documentation dated 19 April 2018 (Appendix 1), a letter from the second named licence holder dated 17 September 2018 (Appendix 2), a Corporate Fraud Report dated 13 November 2018 (Appendix 3), and a Corporate Fraud Report dated 28 March 2018 (Appendix 4).

The second named partner's representative was present. The first named partner was not present. The Convener sought confirmation that he was familiar with the procedures to be adopted during the hearing, a copy of which was tabled.

The Convener invited the Corporate Fraud Officer to address the Board on the terms of his enquiries, during the course of which he referred to the outcome of a matter considered at Glasgow Justice of the Peace Court, and copies of an Extract of Conviction for the first named partner were subsequently tabled. The second named partner's representative was given the opportunity to ask questions of the Corporate Fraud Officer. Thereafter, the second named partner's representative was heard in support of the licence. There were no questions from the Corporate Fraud Officer. Members of the Board were then given the opportunity to question both parties, at the conclusion of which the Corporate Fraud Officer, and the second named partner's representative summed up their respective cases.

In private, the Board considered the revocation, taking account of the Corporate Fraud Reports and the case submitted by the second named partner's representative.

On reconvening, in the presence of both parties, Councillor Gibbons, seconded by Councillor McGinnigle, moved that the taxi operator's licence be revoked. There being no-one otherwise minded, this became the decision of the Board.

CIVIC GOVERNMENT APPEALS BOARD
15 APRIL 2019

The Convener advised that the decision of the Board would be intimated to the licence holder in writing.

4. TAXI DRIVER'S LICENCE

Revocation of Taxi Driver's Licence – Application No 088

Consideration was given to Report EPB/088/19/CH by the Depute Chief Executive - Education, People and Business, copies of which had previously been circulated, seeking the Board's consideration of the revocation of a taxi driver's licence in respect of Application No 088. Attached as appendices to the Report were copies of the change of partnership documentation dated 19 April 2018 (Appendix 1), a letter from the second named licence holder dated 17 September 2018 (Appendix 2), a Corporate Fraud Report dated 13 November 2018 (Appendix 3), and a Corporate Fraud Report dated 28 March 2018 (Appendix 4).

The applicant was not present. The Board agreed to proceed with the hearing in the applicant's absence.

The Convener invited the Corporate Fraud Officer to address the Board on the terms of his enquiries, at the conclusion of which the Convener advised that the matter would be considered in private.

In private, the Board considered the revocation, taking account of the Corporate Fraud Reports.

On reconvening, in the presence of the Corporate Fraud Officer, Councillor Gibbons, seconded by Councillor Low, moved that the taxi drivers's licence be revoked. There being no-one otherwise minded, this became the decision of the Board.

The Convener advised that the decision of the Board would be intimated to the licence holder in writing.

5. TAXI DRIVER'S LICENCE

a) Application for Grant of Licence – Application No. 085

Reference having been made the Board hearing of 21 January 2019, and 4 March 2019, (Report EPB/003/19/TB, and EPB/35/19/JL respectively refer), there was submitted Report EPB/085/19/CH by the Depute Chief Executive – Education, People & Business, copies of which had previously been circulated, seeking the Board's consideration and determination of the application for the grant of a taxi driver's licence in respect of Application No. 085. Attached as appendices to the Report were copies of the application form received on 16 November 2018 (Appendix 1), together with a letter from Police Scotland dated 22 November 2018 submitting a representation in respect of the application (Appendix 2).

CIVIC GOVERNMENT APPEALS BOARD
15 APRIL 2019

The applicant and his partner were present. The Convener sought confirmation that he was familiar with the procedures to be adopted during the hearing, a copy of which was tabled.

The Convener invited the Police to address the Board on the terms of their representation. The applicant was given the opportunity to ask questions of the Police. Thereafter, the applicant was heard in support of the application. There were no questions from the Police. Members of the Board were then given the opportunity to question both parties, at the conclusion of which the Police, and the applicant summed up their respective cases.

In private, the Board considered the application, taking account of the Police representation and the case submitted by the applicant.

On reconvening, in the presence of both parties, Councillor McGinnigle, seconded by Councillor Johnston, moved grant of the application. There being no-one otherwise minded, this became the decision of the Board.

The Convener advised that the decision of the Board would be intimated to the applicant in writing.

b) Application for Grant of Licence – Application No. 086

Consideration was given to Report EPB/086/19/CH by the Depute Chief Executive – Education, People & Business, copies of which had previously been circulated, seeking the Board's consideration and determination of the application for the grant of a taxi driver's licence in respect of Application No. 086. Attached as appendices to the Report were copies of the application form received on 5 March 2019 (Appendix 1), together with a letter from Police Scotland dated 21 March 2019 submitting a representation in respect of the application (Appendix 2).

The applicant and was not present.

The Police intimated that they wished to withdraw their representation dated 22 November 2018 due to additional information which had come to light. Sergeant Stewart advised that a letter of objection would subsequently be submitted requested that the matter to be continued to the next meeting of the Board.

Following consideration, the Board unanimously agreed to continue consideration of the application until the Board meeting scheduled to be held on 27 May 2019.

c) Application for Grant of Licence – Application No. 087

Consideration was given to Report EPB/087/19/CH by the Depute Chief Executive – Education, People & Business, copies of which had previously been circulated, seeking the Board's consideration and determination of the application for the grant of a taxi driver's licence in respect of Application No. 087. Attached as appendices to the Report was a copy of the application form received on 28 January 2019 (Appendix 1),

CIVIC GOVERNMENT APPEALS BOARD

15 APRIL 2019

together with a letter from Police Scotland dated 18 March 2019 advising of an 'out of time' objection in respect of the application (Appendix 2).

The applicant was present.

Prior to consideration, the Convener invited the Police to address the Board on the reason for the lateness of the Report. Having considered the reasons for the lateness, the Board agreed to consider the Police objection dated 18 March 2019 which had not been contained within the papers. Copies of the objection were tabled.

Thereafter, the Police addressed the Board on the terms of the objection. There were no question from the applicant.

Thereafter, the applicant was heard in support of the application. There were no questions from the Police. Members of the Board were then given the opportunity to question both parties, at the conclusion of which the Police, and the applicant summed up their respective cases.

In private, the Board considered the application, taking account of the Police representation and the case submitted by the applicant.

On reconvening, in the presence of both parties, the Board unanimously agreed to continue consideration of the application until the October meeting of the Board to await the outcome of other matters.

The Convener advised that the decision of the Board would be intimated to the applicant in writing.

6. TAXI OPERATOR'S LICENCE

a) Application for Renewal of Licence – Application No. 090

Consideration was given to Report EPB/090/19/CH by the Depute Chief Executive – Education, People & Business, copies of which had previously been circulated, seeking the Board's consideration and determination of the application for the renewal of a taxi operator's licence in respect of Application No. 090. Attached as an appendix to the Report was a copy of the application form received on 7 August 2018 (Appendix 1).

The applicant was present.

Prior to consideration, the Convener invited the Corporate Fraud Officer to address the Board on the reason for the lateness of his report. Having considered the reasons for the lateness, the Board agreed to consider the Corporate Fraud report dated 19 March 2019 which had not been contained within the papers. Copies of the report were tabled.

Thereafter, the Corporate Fraud Officer addressed the Board on the terms of the report. Members of the Board were then given the opportunity to question the Corporate Fraud Officer. The applicant had no questions for the Corporate Fraud Officer. Thereafter, the applicant was heard in relation to both plates, during the course of which he advised that although both plates were in his name he was not the operator of the vehicles.

CIVIC GOVERNMENT APPEALS BOARD

15 APRIL 2019

There were no questions from the Corporate Fraud Officer. Members of the Board were then given the opportunity to question both parties, at the conclusion of which the Corporate Fraud Officer, the applicant and his representative summed up their respective cases.

In private, the Board considered the application, taking account of the Corporate Fraud Report and the case submitted by the applicant.

On reconvening, in the presence of both parties, the Convener, seconded by Councillor Johnston, moved refusal of the application. There being no-one otherwise minded, this became the decision of the Board.

The Convener advised that the decision of the Board would be intimated to the licence holder in writing.

Minute of Special Meeting of the Civic Government Appeals Board of East Dunbartonshire Council held within **Tom Johnston Chamber, 12 Strathkelvin Place, Kirkintilloch**, on **Monday, 29 April 2019**.

Present: Councillors **GIBBONS, JOHNSTON, LOW, MOODY, MCGINNIGLE and THORNTON**

In Attendance: **E. Crainie** Solicitor
J. Frame Committee Services Officer
A. Munro Licensing Officer

Also in Attendance: **Cst. Roy** Police Scotland
Sgt. Stewart Police Scotland
C. Mather Licensing Standards Officer

Councillor Gibbons Convener presiding

1a APOLOGIES FOR ABSENCE

Apologies for absence were intimated on behalf of Councillor Ferretti, Goodall and MacDonald.

1b DECLARATIONS OF INTEREST

No declarations of interest were intimated.

1c DETERMINATION OF EXEMPT BUSINESS

The Board agreed that Agenda Item 2a comprised exempt business and should be heard in the absence of the press and public.

1d CONVENER'S REMARKS

The Convener advised that he had no remarks to make.

1e ANY OTHER BUSINESS WHICH THE CONVENER DECIDES IS URGENT

The Convener advised that there were no urgent items of business.

EXCLUSION OF THE PUBLIC

The Board resolved that under Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the press and public be excluded from the meeting for the following items of business on the grounds that they may involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 1 of Schedule 7(A) of the Act.

CIVIC GOVERNMENT APPEALS BOARD
29 APRIL 2019

2. TAXI DRIVER'S LICENCE

a) Consideration of Revocation or Suspension of Taxi Driver's Licence – Application No. 092

Consideration was given to Report EPB/092/19/EC by the Depute Chief Executive – Education, People & Business, copies of which had previously been circulated, seeking the Appeals Board's consideration and determination of the request for the suspension or revocation of a taxi driver's licence in respect of Application No. 092. Attached as Appendices to the Report were copies of the Police Scotland letter dated 9 April 2019 (Appendix 1), together with a letter from East Dunbartonshire Council dated 9 April 2019 intimating the immediate suspension of the taxi driver's licence (Appendix 2).

The Appellant was not present.

The Convener invited the Police to address the Board on the terms of their request for immediate suspension of the Licence, at the conclusion of which, members of the Board were given the opportunity to ask questions of the Police. There were no questions from the Police.

In private, the Board considered the request for suspension of the taxi driver's licence taking account of the Police Complaint.

On reconvening, Councillor McGinnigle seconded by Councillor Thornton moved that the Licence be revoked on the grounds that the Appellant was no longer a fit and proper to hold a licence and that carrying on of the activity to which his licence relates was likely to cause a serious threat to public order or public safety, which was unanimously agreed by the Board.

The Convener advised that the decision of the Board would be intimated to the Appellant in writing.

Minute of Special Meeting of the Civic Government Appeals Board of East Dunbartonshire Council held within **Tom Johnston Chamber, 12 Strathkelvin Place, Kirkintilloch** on **Thursday, 9 May 2019.**

Present: Councillors **GIBBONS, LOW, MOODY and THORNTON**

In Attendance: **J. Frame** Committee Services Officer
J. Livingston Solicitor
A. Munro Licensing Officer

Also in Attendance: **C. Martin** Applicant's Representative
E. Henderson Police Scotland

Councillor Gibbons (Convener) presiding

1a APOLOGIES FOR ABSENCE

Apologies for absence were intimated on behalf of Councillors Ferretti, Goodall, Johnston and MacDonald.

1b DECLARATIONS OF INTEREST

No declarations of interest were intimated.

1c DETERMINATION OF EXEMPT BUSINESS

The Convener advised that there was no exempt business.

1d CONVENER'S REMARKS

The Convener advised that he had no remarks to make.

1e ANY OTHER BUSINESS WHICH THE CONVENER DECIDES IS URGENT

The Convener advised that there were no urgent items of business.

2. CIVIC GOVERNMENT LICENSING

Notification of Proposal to hold a Public Procession

Mr William Dempster (on behalf of LOL 71, St Rollox Orange and Purple District No.10)

There was submitted Report EPB/111/19/JL by the Depute Chief Executive – Education, People & Business, copies of which had previously been circulated, seeking the Appeals Board's consideration and determination of the notification of a proposal to hold a Public Procession on Saturday 11 May 2019, made by William Dempster on behalf of LOL 71, St Rollox Orange and Purple District No.10.

SPECIAL CIVIC GOVERNMENT APPEALS BOARD
9 MAY 2019

Attached as Appendices to the Report were a copy of the Notice of proposal to hold a public procession (Appendix 1), objections to the public procession (Appendix 2) and Police Scotland's response to the notification of the procession (Appendix 3).

The Report detailed that there was a presumption in favour of holding a procession, however, in terms of Section 63(8) of the Act, after consideration of the notification, the objections and any representation from Police Scotland, the Board, can when deciding whether to prohibit the holding of a procession or impose conditions on it.

The Applicant was not present. Mr Craig Martin, Representative of the Applicant organisation was present. The Board noted that no Objectors were present.

The Convener invited Police Scotland to address the Board in relation to the application, during the course of which the Police intimated that they had no objections to the notification and no issues had been identified with the proposed procession.

Thereafter, the Convener invited the Applicant's Representative to address the Board in support of the Notification of Proposal to hold a Public Procession, during the course of which further correspondence in support of the notification was tabled. The Applicant's Representative was heard in response to questions from Police Scotland and the Board Members, at the conclusion of which both parties summed up their respective cases.

In private, the Board considered the Notification representations from the Applicant and the written objections.

On reconvening, in the presence of both parties, Councillor Gibbons, seconded by Councillor Thornton, moved grant of the Public Procession and re-iterated that the Applicant would require to comply with the Council's 'Code of Conduct on Public Processions', which specified that there be no music whilst passing any religious building.

There being no one otherwise minded this was the decision of the Board



**EAST DUNBARTONSHIRE
COUNCIL**

6 JUNE 2019

EPB/113/19/AD

**DEPUTE CHIEF EXECUTIVE – EDUCATION,
PEOPLE & BUSINESS**

CONTACT OFFICER:

**ANN DAVIE, DEPUTE CHIEF EXECUTIVE –
EDUCATION, PEOPLE & BUSINESS, 0141 578 8025**

SUBJECT TITLE:

OUTSTANDING BUSINESS STATEMENT

1.0 PURPOSE

- 1.1** The purpose of this Report is to provide Members with an update in relation to progress against decisions taken by Policy & Resources Committee.

2.0	<u>RECOMMENDATIONS</u>
2.1	<p>It is recommended that the Committee:</p> <ul style="list-style-type: none">a) Notes the updates contained within the Outstanding Business Statement attached as Appendix 1; andb) Notes that actions marked as completed will be removed from the Outstanding Business Statement.

**ANN DAVIE
DEPUTE CHIEF EXECUTIVE
EDUCATION, PEOPLE & BUSINESS**

3.0 BACKGROUND/MAIN ISSUES

- 3.1** Members will be aware that the Council's standard Report template has changed in order to make decision making more transparent. The template seeks to focus on key information such as significant implications and risk. It also links recommendations to the Local Outcome Improvement Plan.
- 3.2** To supplement the above, Outstanding Business Statements are submitted to Council and meetings of standing committees on a regular basis. The purpose of the Outstanding Business Statement is to set out decisions made by Council or Committee and report progress against these. It is intended that the updates within the Outstanding Business Statement will assist Members to monitor delivery and to generally scrutinise performance.
- 3.3** The current Outstanding Business Statement for Policy & Resources Committee is attached as Appendix 1 and details outstanding actions. Each entry sets out the agreed action and provides a brief update of progress. In a number of instances, the agreed action has been completed –these actions have been listed to assure Members that the decisions of Committee have been fulfilled, however these actions will not appear on subsequent versions of the Outstanding Business Statement and as a consequence are marked "COMPLETED". Other ongoing actions will remain on the Outstanding Business Statement until completion.

4.0 IMPLICATIONS

The implications for the Council are as undernoted.

- 4.1** Frontline Service to Customers – none
- 4.2** Workforce (including any significant resource implications) – none
- 4.3** Legal Implications – none
- 4.4** Financial Implications – none
- 4.5** Procurement – none
- 4.6** ICT – none
- 4.7** Corporate Assets – none
- 4.8** Equalities Implications – none

5.0 MANAGEMENT OF RISK

The risks and control measures relating to this report are as follows:-

- 5.1** There are no specific risks attached to this Report however, the Outstanding Business Statement will act as a risk control measure by assisting Members in relation to scrutiny and will increase transparency and good governance.

6.0 IMPACT

- 6.1** **ECONOMIC DEVELOPMENT** – none
- 6.2** **EMPLOYABILITY** – none

6.3 DELIVERING FOR CHILDREN & YOUNG PEOPLE – none

6.4 COMMUNITY SAFETY – none

6.5 HEALTH & SOCIAL CARE – none

6.6 STATUTORY DUTY – none

7.0 POLICY CHECKLIST

7.1 This Report has been assessed against the Policy Development Checklist and has been classified as being an operational report and not a new policy or change to an existing policy document.

8.0 APPENDICES

8.1 Appendix 1 – Outstanding Business Statement as at 6 June 2019.

POLICY & RESOURCES COMMITTEE

OUTSTANDING BUSINESS STATEMENT (OBS)

Please note that this statement sets out outstanding decisions of this committee along with an update and estimated completion date. Actions which are overdue are shaded for ease of reference. Where an update reflects that an action is complete then the Committee's agreement will be sought to its removal from the OBS.

No	Minute Reference	Subject Title	Outstanding Action	Update	Lead Officer /Service	Action due	Action Expected
1.	18 October 2018 EPB/201/18/SU Item 5	General Services Capital Programme Monitoring Report 2018/19	Provide information to Members upon completion of the post contract stage in respect of Bishopbriggs Relief Road Phase 4.	A Report was submitted to Council on 9 May 2019. COMPLETED	Depute Chief Executive – Place, Neighbourhood & Corporate Assets	December 2018	June 2019
2.	12 February 2019 EPB/029/19/AD Agenda Item 4	Outstanding Business Statement	With reference to Bishopbriggs Relief Road, confirm when the traffic lights will be operational.	The pedestrian traffic lights are outwith the BRR4 Project and are associated with the two housing developments either side of Wester Cleddens Road. Officers have met with representatives of Scottish Power to agree how and when the lights will be connected. Scottish Power will provide the power supply and Roads Operations will provide ducting to the lights.	Depute Chief Executive – Place, Neighbourhood & Corporate Assets	August 2019	July 2019
3.	11 April 2019 EPB/033/19/AD Agenda Item 5	Outstanding Business Statement	With reference to Page 19, Item 6, Bishopbriggs Relief Road Traffic Lights, Activation, provide Members	The Technical and Engineering Team have reached agreement with Scottish Power (SP) regarding the source of	Depute Chief Executive – Place, Neighbourhood	June 2019	June 2019

No	Minute Reference	Subject Title	Outstanding Action	Update	Lead Officer /Service	Action due	Action Expected
			with an update following the meeting with Scottish Power.	power to supply the crossing and this will be progressed during the summer months. EDC will undertake the civic works with SP undertaking the connection upon completion of these works.	& Corporate Assets		
4.	EPB/072/19/JG Agenda Item 8	Education, People & Business - How Good is Our Service – Q3 (October - December 2018)	With reference to Page 73, Consultation on Taxi and Private Hire Licensing Conditions, submit a detailed Policy regarding driver fitness to a future Committee.	Separate report on the agenda COMPLETED	Chief Solicitor & Monitoring Officer	March 2019	June 2019
5.	EPB/064/19/KMD Agenda Item 11	Civic Government (Scotland) Act 1982: Outcome of Public Consultation on Review of Taxi Fares	Give notice of the reviewed scales to taxi operators and relevant organisations within East Dunbartonshire and set the date on which the reviewed scales are to come into effect.	Approved at the last meeting of Policy & Resources Committee COMPLETED	Chief Solicitor & Monitoring Officer	April 2019	May 2019
6.	EPB/066/19/KMD Agenda Item 12	Review of Public Entertainment Licences – Outcome of Consultation Exercises	Publish the Resolution in local newspapers in East Dunbartonshire and set the date on which the Resolution is to come into effect.	Approved at Council on 9 th May 2019 COMPLETED	Chief Solicitor & Monitoring Officer	May 2018	May 2018
7.	EPB/066/19/KMD Agenda Item 12	Review of Public Entertainment Licences –	Review the public entertainment licence application process. Commence a review of the	Work has commenced following publication of the new Resolution	Chief Solicitor & Monitoring Officer	March 2020	March 2020

No	Minute Reference	Subject Title	Outstanding Action	Update	Lead Officer /Service	Action due	Action Expected
		Outcome of Consultation Exercises	fee structure for public entertainment licences, with a view to introducing a sliding scale of fees to apply dependent upon the nature of the event.				
8.	EPB/026/19/CM Agenda Item 13	Allocations Policy 2019	Implement the updated policy with effect from 1 May 2019.	Policy approved on 11 th May at Policy & Resources Committee. COMPLETED	Executive Officer - Housing	May 2019	May 2019
9.	EPB/069/19/CM Agenda Item 14	Decoration Allowance Policy – Electrical Rewire	Introduce decoration assistance to restore the decorative condition of tenant's homes on completion of an electrical rewire programme of work.	Policy approved on 11 th May at Policy & Resources Committee. COMPLETED	Executive Officer - Housing	April 2019	May 2019
10.	EPB/069/19/CM Agenda Item 14	Decoration Allowance Policy – Electrical Rewire	With reference to Page 201, Table 2, Maximum Allowance, amend Table 2 to read “£750.00”	Policy updated to reflect error. COMPLETED	Executive Officer - Housing	May 2019	May 2019



**EAST DUNBARTONSHIRE
COUNCIL**

6 JUNE 2019

EPB/118/19/KMD

**DEPUTE CHIEF EXECUTIVE - EDUCATION PEOPLE
& BUSINESS**

CONTACT OFFICER:

**KAREN M DONNELLY - CHIEF SOLICITOR &
MONITORING OFFICER, TEL – 0141 578 8015**

SUBJECT TITLE:

**REVIEW OF THE COUNCIL'S ADMINISTRATIVE
SCHEME**

1.0 PURPOSE

- 1.1** The purpose of this Report is to advise Council of the impending annual review of the Administrative Scheme and to highlight a drop in session for Members.

2.0	<u>RECOMMENDATIONS</u>
2.1	<p>It is recommended that the Council</p> <ul style="list-style-type: none">a) Approves the proposed timetable for review of the Council's Administrative Scheme;b) Instructs the Chief Solicitor & Monitoring Officer to submit a formal Notice of Intention to amend Standing Orders to the next scheduled Ordinary meeting of the Council on 27 June 2019; andc) Agrees that the outcome of the ad hoc Social Work Complaints Committee be referred to the Policy & Resources Committee for approval.

**ANN DAVIE
DEPUTE CHIEF EXECUTIVE
EDUCATION, PEOPLE & BUSINESS**

3.0 BACKGROUND/MAIN ISSUES

- 3.1** Members will be aware that the Administrative Scheme underpins the Council's governance arrangements by setting out the process by which decisions are made and where authority sits to make different types of decision.
- 3.2** Good governance requires that the Administrative Scheme is regularly reviewed in order to ensure that authorisation sits with the appropriate body/officer and that the Scheme is fit for purpose. The developing practice is now to review the Administrative Scheme on an annual basis.
- 3.3** The Council's Standing Orders (which govern the manner in which Council and its committees and other decision-making bodies conduct business and make decisions) are an integral part of the Administrative Scheme. It is important that Members are involved in the development of the Administrative Scheme and are thereafter familiar with its terms. Therefore, it is proposed to commence this year's review with a drop in session for Members. The drop in session is scheduled to take place on 11th June 2019 and will provide Members with an opportunity for informal discussions with Legal & Democratic. At the same time, key officers across the Council are reviewing the powers delegated to the Council's Committees and officers with a view to ensuring that they are current and fit for purpose.
- 3.4** Following the review, an amended Administrative Scheme will be submitted to Council for approval. The papers will highlight the proposed changes and explain the reasons for these. Subject to Council approval, a training session will then be arranged for Members.
- 3.5** The proposed timeline for the review is as follows –
- | | |
|---|---------------------------------|
| • Commence review | 20 th May 2019 |
| • Initial report to Council re process and timeline etc | 6 th June 2019 |
| • Members drop in session | 11 th June 2019 |
| • Formal Notice of changes reported to Council | 27 th June 2019 |
| • Amended Scheme submitted to Council for approval | 26 th September 2019 |
| • Training/briefing for Members | October 2019 |
- 3.6** Standing Order 81 provides that the Standing Orders –
- “may be revised at the Ordinary meeting of the Council by agreement of the Members present and voting. Notice of Intention to revise the Council's Standing Orders must be given at the previous Ordinary Meeting”.*
- Notice of Intention to revise the Council's Standing Orders will be submitted to the next scheduled Ordinary meeting of the Council on 27th June 2019.
- 3.7** In addition to the above, there is a need for the Council to agree to the establishment of an ad hoc Social Work Complaints Committee to determine one outstanding complaint. Members may be aware that prior to April 2017, complaints relating to the provision of social work services and/or the manner in which they were provided could ultimately be referred to a social work complaints committee (SWCC) for determination. This would only take place after other internal attempts to resolve the complaint were unsuccessful. The SWCC comprised independent members and the outcome of the decision was referred to the then Social Work Committee for consideration and adoption or otherwise of any recommendations.

- 3.8** This approach changed with effect from 1st April 2017, at which point these complaints were added to the remit of the Scottish Public Sector Ombudsman (SPSO). However any complaints intimated before that date still required to be processed in compliance with the old procedure.
- 3.9** It has come to light that a complaint which has been subject to detailed and prolonged engagement between Social Work officers and the complainant was originally submitted just before the 1st April 2017 deadline. The complaint was submitted to the SPSO but the SPSO has indicated that her office cannot determine the complaint and has instructed the Council to reconstitute a SWCC for the purposes of determining the complaint. Officers are in touch with the members of the previous SWCC and have been able to secure a panel. Subject to Council approval, a hearing will be set for the earliest possible date.
- 3.10** The outcome of the SWCC requires to be reported to a committee of the Council. Previously this would have been reported to the Council's Social Work Committee however that committee no longer exists. As a consequence, it is proposed that the outcome be reported to the Council's Policy & Resources Committee as that Committee has oversight of Social Work performance in terms of the current Administration Scheme.

4.0 IMPLICATIONS

The implications for the Council are as undernoted.

- 4.1** Frontline Service to Customers – none
- 4.2** Workforce (including any significant resource implications) – none
- 4.3** Legal Implications – failure to have in place proper arrangements for the decision-making and governance of the Council may compromise the Council's ability to make decisions, comply with legislative obligations and may result in significant legal and reputational consequences, including challenges to decisions made and actions taken as a result.
- 4.4** Financial Implications – there are no financial implications at this time, however failure to put in place proper arrangements for the decision-making and governance of the Council may have significant financial and reputational consequences for the Council.
- 4.5** Procurement – the Councils Contract Standing Orders are part of the Administrative Scheme and will be reviewed to ensure statutory and regulatory compliance. Failure to comply with the increasingly complex regulatory procurement regime would have significant operational, legal, financial and reputational consequences for the Council.
- 4.6** ICT – none
- 4.7** Corporate Assets – the Council's Standing Orders relating to Heritable Property form part of the Administrative Scheme and will be included within the review to ensure that they support the decision making necessary to properly and prudently manage the Council's corporate assets and property portfolio
- 4.8** Equalities Implications – none
- 4.9** Other – none

5.0 MANAGEMENT OF RISK

The risks and control measures relating to this Report are as follows:-

- 5.1** There are no significant risks and control measures relating to this Report however the existence of a current and fit for purpose Administrative Scheme is in itself a risk control measure as it underpins the Council's corporate governance arrangements and ensures that decisions are robust, transparent, recorded and made by the correct body/officer.

6.0 IMPACT

- 6.1 ECONOMIC GROWTH & RECOVERY** – none

- 6.2 EMPLOYMENT & SKILLS** - none

- 6.3 CHILDREN & YOUNG PEOPLE** - none

- 6.4 SAFER & STRONGER COMMUNITIES** - none

- 6.5 ADULT HEALTH & WELLBEING** - none

- 6.6 OLDER ADULTS, VULNERABLE PEOPLE & CARERS** - none

- 6.7 STATUTORY DUTY** - none

7.0 POLICY CHECKLIST

- 7.1** This Report has been assessed against the Policy Development Checklist and has been classified as being an operational report and not a new policy or change to an existing policy document.

8.0 APPENDICES

- 8.1** None

**EAST DUNBARTONSHIRE
COUNCIL****6 JUNE 2019****EPB/120/19/JG****ANN DAVIE - DEPUTE CHIEF EXECUTIVE-
EDUCATION, PEOPLE AND BUSINESS****CONTACT OFFICER:****JOSEPH GREATOREX (TEAM LEADER – CORPORATE
PERFORMANCE AND RESEARCH), 0141 578 8237****SUBJECT TITLE:****EDUCATION, PEOPLE AND BUSINESS – HOW GOOD
IS OUR SERVICE 2018-19****1.0 PURPOSE**

- 1.1 The purpose of this Report is to provide Council with the annual How Good is Our Service evaluation of performance covering 2018-19 for the Education, People and Business Directorate (see Appendix 1).
- 1.2 The Report covers the performance indicators set out in the Strategic Group Business and Improvement Plans for 2018-21, approved by Council in March 2018. (CE/01/18/JG). Additionally the report requests an overview of progress against the full range of improvement activities outlined in the Business Improvement Plans.
- 1.3 Members are asked to scrutinise the level of performance set out in the corporate reporting templates (see Appendix 1). Elected Members should also request that progress on any identified improvement activity will be incorporated within the relevant How Good Is Our Service evaluation reviews which will be reported to P&R Committee over the 19/20 reporting period.

2.0	<u>RECOMMENDATIONS</u>
2.1	<p>It is recommended that the Council:-</p> <ul style="list-style-type: none">a) Scrutinise the submitted Strategic Group performance reporting templates set out in Appendix 1; andb) Requests that progress on any identified improvement activity is reported in the How Good Is Our Service evaluation reviews, which will be reported during 19/20 cycles of Committee.

ANN DAVIE**DEPUTE CHIEF EXECUTIVE – EDUCATION, PEOPLE AND BUSINESS**

3.0 BACKGROUND/ MAIN ISSUES

- 3.1 Arrangements for performance management and reporting for strategic groupings require the continuing submission of “How Good is Our Service” self-evaluation reviews on a quarterly basis, including a consolidated annual review. This arrangement was approved by Council in October 2009 (Report No. CST/261/09/TD).
- 3.2 The “How Good is Our Service” evaluation reviews provide a concise and comprehensive review of Directorate performance and activity covering the following areas:
- Section One – Local Delivery Story
 - Section Two– (A)- Prioritised Performance Indicators
 - Section Two – (B)- Absence Management
 - Section Three – Progress on Business and Improvement Plans
 - Section Four – Financial Targets
 - Section Five – Consultation / Engagement Activity
 - Section Six – Policy & Strategy Documents published in the period
 - Section Seven – Improvement Priorities
 - Section Eight – Current Delivery Focus
- 3.3 Sections Two, Three and Six of Our Service evaluation template have been developed through the Council’s performance management system, Pentana.

4.0 IMPLICATIONS

The implications for the Council are as undernoted.

- 4.1. Frontline Service to Customers- Improved Service Delivery through continued effective scrutiny and management of performance
- 4.2. Workforce (including any significant resource implications)- Impact on future Business Improvement Planning
- 4.3. Legal Implications – None
- 4.4. Financial Implications – None
- 4.5. Procurement - None
- 4.6. ICT - None
- 4.7. Corporate Assets- None
- 4.8. Equalities Implications – None
- 4.9. Other

5.0 MANAGEMENT OF RISK

The risks and control measures relating to this report are as follows:-

- 5.1. Ensuring effective Scrutiny of Service Performance and driving improvement in service delivery
- 5.2. Ensuring we are continuing to meet our statutory obligations in regards to performance reporting and Best Value

6.0 IMPACT

6.1. **ECONOMIC GROWTH & RECOVERY** – none

6.2. **EMPLOYMENT & SKILLS** – none

6.3. **CHILDREN & YOUNG PEOPLE** – none

6.4. **SAFER & STRONGER COMMUNITIES** – none

6.5. **ADULT HEALTH & WELLBEING** – none

6.6. **OLDER ADULTS, VULNERABLE PEOPLE & CARERS** – none

6.7. **STATUTORY DUTY** - none

7.0 POLICY CHECKLIST

7.1. This Report has been assessed against the Policy Development Checklist and has been classified as being an operational report and not a new policy or change to an existing policy document.

8.0 APPENDICES

8.1. Appendix 1: Education, People and Business 2018-19 HGIOS Reports

How Good Is Our Service

Customer and Digital Services

April 2018 – March 2019

1. Local Delivery Story

Customer & Digital Services (CDS) continues to deliver a range of functions supporting the Council's Transformation agenda and strategic priorities as outlined in the East Dunbartonshire Local Outcomes Improvement Plan. Service areas include Customer Service operations, delivered through the Council's Community Hubs, Contact Centre and through digital channels; business support services; ICT operations and support; revenues and benefits transactions; Corporate Performance & Research; and Communications & Engagement. Some of the highlights of activity in the 2018/19 reporting period are listed for each team as below;

Customer Services

Following the implementation of short and medium-term interventions to sustain improved Contact Centre response times, targets have been achieved throughout 2018/19 with resources across the wider team deployed as required. The Community Hubs continued to deliver face to face services at all four localities following the opening in 2018/19 of the new Bishopbriggs Community Hub as part of the Library and Community Hub refurbishment. Work continues on the development of online transactional services to improve the customer service offering through digital channels and the Customer Service team continues to support the implementation of the new Blue Badge application process as well as other service delivery commitments, including licensing and registration. The Customer Services service review was concluded in Q4 2018/19 with a new locality based delivery model agreed that will see customer service delivery across all channels through the Community Hubs and key office buildings.

Communications & Engagement

The Communications Team continued to support the delivery of the Transformation Programme and Major Assets delivery programme through the development and implementation of internal and external communications plans to inform and raise awareness of progress and achievements. The new ASN school and 1140 hour facilities development engagement remained a priority. Successful official openings were supported for the new Auchinairn Early Years and Community Centre, the refurbished Bishopbriggs War Memorial Hall, Bishopbriggs Library and Community Hub refurbishment. The STARS Employee Awards were again successfully delivered in 2018/19 with an Awards ceremony held in the War Memorial Hall in December 2018. New school websites were introduced for 2018/19 centrally supported and updated by the web team, who also support the implementation of improvements and updates to the corporate website.

Corporate Performance and Research

The Corporate Performance and Research continue to deliver a lead role in the development of performance and risk management, reporting and service specific statistical support across all council service areas. A selection of the key achievements of the team during the 2018/19 reporting period is as follows;

- Revision and publication of the corporate performance guide, ensuring our corporate planning and performance framework remains fit for purpose.
- Publication of the East Dunbartonshire Council annual public performance report in an improved format including case studies and infographics, clearly mapping our performance to our agreed local outcomes and guiding principles.
- Collation and publication of LGBF data and reports developed for elected member scrutiny
- Publication of a revised area profile for 2018 containing overview of key stats and demographic information to inform policy development
- Provision of area based data and analysis supporting the community planning partnership's place plans which were approved in 2018.
- Preparation and submission of SOURCE returns for Scottish Government.
- Continued provision of quarterly and monthly Performance indicator information across, Education, Adult Social care and Children's Services.
- Implementation of the School Census data returns for ScotXed.
- A full review of Operational Risk registers has been undertaken with a status report scheduled to be presented to the Audit and Risk Committee in June 2019.
- Successful management of the relationship with Councils Insurance Claim Handlers, Insurance Brokers including. collation of relevant data, escalating claims queries and monitoring of our annual insurance policy renewal exercise.

ICT

The ICT Service continues to focus on supporting the Council's ICT systems to ensure high availability and to continuously deliver service improvements. Examples include:

- Completed Education Secondary School Central ICT Hardware procurement and committed Education Device Replacement capital in line with approved Education ICT Strategy.
- Migration of all former GSX secure email accounts to new Secure Email Blueprint solution completed.
- Wide Area Network Upgrade completed - increasing the internet bandwidth from 100mb to 200mb for all secondary schools and 10mb to 30mb for all primary schools.
- Replacement of technology for Storage Area Network which has allowed for a dramatic reduction in power consumption 8.4KW to 0.6KW
- Refurbishment and improvement of ICT Comms rooms within Lenzie Academy and Boclair Academy completed. Allowing for improved services, management of equipment and reduced down time.

- Kilsyth Road Workspace Office Unit 2 (old ISMS unit) connected to EDC Network for Community Support Team - Wireless Access Points fitted in rooms as required. This provides a usable office space for the team as a 'smart working' location.
- Broomhill Core Switch (4510) moved and installed into West Dunbartonshire Council's Data Centre. This is a key part of the work to provision our secondary data centre services in a fully joint shared Data Centre venture with WDC.
- Award of tender for Microsoft SEA for the use of Windows 10 within the Education Estate.
- Award of tender for the Disposal of redundant ICT kit. This ensures that the Council is compliant with Information Commissioner Office with regards to disposal of ICT devices that held Council Data.
- Migration to new hardware (Oracle S7-2 Solaris 11) for Oracle environments. Migration progressing with approx. 50% of the Oracle test virtual services moved to the new server.

Shared Services

- The Shared Services Team have been focussing on improving transactional processes and are working to continually review procedures and systems that will enable improved performance. Significant work has taken place to improve processes around Carefirst payments and the team are working with the Carefirst Team to implement an electronic form for care packages.
- New system implemented for the Blue Badge parking process. This was moving from an old solution to a new hosted solution which allows for quicker processing of the badges.
- The Shared Services Team have also worked closely with the Change Team and ICT to develop a new transport database that will provide improved management information for the Education service.

Revenues & Benefits

- The Revenues & Benefits Team continue to deliver improved performance for Council Tax and Benefits claims processing.
- Annual Council Tax billing completed and 47,000 bills issued and initial responses handled within agreed timescales.
- Completion of the introduction of the Council Tax premium for long term unoccupied properties.
- Scottish Welfare Fund continues to be dealt with within Scottish Government deadlines in 100% of cases.









2. Prioritised Performance Indicators

Annual Indicators

Page 30

		Previous Years				Current Year			
Code	PI Title	2014/15	2015/16	2016/17	2017/18	2018/19			Latest Note
		Value	Value	Value	Value	Value	Target	Status	
CDS-11-BIP-9	SOCITM overall rating for the East Dunbartonshire website	2	2	3	2	N/A	N/A	N/A	SOCITM withdrew this annual website assessment and star rating in 2018 and so this can no longer be reported on going forward. The Council continues to review accessibility of the website to ensure compliance with accessibility requirements in line with target timescales of 2021 and this will be reported through future performance reports.
CDS-28-BIP-2	ICT Service - Customer satisfaction level (SOCITM measure 1 to 7)	5.4	5	5.2	N/A	N/A	N/A	N/A	The ICT Customer Satisfaction Survey was not carried out for 17/18 due to other commitments. The survey will be scheduled later this year for the 2018/19 year

Quarterly Performance Indicators






		Annual Status	Quarters					Quarterly Target	Annual		
Code	PI Title	2018/19	Q4 2017/18	Q1 2018/19	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q4 2018/19	2018/19		Latest Note
		Status	Value	Value	Value	Value	Value	Target	Value	Target	
CDS-01-BIP-4	Percentage of customers who are satisfied or very satisfied with customer service		98%	98%	100%	100%	100%	90%	99%	90%	Of those surveyed in Q4 97% found the service they received to be excellent and 7% found the service to be good. As the new customer service model is implemented, there will be a focus on increasing numbers of surveys undertaken.
CDS-02-BIP-4	Average time (minutes) to answer calls within the Contact Centre		0.57	1.16	1.4	1.45	2.05	3	1.46	3	Whilst winter-related illness impacted call response times at the start of Q4, the focus of the Customer Service team was to prioritise the continued achievement of this target through resilience and diversion of wider customer service resources as required.
CDS-03-BIP-4	% of residents aware of communications campaigns		53%	50%	61.2%	77%	73%	50%	58%	50%	A total of 73% of those responding to our survey were aware of our communications focus over Q4. 75% had been aware of the 'Ready for Winter' messages in January and 71% aware of our network of community hubs in February and March.
CDS-04-BIP-4	ICT Projects Benefit Realisation Success Rate		77%	81%	81%	81%	80%	80%	80.75%	80%	Projects delivered in line with projected target.
CDS-05-BIP-4	Percentage of ICT reported incidents and minor changes resolved within SLA targets		97.44%	95.02%	97.32%	98.28%	96.31%	90%	96.73%	90%	Target met for the period.
CDS-06-BIP-4	Housing Benefit - Average Days to fully process new claims		24.7	21.8	23.8	24.1	21.7	27	22.7	27	Performance target continues to be exceeded for quarter and full year.
CDS-07-BIP-4	Council Tax Reduction - Average Days to fully process new claims		23	18	22.2	16.3	23.8	27	20.1	27	Performance shows continual improvement and within target. Target met for full year.
CDS-08-BIP-4	Housing Benefit - % of new claims decided within 14 days of receiving all information		90.2%	98.4%	94%	96.9%	94%	95%	95.4%	95%	Performance for Q4 slightly below, however for full year target was exceeded.

		Annual Status	Quarters					Quarterly Target	Annual		
Code	PI Title	2018/19	Q4 2017/18	Q1 2018/19	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q4 2018/19	2018/19		Latest Note
		Status	Value	Value	Value	Value	Value	Target	Value	Target	
CDS-09-BIP-4	Housing Benefit - Average days to process change events	✅	3.2	4.8	7.9	4.7	3.1	6	4.5	6	Performance exceeded Scottish Target and above target for full year.
CDS-10-BIP-4	Council Tax Reduction - Average days to process change events	✅	5.2	6.2	6.6	4.2	5.1	6	5.5	6	Target for quarter met and for full year.
CDS-11-BIP-4	Percentage of customer requests that are resolved at first point of contact by Customer Services	🛑	59.6%	71.5%	72%	69.5%	55%	70%	62%	70%	A review of this measure will be taken forward through the implementation of the new Customer Services model to better understand the complexity of enquiries that cannot be resolved at first point of contact and to ensure accurate recording of those that are resolved at first point of contact.
CDS-12-BIP-4	Public Liability Claims Handling - Average Days To Settle Claims	✅	269	202	172	154	239	225	192	225	A total of 78 claims were finalised in the final quarter of the financial year. The average time to settle was 239 days which is a significant increase on the previous quarter and exceeds the target of 225 days. However, 41 claims settled over target, being 53% of the total of claims closed which adversely affected performance. A review of the claims has identified no single reason for the extended lifespan of the claims and as such is largely outwith the control of the Council.


2(b) Absence Management


Percentage Absence		
	Customer & Digital Services	Council (Excuding teachers)
Quarter 1	2.66%	6.05%
Quarter 2	5.13%	6.23%
Quarter 3	5.65%	6.56%
Quarter 4	4.21%	6.52 %
Year End	4.37%	6.34%


3. Progress on Business and Improvement Plans


Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Customer Service Delivery	Building upon contact centre improvements, further develop customer services across all channels in line with service review.		<div><div>100%</div></div>	31-Mar-2019	31-Mar-2019	Having continued to sustain contact centre improvements following short and medium term interventions, the Customer Service Review was concluded in 2018/19 and the new locality-based delivery model, ensuring consistency of service across all channels, will be implemented in Q1 2019/20.
Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Letting Policy Implementation	Implementation of revised and streamlined letting policy and charging framework once approved.		<div><div>100%</div></div>	15-Aug-2018	15-Aug-2018	Implementation of the Letting Policy performed and completed within agreed timescale.
Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Administration of Social Care charging and payments	Administration of Social Care charging and payments		<div><div>0%</div></div>	31-Dec-2018	31-Aug-2019	Improvements have been made with regards to the process. Audit also performed which provided a remedial action plan. Currently closing out the relevant actions.
Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Improve Condition of Education ICT Assets	Improve Education ICT service capacity, performance and security. Reduce the age of Education ICT assets.		<div><div>100%</div></div>	29-Mar-2019	29-Mar-2019	Device replacement completed, reducing the age of the Education ICT assets. Implementation of new WAN improved the capacity by doubling Secondary bandwidth and tripling Primary bandwidth.
Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Deliver secure ICT services for customers and partners.	Improve the council's security perimeter defences. Ensure that systems are maintained and kept up to date. Provide ICT services that continue to be fit for		<div><div>90%</div></div>	26-Oct-2018	31-Aug-2019	PSN Certification achieved. Working towards Cyber Essentials certification for the Council. Provision of ICT Services that are fit for purpose is a continual program of works.


	purpose of sharing and working with sensitive information.					
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Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Team Planning Compliance	Working across strategic groups to ensure increased compliance with the team planning process		<div><div>30%</div></div>	31-Mar-2019	31-Mar-2019	Though progress has been made in approving the format of team planning and initial work has begun to more closely align to the PDR process further work needs to be undertaken in 19/20 to ensure all teams throughout the organisation have active team plans in the corporate format that are subject to regular monitoring and evaluation.

Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Local Government Benchmarking Framework	Increase awareness and participation in Local Government benchmarking Framework across all service areas with increased dissemination of Best Practice across all areas		<div><div>100%</div></div>	31-Mar-2019	31-Mar-2019	The Local Government Benchmarking Data was included in our annual public performance reporting Framework for 17/18, and given increased enhanced scrutiny through a dedicated Scrutiny panel and subsequent report to council. A further report to Council covering the entire dataset in further detail will follow in June 2019 following the publication of the children's services indicator data in April 2019.

Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Increase on line take up for Revenues & Benefits	Advertise and promote		<div><div>50%</div></div>	31-Mar-2019	31-Mar-2020	Increase on line take up is a continual task. This is promoted through Council Tax annual billing along with Social Media streams. Uptake on this is improving using the online channel.

Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Replacement of Citizens Access Revenues	Full testing and implementation of customer on line activity		<div><div>5%</div></div>	30-Sep-2018	31-Mar-2020	In discussions with Supplier to migrate from internally hosted solution to new cloud based application.

Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Continued roll out of Universal Credit	Mitigating the impact by supporting customers in the continued roll out of Universal Credit for the citizens in East Dunbartonshire. Through partnership approach to achieve these aims.		<div><div>60%</div></div>	31-Mar-2019	31-Mar-2020	Continual exercise in rolling out Universal Credit. Preparing for migration of current claimants to Universal Credit, whilst working with DWP timetable for further roll out.

4. Financial Targets

Main Service Divisions	Annual Budget	Net Expenditure projected (subject to audit & adj 2 adjustments)	Annual Variation projected (subject to audit & adj 2 adjustments)	% variation	Narrative
Shared Services	1,938,332	1,870,488	-67,844	-3.50%	Variation in mainly within employee costs although this has been reduced through overspends in other areas.
ICT	3,724,490	3,401,320	-323,170	-8.68%	Variation in employee costs & maintenance agreements
Communication & Engagement	430,782	379,890	-50,892	-11.81%	Variation in employee costs & marketing.
Customer Services	2,229,721	2,269,328	39,607	1.78%	Variation in employee costs offset with savings in other costs.
Total	8,323,325	7,921,026	-402,299	-4.83%	

5. Stakeholder Engagement Activity

Title	Description	End Date	How the Information gathered has been used to Improve performance
Employee Communication Survey	Determine whether key messages are being received and to identify preferences for receiving internal communications.	No longer carried out	The quarterly employee communications survey was carried out across the organisation for two years and is informing the new Internal Communications strategy being developed alongside the employee engagement elements of the Workforce Strategy
Monthly Customer Survey	Monthly survey of customers through Hubs (f2f) Contact Centre (phone) and online (web) to gauge perception of Council and awareness of communications activity.	Ongoing	The monthly customer survey informs the quarterly HGIOS for customer satisfaction and for awareness of campaigns and communications activity throughout the area

6. Policy / Strategy Documents

Policy or Strategy	Intended Outcome	Date Approved	Start Date	End Date
Community Letting Policy	review operation and charging policy for community lets to increase income, while maintaining a fair charging policy that supports community use	June 2018	Aug 2018	Aug 2021
ICT Acceptable Use Policy	Update policy in line with CESC Security guidelines for local government.	To be considered by Council in Oct 2019	OCT 2019	Sep 2022
Internal Communications Strategy	Update strategy aligned to revised workforce strategy and employee engagement activities. This strategy update has been moved to October 2019 to better align with the employee engagement elements of the updated Workforce Strategy.	To be considered by Council in Oct 2019	Oct 2019	Oct 2022

7. Improvement activities

Areas Requiring Improvement	Improvement Activity	Timescales for Implementation
ICT contract management	Ensure contracts are renewed on time to leverage increased efficiencies.	March 2020
Shared Services Transactional Processing	Review processes to streamline and take advantage of automated processing.	March 2020
Increased use of social media for customer engagement	Continuous review of comments and enquireis through social media responded to thorough customer services operational teams.	Ongoing and a key element to be taken forward in new Customer Services Delivery model
Increase in the availability of customer service transactions able to be carried out online	Working with the ICT development and change teams to increase the types of activity that can be carried out online and effectively promoting these to encourage customer uptake.	Ongoing and involving CDS, Change and ICT Development teams

8. Current Delivery Focus

Customer Services

The Customer Services Operations Team continue to deliver all front line customer services through the four Community Hubs, the Contact Centre and through responding to social media enquiries and to webforms and customer services emails. Key service delivery areas include the processing of licensing for the organisation and registration services as well as service requests and general enquiries. Customer services includes the operation of the 24/7 Emergency Response Centre, monitoring community alarms and monitoring CCTV. All customer services requests are recorded through the Customer Relationship Management system, and the focus of the team is to:

- Continue to achieve telephone response time targets
- Deliver consistent customer services across all channels, encouraging the use of online transactions where available
- Monitor and engage with customers through social media, engaging with wider Council services as required
- Meet the statutory requirements for effective, accurate registration services
- Deliver 24/7 Emergency Response Centre service for community alarms, CCTV and contingency situations

Communications & Engagement

The Communications and Engagement Team includes the Communications Advisers who implement and provide advice across reputation management, media, social media, and marketing activity; the Graphic Designers who provide design and video expertise across the organisation and the Web Assistants who update and support the development of the corporate, EDLC Trust, HSCP and schools websites. Communications plans are in place to support informing and awareness raising of key Transformation projects, Major Assets developments, service delivery arrangements and changes and Council performance. The focus of the team is to:

- Manage Council reputation through effective communications advice and activity
- Develop and grow the Council's social media following through effective channel use
- Co-ordinate consultation & engagement activity and ensure the Consultation & Engagement Strategy is consistently implemented
- Promote and support the Civic Office
- Ensure the Council, schools, EDLC Trust and HSCP websites are maintained and regularly updated

Corporate Performance & Research

The Corporate Performance and Research Team continues to provide guidance and advice on performance reporting across the organisation including the Public Performance Report and the Local Government Benchmarking Framework and co-ordinates the development of the Business Improvement Plans and the quarterly HGIOS reports to Council. In addition to supporting services through performance data the

team provides a research function to the organisation and develops and updates the Area Plan with key demographic information to support service planning and development. The key focus of the team is to:

- Support the continued development of the Strategic Planning and Performance Framework in line with the changing policy landscape
- Co-ordinate regular and transparent performance reporting for management, elected member scrutiny and our communities
- Increase compliance with all elements of the strategic planning and performance framework
- Ensure improved mechanisms for public performance reporting including use of infographics case studies and use of social media platforms
- Incorporate the responsibility for business continuity planning to the work of the team

ICT

The ICT Service is focussed on deploying the most appropriate use of technology to support the Council's core business needs, by working closely with key stakeholders to ensure fit for purpose, cost effective solutions are implemented and supported. Key priorities include:

- Ensure that the Council's ICT Systems are developed and maintained to support the Council's transformation agenda, and corporate objectives with particular emphasis on delivering efficiencies and achieving best value in service delivery.
- Provide an ICT Support Service to customers to ensure effective and efficient operation of the Council's ICT systems in line with business needs.
- Develop and maintain effective business continuity plans to counteract systems failure, support business recovery and provide essential emergency front-line services.
- Development of the Council's information security policies and strategies - to minimise risk and protect the integrity of the Council's data and inappropriate use of the Council's ICT facilities

Revenues & Benefits

The Revenue and Benefits team continues to deliver all revenues and benefits service to the citizens of East Dunbartonshire. The team aims to deliver these services in an effective and efficient manner, ensuring that all processes are carried out accurately and within the recommended timescales. The team delivers housing benefit services on behalf of the Department of Work and Pensions and The Scottish Welfare fund on behalf of the Scottish Government. The focus of the team is to:

- administer applications for benefits in line with legislation
- administer all aspects of council tax for the 46,500 properties in the Council area
- administer all aspects of Non Domestic Rates for commercial properties and businesses in the Council area
- provide the Scottish Welfare Fund on behalf of the Scottish Government

Shared Services

The Shared Service Team provides transactional finance and administrative support to other Council services. The team continues to deliver an efficient service in line with agreed SLA's. The team is also working closely with the change team to identify and deliver continuous improvement in business processes in order to increase efficiency and effectiveness. The team's current service delivery focus is to:

- Provide a centralised and efficient approach to the delivery of administration support for Council services.
- Continue to review and deliver the Community Letting Policy which was approved by Council in June 2018.
- Work with HSCP to ensure continued delivery of administration of the financial packages associated with care for residents.
- Support the Education Service to in the introduction of the 1140 hours of early year provision.



How Good Is Our Service

Legal and Democratic Services

April 2018 – March 2019

1. Local Delivery Story

Legal & Democratic Services provides support to the wider Council in relation to the governance of the Council itself; decision making and Elected Members; the legal interests of the Council; and Information Management including Records Management, Data Protection and Freedom of Information. In carrying out these services, Legal & Democratic Services aims to meet statutory obligations and current best practice. The strategic grouping contributes to the Corporate Governance of the Council through the statutory role of the Monitoring Officer and the Service's focus on supporting and strengthening controls and monitoring legislative compliance. The Service comprises Legal Services (including Litigation and Licensing and Commercial teams), Democratic Services, SMT Support (inc. Members Support), Licensing, Information Management, Registration, Elections and aspects of Civil Contingencies and Emergency Planning. There is a natural fit to these functions.

Corporate Governance

The Corporate Governance Service provides Information Management support (including data protection, freedom of information, print management and mail services), Democratic Services (such as the administration of the Council's meetings and decision-making processes), technical support for Registration Services, Elected Members Support and CMT Support services on an on-going basis, and also administers and supports election activity within East Dunbartonshire. The work of the team contributes to the delivery of the Local Outcome Improvement Plan (LOIP), ensuring that the Council has appropriate systems and controls through which it seeks to deliver its Vision and Local Outcomes.

The Service continues to progress all manner of business including the alignment of decision-making bodies and on-going provision of support to these and other bodies e.g. the East Dunbartonshire Health & Social Care Partnership Board. It represents the Council's interests with Children's Hearings Scotland and administers the East Dunbartonshire Area Support Team. In addition, it is ready to respond in terms of the Council's statutory responsibility to administer any electoral event, scheduled or otherwise.

The Council's Administration Scheme was fully reviewed and updated to reflect good practice in relation to corporate governance and assurance. The changes aimed to streamline the decision-making process, modernise current arrangements, ensure compliance with law and facilitate transformation within the Council. The changes introduced in 2018/19 have now been embedded and are being reviewed and improved to maintain our continuous improvement in this area

New committee reporting templates and other administrative arrangements were introduced to improve the information presented to Members in advance of decision-making. These changes provide clarity and transparency e.g. the new template specifically highlights risks and any steps being taken to mitigate these risks. In addition, reports now identify linkages to the LOIP. The new report template is supplemented by some additional governance changes, which assist Members in terms of scrutiny and oversight. Standing Committees and Council agendas now include an outstanding business statement as a standing item. These list outstanding decisions and progress to date. Council agendas also include a list of Technical Notes issued during the cycle. These arrangements will be reviewed on an on-going basis and will be subject to review by Audit & Risk Management Committee.

Members will be aware of the importance of civil contingencies and emergency planning and the need for robust up to date arrangements and plans to be in place. The extreme weather experienced in March 2018 emphasised the need for and value of comprehensive plans. A significant amount of work took place over the last year to review and update the Council's corporate plan in order to ensure that it reflects the current structure and that key tasks are covered. This work remains ongoing and the focus is currently on providing further assurance e.g. the development of a skilled volunteers register and updating of both the corporate and service based business continuity plans. In addition, work was undertaken to ensure that the Council's plans and arrangements align with those of key partners and stakeholders. The Civil Contingencies team also contributed to the hosting of the annual Canal Festival and in partnership with neighbouring authorities to deliver the 2018 European Championship Cycle Time Trials. In keeping with national direction from Scottish Government via the West of Scotland Regional Resilience Partnership (WOSRRP), the Team led the Council's work to increase preparedness and make indicative arrangements for the UK leaving Europe across a number of common areas which included Impact on Employees, Financial implications, Goods & Supply Chain and Place implications for residents.

In providing technical support to Customer Services, the Council's Registrar has trained 10 customer services officers (CSO) to deliver the Registration of Births, Deaths and Marriages across the Council area. 2 CSOs are currently working towards the Certificate of Proficiency in the Law and Practice of Registration.

By far the biggest challenge for the Information Management Team in 2018/19 was preparation for the introduction of the General Data Protection Regulations on 25 May 2018. This required detailed pre-planning across the organisation and the provision of comprehensive guidance and training to colleagues. Information Asset Registers have now been produced and a thorough analysis of the data held and processed by the Council and third parties on behalf of the Council. It also resulted in the identification, training and support of Information Management Liaison Officers across each Strategic Portfolio of the Council. Together with colleagues in the Council's Legal Services team, the Information Management Team undertook a programme of work to support compliance with the GDPR. This programme of work was targeted to the specific needs of each

of the Council's 11 Strategic portfolios in addition to the HSCP. GDPR training was rolled out across the whole organisation with specific sessions for those areas of the Council that process high risk personal information, Social Work and Education. In addition, training and support was provided to Members. A total of 90 different privacy notices have been created, approved and published explaining to the public how the Council uses personal information. Further improvement work remains ongoing.

Improvements to the Council's Freedom of Information process and performance has been maintained, with the Council responding to over 97% of enquiries for the second year in succession.

Legal Services

The Legal Services Team provides professional legal support to the Council and its various decision making bodies in relation to the whole range of legal and regulatory matters affecting the Council including: projects and procurements, contracts, conveyancing and land matters, general advice on statutory functions including planning, community protection, social work and education, regulatory matters including liquor and civic government licensing, and litigation conducted in courts and tribunals. Legal Services also supports the Licensing Board, the Civic Government Appeals Board, the Housing Appeals Board, the Planning Local Review Body as well as some of the standing committees of the Council. The Service provides legal advice in relation to the Council's compliance with freedom of information, data protection and related information management legislation, undertakes formal reviews of FOI requests as required and leads the change process required to ensure the Council's compliance with GDPR. The team also advises in relation to compliance with human rights and equality. Further, it provides advice and support across the Council and its decision-making bodies on issues of vices and legal compliance in general.

Legal Services has undergone significant structural change during 2017/18 and 2018/2019, and some of those changes are still to be implemented. Following the appointment of a Legal Manager in 2017, a wholesale review of the Service was undertaken and a new structure comprising two distinct teams lead by two team leaders was introduced. The dynamics of the team have changed positively and new solicitors and paralegals have been attracted from the private sector and other public bodies allowing the team to provide a full-service and top quality legal function to the Council. The new structure is focussed on tasks being carried out by the correct post in the structure. A key part of the review was the strategic alignment of solicitors to strategic portfolios in order to provide business centred, wrap-around legal support. That alignment is currently taking place and feedback obtained already is overwhelmingly positive in relation to this new and innovative approach to the provision of legal services. In addition to supporting ongoing transactions and, in furtherance of this modern

and innovative approach, the Legal Services team is undertaking a review of many legal styles and documents used by Services throughout the Council in an effort to promote efficiency, quality and compliance.

The service has supported delivery of all of the Council's highest profile projects over the last year quarter played an integral part in assisting Services to deliver outcomes. This includes major asset projects, procurements, land sales and purchases, planning agreements, housing projects, education matters including placing requests, employment issues and tribunals and a whole range of social work issues in which the team's work has been critical in protecting vulnerable child and adult members of our society.

The Service undertook a substantial amount of work to modernise the Council's conditions and policies in relation to taxi and private hire licensing. The existing policies are outdated and do not cover a number of issues including smoking and the use of mobile phones as well as a number of fundamental compliance issues. This workstream has resulted in the development of modern and robust conditions which are due to be submitted to Council shortly for approval. The Service has also redrafted the Council's Public Entertainment Licences resolution and consulted with the public and various groups in relation to this, which has now been approved by the Council. A further consultation exercise was carried out in relation to a review of taxi fares in accordance with the Civic Government (Scotland) Act 1982 and the outcomes and recommendations arising from this were also approved by the Policy and Resources Committee in April.

Further to this, significant work is underway in relation to the second stage of the taxi and private hire review as well as review of the full range of conditions, policies and approaches in relation to other forms of licensing under the Civic Government (Scotland) Act 1982.

Work was undertaken to review the Council's liquor licensing fees, both in relation to the fee structure and amount charged. This work was included within the Council budget papers and separately reported to the Licensing Board. It is complemented by work to analyse the cost of the provision of Liquor Licensing and this will be reflected in the new financial statement, which will be published by the Board prior to recess.





2. Prioritised Performance Indicators

		Annual Status	Quarters					Quarterly Target	Annual		
Code	PI Title	2018/19	Q4 2017/18	Q1 2018/19	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q4 2018/19	2018/19		Latest Note
		Status	Value	Value	Value	Value	Value	Target	Value	Target	
LDS-BIP-01	% of Contract acceptances completed within 14 days of full instructions	🟢	100%	100%	100%	100%	100%	100%	100%	100%	Performance has consistently hit 100% across the year
Data for 2019/20	LDS-BIP-02										10 Action Sheets (10 within 24 hrs and 0 out with 24hrs)
		🟢	100%	86%	88%	100%	100%	90%	97%	90%	All action sheets issued within 24 hours
											35 Action sheets for 2019/20 - 34 within 24 hours and 1 out with 24 hours
	LDS-BIP-03										Approx. 90% of all reports were checked by the Monitoring Officer 2019/20
LDS-BIP-03	Percentage of Reports checked by Monitoring Officer within 3 days	🟢	80%	90%	90%	92%	90%	80%	90%	80%	
LDS-BIP-04	Number of hours of members training delivered	🟢	2	4	4	3	2	3	13	12	Taxi Conditions & Fare Increase Briefings, Roads Re-surfacing briefings
LDS-BIP-05	Percentage of FOI requests allocated to the correct named officer within 24 hours of receipt	🟢	97%	87%	84%	97%	88%	90%	91%	90%	Q4 - 422 FOIs received of which 371 were allocated within 24 hours.
											2019/20 - 1,565 FOIs received and 1,430 were allocated within 24 hours (91%)
LDS-BIP-06	Number of data protection spot checks carried out	🛑	4	1	0	1	1	4	7	16	1 scheduled spot check - Due to resources being diverted to assist the response to the Scottish Child Abuse Inquiry - Section 21 Notice and impact of GDPR - increased reporting & assistance to service areas
LDS-BIP-07	Percentage of Taxi licence applications approved or refused by Legal Services within 5 days of receipt of the complete application	🟢	100%	100%	100%	100%	100%	90%	100%	90%	For the year 442 applications were granted within 5 days of receipt of the completed application form and 2 applications were refused.

2(b) Absence Management

Percentage Absence		
		Council (Excuding teachers)
Quarter 1	15.71%	6.05%
Quarter 2	11.43%	6.23%
Quarter 3	10.78%	6.56%
Quarter 4	6.18%	6.52%
Year End	11.01%	6.34%

3. Progress on Business and Improvement Plans

Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Business Continuity Planning	Working across all services to co-ordinate up to date business continuity plans which are joined up, consistent, robust and compliment the partnership plans in place at a regional and local level		<div><div>80%</div></div>	31-Dec-2018	31-Dec-2018	Corporate roll out of revised business continuity templates to accommodate the shift to Smart Working and the transfer the burden of BC to an ICT based strategy rather than an accommodation based strategy. The next Phase of this Action will be reported under Customer & Digital Services.
Information Records Management Strategy	Continued development of effective and robust records management practices which incorporate measures to facilitate and assure compliance with FOI, data protection and other information management obligations		<div><div>100%</div></div>		31-Mar-2019	Report to Council 9 May 2019 - Updated Records Management Plan & Improvement Strategy
Self Service Arrangements	To review the various types of current legal support provided across the Council in order to identify opportunities for the introduction of self-service arrangements where it is safe to do so from a risk management perspective		<div><div>50%</div></div>		01-Jan-2019	Self service arrangements are being discussed with the appropriate services to ensure that the correct documents are used and that best value is achieved. This action has been moved to the next FY.
External Legal Services Framework	Review of Council's external legal support to be carried out and a framework arrangement to be procured to ensure that the Council has access as required to expert, cost effective and comprehensive legal support		<div><div>20%</div></div>	31-Dec-2018	31-Dec-2018	Work underway to draft an ITT which ensures that best value is delivered through the correct lotting strategy, evaluation criteria and added value requirements. This action has been carried forward to next FY.

4. Financial Targets

Main Service Divisions	Annual Budget	Net Expenditure projected (subject to audit)	Annual Variation projected (subject to audit)	% variation	Narrative
Corporate Governance	660,327	765,464	105,137	15.92%	Variation in employee costs
Legal Services	1,363,595	1,219,747	-144,848	-10.61%	Variation in employee costs
SMT Support	146,450	153,744	7294	4.98%	Variation in employee costs
Total	2,171,372	2138,955	-32,417	4.98%	

5. Stakeholder Engagement Activity

Title	Description	End Date	How the Information gathered has been used to Improve performance
Taxi Licensing	Engagement with relevant stakeholders as part of the modernisation of the Council's taxi licensing conditions, policies and procedures	March 2019	The information gathered was used to inform the development of modernised taxi and private hire vehicles licences. This, in turn, will deliver an up to date and properly regulated taxi and private hire trade, thereby enhancing public safety.
Civic Government Licensing	Engagement with relevant stakeholders as part of the modernisation of the Council's civic government licensing conditions, policies and procedures	March 2019	The information gathered was used to inform the development of a new resolution and guidance in relation to the requirement for a public entertainment licence.
Taxi Fares review	Engagement with the taxi trade and consumers with a view to setting a realistic and reasonable charging regime	March 2019	The information gathered was used to inform whether there should be any change in the fares and other charges set for taxis in East Dunbartonshire
Review of Polling Places & Polling Districts	Engagement with relevant stakeholders to comply with statutory requirements regarding the management of electoral arrangements across the Council area.	16 January 2019	The information gathered was used to inform the Council's Polling Scheme for use at future electoral events.

6. Policy / Strategy Documents

PPPS	Intended Outcome	Date Approved	Start Date	End Date
Annual Review of the Council's Governance Arrangements	A comprehensive review of the Council's governance arrangements including a review of the Committee structure, Standing Orders, the Scheme of Delegation to Committees and Officers, and decision making processes to ensure that they are fit for purpose and facilitate robust, transparent and accountable governance of the Council	June 2018	August 2018	May 2019
Modernisation of Taxi licensing policies and procedures	A comprehensive review of taxi licensing policies and procedures in East Dunbartonshire to include a demand survey, consideration of the 2-zone approach and standardisation of conditions, vehicles and maintenance etc., to provide a modern taxi licensing environment to meet the needs of the area and compliment the changes to the processing of applications	October 2018	June 2018	October 2020
Review of Data Protection Policies and Procedures	A comprehensive review of the Council's policies and procedures to include the preparation of a new policy and associated procedures, provision of guidance manuals and updated training commensurate to information handling and risk, and regular comprehensive reporting to Committee, in order to comply with the recommendations of the Information Commissioner following a recent Audit and all of which should ensure statutory compliance and effective governance	May 2018	May 2018	May 2020
Review of Freedom of Information Policies and Procedures	A comprehensive review of the Council's policies and procedures to include the preparation of a new policy and associated procedures, the introduction of spot checks to ensure quality and greater enforcement of timescales and other compliance issued, provision of guidance manuals and updated training, and regular comprehensive reporting to Committee, in order to improve the Council's overall performance in accordance with recent decisions issued by the Scottish Information Commissioner and all of which should ensure statutory compliance and effective governance	June 2019	August 2019	June 2021

Review of Regulation of Investigatory Powers (RIPSA) Policies and Procedures	A comprehensive review of the Council's policies and procedures to include the preparation of a new policy and associated procedures, awareness raising, provision of guidance manuals and updated training, and regular comprehensive reporting to Committee, in order to comply with the recommendations of the Surveillance Commissioner following a recent Audit and all of which should ensure statutory compliance and effective governance	September 2018	October 2018	October 2019
Review of Civic Government Licensing	A comprehensive review of civic government licensing policies and procedures in East Dunbartonshire with particular reference to public entertainment licences to include modernisation of conditions and simplification of processes to provide a modern civic government licensing environment to meet the needs of the area.	December 2018	April 2019	April 2021

7. Improvement activities

Areas Requiring Improvement	Improvement Activity	Timescales for Implementation
L&DS Team Planning	Working across L&DS to ensure 100% compliance with the team planning process	31-Jul-2019
Review External Bodies	Undertake a comprehensive review of all bodies to which the Council appoints representatives, including due diligence of governance arrangements, compliance with purposes, activity and viability and then report back to Council with recommendations regarding future participation.	31-Dec-2021
Legal Engagement and Risk Management	Development of structured engagement arrangements with strategic leads in order to deliver the provision of proactive guidance and support to the Council in highlighting and managing, assessing and, where appropriate, mitigating legal risks.	31-Mar-2019
Information Records Management Strategy	Continued development of effective and robust data protection procedures and practices which incorporate measures to facilitate and assure compliance with data protection obligations and take account of past learning and continuing developments in GDPR	31-Dec-2019
Information Management – toolkit	Phase 2 – Focus on building on success by delivering improved quality - including revised toolkits for services, improved administrative procedures Continued development to ensure consistent, effective and efficient responses to FOI, EIR and	31-Mar-2020

	Data Protection Enquiries	
Self Service Arrangements Phase 2	To continue to review the various types of current legal support provided across the Council in order to identify opportunities for the introduction of further self-service arrangements where it is safe to do so from a risk management perspective	31-Dec-2019
External Legal Services Framework	Review of Council's external legal support to be carried out and a framework arrangement to be procured to ensure that the Council has access as required to expert, cost effective and comprehensive legal support.	31-Mar-2020
Digital Transformation / IT Skills Development for Elected Members	Continuous development including workshops, toolkits, briefings, 1-2-1 training and mentoring etc for Elected Members - up-skilling to match digital transformation of services – Introduction of Modern.Gov for Democratic services; Elected Members Caseworker development; better use of Council equipment – laptops, mobile phones	31-Mar-2020
In-sourcing Housing Litigation	Start the process of bringing housing recovery work in-house so that it is carried out by Legal Services rather than external solicitors. This will result in a significant saving for the Council as well as more tailored, embedded legal support.	31 Dec 2019

8. Current Delivery Focus

Legal Services

- Complete transition to new structure and fully implement strategic alignment of solicitors to services and monitor success and adapt as required.
- Develop the in-house experience and expertise to ensure the provision of more comprehensive, top quality internal legal support
- Undertake the procurement of a flexible framework for the provision of high quality, affordable external legal services to complement the in-house provision where appropriate
- Continue to modernise workflow processes, filing structures to ensure greater efficiencies in the use of resources
- Implement self-service arrangements within appropriate service areas in order to ensure a risk management approach to legal services and advice and thereby underpin smarter use of legal resources

Democratic Services

- Carry out a further wholesale review of the Administration Scheme to ensure that it remains fit for purpose, is up to date and reflects the current operational requirements of the Council.
- Polling Scheme reviewed and preparations implemented for European Parliamentary Elections
- Maintain a degree of readiness in order to be able to respond to any unscheduled electoral event
- Continue to develop and refine the Council's civil contingency and emergency planning arrangements locally and in conjunction with Community Planning partners at a regional level
- Implement outcomes from Service Review
- East Dunbartonshire Council is hosting the Association of Registrars in Scotland (AROS) AGM at Kilmardinny House, Bearsden

Information Management

- Continue implementation of GDPR and ensure comprehensive support to services following the introduction of the new regulatory framework
- Review existing information management policies in light of the experience of implementing GDPR
- Ongoing performance improvement in the overall management of the Council's information

- Review and maintain FOI performance and procedures
- Implement outcomes from Service Review

How Good Is Our Service

Organisational Transformation

April 2018 – March 2019

1. Local Delivery Story

The strategic grouping of Organisational Transformation comprises Business Change, ICT Development, Corporate Procurement, HR Services, Workforce Strategy and Health and Safety with a number of statutory duties provided within the functional areas. Work continues in the leadership of digital and organisational transformation to embrace the possibilities new technologies and associated service redesign. The services continue to ensure that workstreams are progressed to achieve as much efficiency as possible through voluntary means. The teams support recruitment and selection across the organisation, supporting wellbeing and absence improvement as well as delivery of service redesign to sustain frontline services. Strategic and operational delivery of the Health & Safety functions working in partnership with Strategic services to deliver improvements, sustain governance and take forward proactive initiatives in partnership with the trades unions.

Business Change

The Business Change Team and ICT Development have delivered a significant number of multi-disciplinary projects throughout 2018/19. These projects have delivered the Transformation Programme 2018/19 and have focused on Digitalisation, Best Value and Benefits. The team also maintain and develop the council's core business systems ensuring that application performance, security and availability meet business need.

Overview of Progress

- A priority in Quarter 4 has been to implement the iConnect Pension Automation
- Service Reviews have been a priority in Quarter 4 – focussing on opportunities for service re-design and digital solutions.
- Total Mobile roll out has been completed for the Gas Servicing Team in Property Maintenance.
- Support for HSCP Transformation and Service Review is ongoing.

Key Achievements

- Digital Strategy 2019/24 – Council approved the digital strategy which sets out priorities and commitments to developing East Dunbartonshire's transformation of public services through digital technology.
- Digital Developments – e-payslips, digital forms have been implemented including new process for Young Scot Card, reducing double keying, duplication and process improvement
- Completion of School Website upgrades implementing improved content management processes and providing a platform for future digital service delivery capability for integration of cashless catering and other digital services.
- Implemented new Housing Management "Rent Sense" application enabling more accurate rent arrears analysis using predictive analytics reducing officer caseloads and assisting in producing Scottish Government Statistical returns.

Areas Requiring Improvement

- Ensuring any extension or change the scope of a transformation project is captured, escalated and approved within the establishment governance arrangements.
- Ensuring all interdependencies are identified, shared and accounted for across the project team.
- Sequencing of technologies, people and processes are vital to ensuring smooth delivery and informing transition planning.

Workforce Strategy

The Workforce Strategy Teams lead on workforce centred activities including policy development, resourcing, workforce and succession planning, people development, attendance and wellbeing improvement as well as providing strategic and operational employee relations support including case management and partnership working. The Health & Safety team transitioned to Workforce Strategy in September 2018 where the focus has been in the re-establishment of the Health & Safety Committee structures to ensure effective and efficient escalation and resolution of concerns.

Overview of Progress

- Supported the Depute Chief Executive Education, People & Business to secure a collective agreement with trade unions an alternative package of Change, with provision of professional support throughout this dispute.
- Launched 21 strategic service reviews in accordance with the collective agreement to identify efficiencies as an alternative to the proposed package of terms and conditions of employment.
- Since the transition to Organisational Transformation, the Health & Safety Committee Structure has been re-launched which re-establishes the governance structures around escalation and quick resolution of Health & Safety concerns.
- Continued to support service managers through discipline, grievance, performance improvement and absence cases to ensure legal compliance and mitigation of risk.
- Supporting on the implementation of the Principles of Change Strategy to enable the effective implementation of the outcomes of service reviews, in particular phase two of 1140 early years expansion and Customer Services in Q4.
- Statutory reporting requirements in particular for the gender pay gap and the annual workforce monitoring report, including workforce analysis and identifying appropriate actions to take forward equality and diversity imbalance.

Key Achievements

- Leadership of the Workforce Strategy development and implementation. Consolidating workforce data to allow analysis and projections of future Council demographics looking at workforce of the future including Early Careers Programmes, Age Demographics and Succession Planning. Work will continue to focus on service specific requirements to enable effective management and monitoring of the workforce and identifying mitigation to challenges;
- Completion of benchmarking in relation to Absence Management Strategies to support future improvement of attendance following publication of the Local Government Benchmarking Forum results. In Q4 the establishment of targeted action plans for strategic teams with absence levels of higher than 4%.
- The consultation process with trade unions is nearing completion in relation to recent policy reviews including Secondary Employment, Special Leave, (including a mobilisation of Armed Forces Toolkit supporting the Armed Forces Covenant), Drug & Alcohol Misuse and Retirement;
- Continued support to the Depute Chief Executive – Place, Neighbourhood and Corporate Assets with the Council's preparations for Brexit, including analysis of employee data, identification of workforce and supporting corporate communications in preparing for all employee communications and correspondence;
- Implementation of new Occupational Health Provisions for Medical Referrals reducing waiting times for appointments to support the management of absence and employee welfare.

Areas requiring improvement

- Continuation of the development of strategies and action plans to reduce sickness absence levels.
- Maximising the usage of current e-learning facilities and continued development of e-learning and blended learning to improve efficiency.
- Accelerated policy review in accordance with schedule and in line with business needs.
- Continuation of Health & Safety Executive Hand & Arm Vibration Syndrome Action Plan.

- Review of Health Surveillance Plan with Occupational Health Provider.

Corporate Procurement Team

The Corporate Procurement Teams has supported procurement requirements across Housing Capital, Capital Programme, HSCP and the Transformation Programme. The team has responsibility for corporate contracts and has a key role in the governance of procurement practice across all services. The team also supports the transactional processes and activities in relation to the Iproc system and the timely payment of invoices.

Overview of Progress

- Commencement of Taxi & Transport Tenders for Education & Social Work within revised processes
- Commencement of Early years tender process for Nursery placements to support delivery of Council commitments
- Review of Educational Material Catalogues for Transformation Workstreams
- Review of First Aid Materials Contract for financial efficiency in support of Transformation Workstreams
- Preparing for Procurement Session in East Dunbartonshire Business Week in May to support SME's
- Review of Procurement Governance Training across Services to support Procurement practices.
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- Continued support to the Depute Chief Executive-Place, Neighbourhood and Corporate Assets with the Council's preparation for Brexit.

Key Achievements

- Supported transformation projects including Cashless Hubs, Cashless Catering, Transport Round 1 Tenders,
- Supported Housing Capital Workstreams including Cleddens New Builds, Nithsdale Crescent,
- Supported Capital Programme Workstreams including Demolitions, School Works, City Deal, Vehicle Replacements, etc
- Delivery of the first East Dunbartonshire Council Meet the Buyer Event in January 2019;
- Progression to an improved performance scoring within the annual Procurement Commercial Improvement Programme (PCIP),
- Publication of Iproc Governance review
- Publication of Annual Procurement Strategy
- Transition to e-invoicing for Grafton Merchanting upporting efficiencies in transactional processes

Areas requiring Improvement

- Maximising opportunities for the benefits of all contract needs and renewals.
- Reporting to Executive Officers on Procurement Governance requirements
- Continuing to review Iproc processes and training
- Engagement with Legal for review of processes and procedures
- Continued reduction in non-contracted spend

Employee Services

The team continue to support an integrated approach to the effective and efficient service delivery of Job Evaluation, Teachers Job Sizing, transactional HR and Payroll.

The team support the transactional activities as well as the application of key terms and conditions ensuring that controls, processing and reconciliation take place in accordance with established Council financial and structural approvals as well as national directives.

Overview of Progress

- Ongoing development of the HR and Payroll System to facilitate Organisational Transformation objectives
- Continue to monitor the requirements under GDPR ensuring ongoing compliance and action undertaken to respond to established governance

Key Achievements

- The Job Evaluation Team has achieved 'real time' job evaluation and continue to support the service review process through timely evaluations.
- Implementation of the Teachers Pay and Leave Specification
- Implementation for the Local Government Employee's pay award
- Review of transactional activities undertaken with increased uses of digital processes

Areas Requiring Improvement

- Continued development of structure information to ensure accurate and timely organisational information
- Continued development of the use of digital technology
- Implementation of the I connect system for pension returns

2. Prioritised Performance Indicators

Quarterly Performance Indicators

		Annual Status	Quarters					Quarterly Target	Annual		
Code	PI Title	2018/19	Q4 2017/18	Q1 2018/19	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q4 2018/19	2018/19		Latest Note
		Status	Value	Value	Value	Value	Value	Target	Value	Target	
FAP-BIP-11	Percentage of finalised Health and Safety outputs against the number anticipated in the Health and Safety team plan.	🟢	N/A	28%	49%	82%	100%	100%	100%	95%	The Health and Safety Team has met the target output for the year to date. Recent work has included quarterly accident statistics, undertaking of Fire Safety Risk Assessments and working with other services to improve health and safety procedures.
OT-BIP-01	% of employees who have a completed PDR in place	🔴	86.82%	53%	61.7%	69%	79%	85%	79%	85%	Current performance is behind target despite on-going engagement with strategic services from the Workforce Strategy Team. 5.3% of the outstanding PDR's are on long term sick. Work will continue in 19/20 to embed the PDR process across all strategic services.
OT-BIP-02	% Reduction in Number of Invoices Received for Processing	🟡	12%	2.87%	7.7%	6.48%	9.7%	10%	9.7%	10%	The continued approach to onboarding of suppliers through E-invoicing will continue to support the reduction in invoices being processed manually.
OT-BIP-04	% reduction in non-contracted spend	🔴	10.2%	1.8%	1.38%	1.41%	0.8%	2.5%	5.4%	10%	The current performance is behind target and will continue to be an area for Procurement in 19/20 to identify non-contractual spend across all services.
OT-BIP-06	Digital Development Projects Benefit Realisation Success Rate	🟢	N/A	N/A	N/A	81.48%	79.63%	80%	80.37%	80%	Overall PI is slightly above target by 0.37%. Performance in Q4 was marginally behind target which was due to a delay in the implementation of the Blue Badge project, which is now fully implemented.


		Annual Status	Quarters					Quarterly Target	Annual		
Code	PI Title	2018/19	Q4 2017/18	Q1 2018/19	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q4 2018/19	2018/19		Latest Note
		Status	Value	Value	Value	Value	Value	Target	Value	Target	
OT-SOL-CORP3B	The percentage of the highest paid 5% employees who are women	✅	63.35%	62.73%	62.09%	62.09%	58.11%	50%	58.11%	50%	Due to the increase in salary for LGW employees the "cut off" for the top 5% in the spinal column was amended resulting in a slightly differing proportion of males and females in the top 5% from the previous period.
OT-SOL-CORP6	Sickness absence days per employee	✅	9.48	2.53	4.88	7.81	10.8	10	9.92	10	Absence performance for Q4 is above target by 0.8 Working Days Lost per Employee. The 2018/19 total reports that the year to date Working Days Lost is 9.92, which is within the target of 10. It is recognised that focussed improvement should continue and including reviewing procedures and preventative measures. New Occupational Health provider is now in place and is expected to contribute towards improvement for 2019/20.
OT-SOL-CORP8	Invoice Payments - Percentage of invoices paid within 30 days %	⚠️	90.4%	89.27%	88.55%	90.4%	90.76%	92%	90.76%	92%	The Invoice payment PI has been supported through the ongoing on-boarding of E-invoicing Further Suppliers have been identified for on-boarding throughout 19/20.


2(b) Absence Management


Percentage Absence		
	Organisational Transformation	Council (Excuding teachers)
Quarter 1	7.91%	6.05%
Quarter 2	9.30%	6.23%
Quarter 3	10.64%	6.56%
Quarter 4	8.34%	6.52%
Year End	9.11%	6.34%

3. Progress on Business and Improvement Plans

Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Local Procurement spend in SME enterprise	% of procurement spent on local small/medium enterprises % of procurement spent on local small/medium enterprise % of procurement spend on Small / Medium Enterprises		<div><div>50%</div></div>	01-Sep-2018	01-Sep-2019	East Dunbartonshire Council held it's first Meet The Buyer Event in January 2019. The event was well attended and directed support to the local Small to Medium Enterprises (SME's). A further Procurement Support Session is scheduled at the EDC Business Week in May 2019. Work is ongoing to develop opportunities for local businesses. EDC's % of Procurement spend with Local SME's for 2017/18 was 16.6%
Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Workforce Strategy 2018 – 2021	Revised Workforce Strategy		<div><div>100%</div></div>	30-Jun-2018	30-Jun-2018	The Council approved the Workforce Strategy in June 2018 and will consider bi-annual updates to the strategy. Work continues to progress in line with the identified action within the action plan. Workforce data is analysed as service level on a quarterly basis which informs service specific action plans and contributes to the bi-annual review of the Workforce Strategy. Updates provided will take account of emerging context and challenges within workforce and succession planning.
Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Invoice Processing	Improvement in the performance around invoice payments		<div><div>100%</div></div>	01-Sep-2018	01-Sep-2018	Invoice payment process improvement has continued through 2018/19. The quarterly PI shows steady performance. Continued focus on E-invoicing will support the ongoing approach to improvement.
Area for Improvement	Improvement Activity	Status	Progress	Original	Current	Note

				Due Date	Timescale	
Absence Improvement	Improved performance for sickness absence days per employee		<div><div>80%</div></div>	01-Sep-2018	01-Sep-2019	Whilst the action plans in relation to absence improvement is on track, the desired impact of these actions is not resulting in the reduction of absence levels across Local Government Employees. Improvement was delivered in relation to the Local Government Benchmarking Framework where we achieved an improvement of 8 places (from 28 to 20), however, it is recognised that overall performance for 2018/19 remains unsustainable and further improvement activity will take place in 19/20 in accordance with the BIP improvement action. Progress in relation to absence improvement will be reported as per established absence reporting cycles.

Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Maximising Digital Transformation	Supporting the maximum fulfilment of digital technologies through transformation		<div><div>0%</div></div>	01-Sep-2018	31-Mar-2020	Maximising the fulfilment of services through digital processes, technologies and innovation through the management of the transformation programme is an ongoing process and further options in regards to digital transformation will be explored further in the 19/20 reporting period and beyond.

Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Maximising Cloud Based Business Applications	Begin migration of legacy key line of business applications to cloud platforms.		<div><div>2%</div></div>	31-Mar-2020	31-Mar-2020	Migration of Blue badge service to cloud completed. Planning phase of Roads Management System migration initiated.

4. Financial Targets –

Main Service Divisions	Annual Budget	Net Expenditure projected (subject to audit)	Annual Variation projected (subject to audit)	% variation	Narrative
Corporate Procurement	775,596	608,647	-166,949	-21.53%	Variation in employee costs and additional income received.
Union Offices	151,513	170,412	18,899	12.47%	Variation in employee costs.
Business & people Change	2,550,728	2,392,037	-158,691	-6.22%	Variation in mainly within employee costs although this has been reduced through overspends in other areas. Some of this underspend has been requested to be carried forward to 2019/20.
Total	3,477,837	3,171,096	-306,741	-8.82%	

5. Stakeholder Engagement Activity

Title	Description	End Date	How the Information gathered has been used to Improve performance
Healthy Working Lives Survey	An employee survey provided by Healthy Working Lives initiative as part of the silver award covering wellbeing at work, policy, practices and provision awareness, health and safety, lifestyle choices, mental health and behaviours.	December 2018 closed Analysis In January 2019	Responses received were analysed and used to inform the Healthy Working Lives Calendar for 2019 through the Healthy Working Lives Group.
Policy Development	Engagement with trade union colleagues on a number of policy developments in accordance with our approach to partnership working.	31 March 2019 (this engagement is ongoing)	Key policy developments include Secondary Employment, Special Leave, (including a mobilisation of Armed Forces Toolkit supporting the Armed Forces Covenant), Drug & Alcohol Misuse and Retirement. Discussions remain ongoing within the policy review schedule and future policy consultation and engagement will include representative line managers to ensure policy base captures feedback from a wide range of users.
Strategic Review Process	21 strategic service reviews have been launched with representatives from Organisational Transformation, Service Leadership Teams and trade union colleagues to support the delivery of the transformation programme and organisational change.	31 March 2019	The review groups have used knowledge, benchmarking and performance data to support thinking and the development of evolving models to ensure sustainable service delivery. External benchmarking continues to be undertaken by the Change Team which continue to inform the delivery of the transformation programme including digitalisation and service re-design.
Workforce Strategy	Engagement with Executive Officers continues in relation to service specific Workforce Strategy which informs the regular review and monitoring of the Councils Workforce Strategy.	31 March 2019	Service baseline and statistical information has been gathered and is used to inform service specific action plans and the regular review and monitoring of the Council's Workforce Strategy approved in June 2018.
Health & Safety	Engagement with HSE, CMT & SMT, Service	March 2019	The Health & Safety committee structure was launched

	Managers and Trade Union colleagues on the Council's approach to Health & Safety via the relaunch of the Health & Safety Committee Structure	(this engagement is on-going)	in November 2018 and feedback from the 1 st , 2 nd and 3 rd tier is used to inform consistency of approach and effective escalation and quick resolution of health and safety concerns. Feedback from HSE on HAVS has informed programme of work and good practice.
East Dunbartonshire Culture & Leisure Trust & Health and Social Care Partnership	Engagement with EDCL and HSCP continues to facilitate and understanding of the purpose and operation of all plans, policies and strategies	March 2019	Engagement to inform understanding of policy and strategy base to support the facilitation of improvement from HR, Change, Health & Safety and Procurement
Transformation Projects Learning & Development	Engagement with Change Team, Business Partners, CMT, Managers and Employees on various learning and development elements of transformation	March 2019	The information gathered has been used to improve business processes, enable systems and support service redesign to deliver elements of the Transformation Agenda. Best practice has been shared and implemented in line with Council policy.

6. Policy / Strategy Documents

PPS	Intended Outcomes	Approval Date	Start Date	End Date
Policy Review & Development	Review of HR and Health & Safety related policies and processes which will include relevant benchmarking and update in line with latest legislation, improvement plans and actions	March 2020	March 2020	On-going
Workforce Strategy 2018-21	Review capability and capacity	Approved June 2018 with bi-annual updates to Council	June 2018	June 2021
Principles of Change Strategy	Update Principles of Change Strategy to reflect outcomes of collective agreement and reviewed in accordance with our approach to partnership working	Updated November 2018	November 2018	On-going
Wellbeing at Work Policy/Strategy	Review existing provisions and strategies in relation to the management of wellbeing and implementation of Healthy Working Lives Strategy with targeted Health campaigns to promote mental and physical wellbeing	December 2019	December 2019	On-going

7. Improvement activities

Areas Requiring Improvement	Improvement Activity	Timescales for Implementation
Absence	<p>Work is required to continue to focus on improvement activities across all services ensuring principles of early intervention and prevention of absence is emphasised through all engagement activities. An absence workstream has been established and will focus on:</p> <ul style="list-style-type: none"> • Ensuring a Holistic Approach to Managing Absence and Employee Wellbeing • Strengthening the Capability of Line Managers • Reviewing of Wellbeing at Work Policy and Associated Procedures for Managing Short and Long-Term Absence • Developing a framework for ensuring good mental health Data driven improvement actions 	March 2020
Maximising Digital Transformation	To maximise the fulfilment of services through digital processes, technologies and innovation Through the management of the transformation programme. Exploring all opportunities, working collaboratively at a national level and ensure local interpretation in the Workforce Planning activities to redesign services to meet the needs of service users whilst retaining elements of alternative delivery where required. Fulfilment of digital delivery will support the commitments within the budget reduction strategy for Council and sustainable delivery of services within the financial context.	1 May 2021
Maximising opportunities for the benefits of all contract needs and renewals.	Maximising opportunities for benefits through the Procurement process will be a key feature of the work ongoing within the Procurement team. The Contract Wave Plan and Prioritisation approach will facilitate early engagement with Service areas to establish opportunities through the Procurement process and will tie into the Procurement Governance reporting to Executive Officers	March 2020

8. Current Delivery Focus

Business Change

- Development of the revised Transformation Programme incorporating Digital Strategy commitments
- Continue to deliver a range of multi-disciplinary projects within the Transformation Programme
- Benchmark digital opportunities within all service areas to understand associated benefit and potential return on investment
- Maximise technology, remove duplication and enhance customer journey
- Work closely with service areas to improve process redesign and ensure governance

Workforce Strategy

- Delivery of the Council's Workforce Strategy and support the delivery of service specific workforce plans to understand skills gaps and identity solutions based on priority needs and return on investment
- Continued focus and prioritisation on the need to reduce absence across the Council with improved reporting, trend analysis, hot spot analysis, intervention approach and impact analysis
- Launch the Employee Survey to understand current levels of engagement across the Council
- Supporting the implementation of organisational change in accordance with the Principles of Change Strategy for the strategic service reviews and support for displaced employees.
- Identification of key workstreams for Health & Safety ensuring continued compliance and improvements to support a safe and healthy work environment

Corporate Procurement Team

- Supporting Transformation programme
- Capital Programme
- Maximising opportunities for benefits of all contract needs and renewals
- Procurement Governance- reporting, prioritisation and escalations to Executive Officers within the procurement Governance Framework
- Continuation of improved functionality and use of all procurement information including Spikes Cavell, Procure to Pay, Prioritisation, resourcing and improvement planning
- Iproc Training Review
- Onboarding of Suppliers for E-invoicing

HR Services

- Continued engagement with Strathclyde Pension Fund to implement I connect technology for the return of information
- Continuation of improved functionality and use of ITrent, Talentlink and other related data analysis to provide real time management information
- On-going real time job evaluation, including ad hoc requirements for re-evaluation
- On-going implementation of statutory and other national amendments via COSLA



**EAST DUNBARTONSHIRE
COUNCIL****6 JUNE 2019****CFO/031/19/JG****JAMIE ROBERTSON, CHIEF FINANCE OFFICER****CONTACT OFFICER:****JOSEPH GREATOREX (TEAM LEADER – CORPORATE
PERFORMANCE AND RESEARCH), 0141 578 8237****SUBJECT TITLE:****FINANCE AND AUDIT– HOW GOOD IS OUR SERVICE
2018-19**

1.0 PURPOSE

- 1.1 The purpose of this Report is to provide Council with the annual How Good is Our Service evaluation of performance covering 2018-19 for the Finance and Audit strategic grouping. (see Appendix 1).
- 1.2 The Report covers the performance indicators set out in the Strategic Group Business and Improvement Plan for 2018-21, approved by Council in March 2018. (CE/01/18/JG). Additionally the report requests an overview of progress against the full range of improvement activities outlined in the Business Improvement Plan.
- 1.3 Members are asked to scrutinise the level of performance set out in the corporate reporting template (see Appendix 1). Elected Members should also request that progress on any identified improvement activity will be incorporated within the relevant How Good Is Our Service evaluation reviews which will be reported to PNCA Committee over the 19/20 reporting period.

2.0	<u>RECOMMENDATIONS</u>
2.1	It is recommended that the Council:- <ul style="list-style-type: none">a) Scrutinise the submitted Strategic Group performance reporting template set out in Appendix 1; andb) Requests that progress on any identified improvement activity is reported in the How Good Is Our Service evaluation reviews, which will be reported during 19/20 cycles of Committee.

**JAMIE ROBERTSON
CHIEF FINANCE OFFICER**

3.0 BACKGROUND/ MAIN ISSUES

- 3.1 Arrangements for performance management and reporting for strategic groupings require the continuing submission of “How Good is Our Service” self-evaluation reviews on a quarterly basis, including a consolidated annual review. This arrangement was approved by Council in October 2009 (Report No. CST/261/09/TD).
- 3.2 The “How Good is Our Service” evaluation reviews provide a concise and comprehensive review of Directorate performance and activity covering the following areas:
- Section One – Local Delivery Story
 - Section Two– (A)- Prioritised Performance Indicators
 - Section Two – (B)- Absence Management
 - Section Three – Progress on Business and Improvement Plans
 - Section Four – Financial Targets
 - Section Five – Consultation / Engagement Activity
 - Section Six – Policy & Strategy Documents published in the period
 - Section Seven – Improvement Priorities
 - Section Eight – Current Delivery Focus
- 3.3 Sections Two, Three and Six of Our Service evaluation template have been developed through the Council’s performance management system, Pentana.

4.0 IMPLICATIONS

The implications for the Council are as undernoted.

- 4.1. Frontline Service to Customers- Improved Service Delivery through continued effective scrutiny and management of performance
- 4.2. Workforce (including any significant resource implications)- Impact on future Business Improvement Planning
- 4.3. Legal Implications – None
- 4.4. Financial Implications – None
- 4.5. Procurement - None
- 4.6. ICT - None
- 4.7. Corporate Assets- None
- 4.8. Equalities Implications – None
- 4.9. Other - None

5.0 MANAGEMENT OF RISK

The risks and control measures relating to this Report are as follows:-

- 5.1. Ensuring effective Scrutiny of Service Performance and driving improvement in service delivery
- 5.2. Ensuring we are continuing to meet our statutory obligations in regards to performance reporting and Best Value

6.0 IMPACT

- 6.1. **ECONOMIC GROWTH & RECOVERY** – none
- 6.2. **EMPLOYMENT & SKILLS** – none
- 6.3. **CHILDREN & YOUNG PEOPLE** – none
- 6.4. **SAFER & STRONGER COMMUNITIES** – none
- 6.5. **ADULT HEALTH & WELLBEING** – none
- 6.6. **OLDER ADULTS, VULNERABLE PEOPLE & CARERS** – none
- 6.7. **STATUTORY DUTY** – none

7.0 POLICY CHECKLIST

- 7.1. This Report has been assessed against the Policy Development Checklist and has been classified as being an operational report and not a new policy or change to an existing policy document.

8.0 APPENDICES

- 8.1. Appendix 1: Finance and Audit 2018-19 HGIOS Report

How Good Is Our Service

Finance and Audit

April 2018 – March 2019

Local Delivery Story

Finance and Audit provides support to all services in the Council in relation to the management of resources, covering Accounting, Corporate Fraud and Internal Audit. In carrying out these services, Finance and Audit aims to meet statutory obligations, current best practices and provide a responsive and quality service to our internal customers and external stakeholders. The Strategic Grouping contributes to the Corporate Governance of the Council through the Statutory Roles of the S.95 Officer and the team's focus on supporting and strengthening controls and monitoring legislative compliance. Progress for 18/19 has been demonstrated in the following areas;

- Delivery of an unqualified set of Annual Accounts and Financial Statements including those for the Council, Mugdock Country Park, Group Entities and Charitable Trusts.
- Completion of a significant Internal Plan of work designed to provide assurance in a number of key areas.
- Significant work and continued participation in the National Fraud Initiative.
- Supporting the delivery of the Council's increasingly challenging budget setting process.

Page 92

Internal Audit

The Audit Team's work is underpinned by the Internal Audit Plan, which is approved each year by the Audit and Risk Management Committee. The team have substantially completed the 2018/19 Plan, with 32 out of 35 planned outputs delivered by 31 March 2019. The work performed in the year focused on areas of risk in the Council, with a view to providing the year end audit opinion on controls, governance and risk management. The team enhanced its quality in the year by implementing the recommendations raised in the previous year's Public Sector Internal Audit Standards (PSIAS) audit, which lead to improvements in the internal audit charter and in the declaration of interests form. The organisational independence of the Audit & Risk Manager has been enhanced through a revision to the team structure, which has also contributed to improved PSIAS compliance. Work completed included both planned and unplanned work, with the team providing flexibility to respond to emerging risks, including the risk of a no deal Brexit. The detail of the work of the team is reported to the Audit & Risk Management Committee and through the Annual Audit Report.

Corporate Fraud

The Fraud team has commenced work on the newly released National Fraud initiative data matches as part of the biennial exercise. In addition, the team undertook vetting of all housing tenancy applications and licence applications, helping to ensure that only genuine applicants were allocated tenancies or licences and that public safety was not compromised. The team continues its work on Whistleblowing cases, liaising closely with HR where appropriate. The team implemented the actions in the Whistleblowing internal audit report, improving the oversight and






strengthening the process by improved documentation at the outset through the inclusion of consideration and recording of potential conflicts of interests. The team has also carried out fraud awareness sessions with Shared Services, to help improve knowledge of the tactics being employed by fraudsters. Licencing has also been an area of focus, with two recent successful prosecutions for false statements on taxi licence application forms.



Finance

The Finance team has been working effectively with Executive Officers and managers to monitor the in-year position, working towards a balanced year-end position. The team has been also working in co-ordination with the Organisational Transformation team to ensure that appropriate savings have been produced for a balanced 2019/20 budget. The team is currently working on our year end requirements including the annual accounts. Other key achievements for the team in 18/19 were:

- Completion of the 2017/18 annual accounts including the Whole of Government Accounts and working with Audit Scotland on their audit of these,
- Local Finance Returns completed and submitted on the basis of a new, more efficient model.
- Completion of Scottish Government returns for funding and benchmarking purposes,
- The Annual Report on Loans Fund and the Treasury Management Strategy Report were successfully completed in the period and submitted to the Audit and Risk Management Committee.
- Updating the finance model, medium and longer term financial strategy in light of the 2019/20 budget settlement, coming to a balanced budget and creation of 2019/20 budgets through the budget process, and
- Preparation work for production of the 2018/19 annual accounts.

2. Prioritised Performance Indicators


		Annual Status	Quarters					Quarterly Target	Annual		
Code	PI Title	2018/19	Q4 2017/18	Q1 2018/19	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q4 2018/19	2018/19		Latest Note
		Status	Value	Value	Value	Value	Value	Target	Value	Target	
FA-BIP-01	Percentage of finalised audit outputs against the number anticipated in the annual audit plan.		90%	23%	49%	77%	91%	100%	91%	100%	32 outputs completed compared to 35 planned for the year. Primarily due to timing as six audits are in progress, of which five are nearing completion. The plan will be completed as expected to provide required assurances for the Annual Governance Statement.
FA-BIP-02	Percentage of productive days worked against the target productive days set in the annual audit plan.		97%	21%	47%	71%	96%	100%	96%	100%	Slightly behind plan for the year due to recruitment into the team taking slightly longer than planned. Team is now fully resourced and in conjunction with the above indicator will provide the required assurances to support the year end annual report and governance statement.
FA-BIP-05	No. of audit reports issued within 20 days of completion of field work		85%	90%	94%	92%	94%	100%	94%	100%	Slightly behind target due to the delay in issuing two reports in the year. A management decision was taken to prioritise key audits; this has meant that a finite number of other audits have not been issued in accordance with our internal timescales.
FA-BIP-08	Percentage of Key Financial Returns Completed on Time		100%	92.9%	77.8%	92.9%	100%	100%	91.1%	100%	In Q4 all 8 returns were submitted on time. This is an area of improving performance in the quarter; however, the completion of these is balanced against ongoing service demands.
FA-BIP-09	Percentage of fraud referrals assessed within 5 days.		N/A	95.08%	95.38%	96.49%	100%	95%	96.79%	95%	During Quarter 4 a total of 66 referrals were received. 100% of the referrals received were assessed for investigation suitability within 5 days of receipt.


FA-BIP-10	Percentage of fraud investigations commenced with 10 days of assessment.		N/A	97.82%	100%	100%	100%	95%	99.56%	95%	The change in structures during the course of the year has positively impacted the work of the team. Taken together with the work of the internal audit team performance has improved.
FA-SOL-CORP7	Council Tax Collection - Percentage of income due received by the end of the year		96.99%	28.68%	56.24%	84.07%	96.79%	97%	96.79%	97%	In year collection rates continue to be high however there has been a marginal reduction on in year collection for the current financial year. The Council continues to report on the impact of Universal Credit and the levels of arrears within the client base. A number of actions have been initiated to address this include expediting the reminder process and allowing direct debit payments over 12 months.


2(b) Absence Management


Percentage Absence		
	Finance and Audit	Council (Excuding teachers)
Quarter 1	0.41%	6.05%
Quarter 2	2.28%	6.23%
Quarter 3	2.03%	6.56%
Quarter 4	2.89%	6.52%
Year End	1.79%	6.34%

3. Progress on Business and Improvement Plans


Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Fraud Maturity	Lead progress in self assessment of Fraud Maturity.		<div><div>100%</div></div>	31-Mar-2019	31-Mar-2019	Fraud maturity self assessment has been completed. Next step is to take forward action plan to improve the Council's fraud maturity. An action plan with owners and dates has been completed.


Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Train managers in financial regulation and processes	Work with Learning & Development and management teams to increase financial knowledge of managers		<div><div>60%</div></div>	31-Mar-2019	31-Mar-2020	During the course of the year the finance team and the training team have been working together to develop a suite of financial training slides which have now been completed and are due to be rolled out. In addition, tailored training has been delivered to senior officers within education with informal coaching and finance training rolled out as part of the ongoing cycle of meetings between accountants and operational management teams. This indicator has been rolled forward to ensure that finance training continues to be a key aspiration for the Council and the team.


Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Implement pay.net to replace MOTO	Ensure sufficient resource to implement change to systems to ensure PCI compliance		<div><div>85%</div></div>	30-Jun-2018	30-Jun-2019	The system has been tested and the supplier has resolved the issues raised. The only outstanding requirements are user testing of the links from the contact centre systems to the live system and user training.

Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Replacement of Axis Cash Receipting	Ensure sufficient resource for moving from an unsupported system to ensure reliance in supporting business functions		<div><div>30%</div></div>	30-Sep-2018	28-Feb-2020	Progress on Axis Cash receipting depends on the implementation of paye.net as it will process the batches from paye.net. Expectation is now

						February 2020 for implementation.
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Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Maintain & Improve performance and collection	Continuous review of practices, policies and procedures to ensure maximum performance		<div><div>50%</div></div>	31-Mar-2019	31-Mar-2020	The increasing numbers of council tax payers on Universal Credit has reduced in year collection and increased arrears. Actions taken to address this include expediting the reminder process and allowing direct debit payments over 12 months.

Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
GDPR Compliance	Review all documentation to ensure compliance with new legislation, ensure training of employees within the team.		<div><div>70%</div></div>	31-Mar-2019	31-Mar-2020	Registers of data held and verification of retention schedules/ redoing the privacy statements completed. Information management team followed up on the high priority issues identified. Further work to be completed on lower risk areas such as electronic data we hold on our hard drives to ensure compliance with retention schedules.

Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Internal Audit Compliance with Public Sector Internal Audit Standards.	Implement any recommendations arising from external peer review of internal audit practices to ensure compliance with standards.		<div><div>100%</div></div>	31-Mar-2019	31-Mar-2019	The recommendations raised by the external assessor have been implemented.

4. Financial Targets

Main Service Divisions	Annual Budget	Net Expenditure projected (subject to audit)	Annual Variation projected (subject to audit)	% variation	Narrative
Finance	1,070,111	1,020,849	-49,262	-4.60%	Variation in employee costs
Revenues	755,508	1,251,434	495,926	65.64%	Variation in the budgeted year end position for Discretionary Housing Payments.
PMO	155,361	82,741	-72,620	-46.74%	Variation in employee costs
Audit	1,590,043	1,679,990	89,947	5.66%	Overspends are mainly due to insurances
Total	3,571,023	4,035,014	463,991	12.99%	

5. Stakeholder Engagement Activity

Title	Description	End Date	How the Information gathered has been used to Improve performance
Internal Audit Satisfaction Survey	To understand current levels of satisfaction with internal audit assignments within the Council.	31-Mar-2019	Internal audit have distributed feedback forms, following the conclusion of assignments. The results of these will be monitored and used to inform improvements in the service.
Fraud engagement	Continued engagement with all services and key stakeholders to ensure continual development of an anti-fraud culture	Ongoing	Engagement with key services and key stakeholders including Police Scotland has taken place and will continue to inform the work of the team.
Participatory Budgeting	The current plan for government includes a commitment that by 2021, Local Authorities will assign 1% of their budget to 'community choices', their terminology for Participatory Budgeting.	31-Dec-2021	The Council intends to engage with Stakeholders as part of a wider budget consultation exercise going forward. This will inform our work on participatory budgets.

6. Policy / Strategy Documents

PPPS	Intended Outcome	Date Approved	Start Date	End Date
Internal Audit Plan	To develop a risk based plan of internal audit activities to provide scrutiny and oversight of key controls, processes, systems, governance and performance.	26-Feb-2019	01-Apr-2019	31-Mar-2020
Treasury Management Strategy Statement and Annual Investment Strategy 2018/19 to 2020/21	The strategy for borrowing and investment decisions for the next three years.	25-Oct-2018	01-Apr-2018	31-Mar-2021
Financial Strategy	Further development of long term strategy to support financial planning work.	20-Dec-2018	01-Apr-2019	31- Mar-2020

7. Improvement activities

Areas Requiring Improvement	Improvement Activity	Timescales for Implementation
Improvement of self assessment status against Fraud Maturity Model.	Implementation of action plan in response to Fraud Maturity Self Assessment.	31 March 2020
Internal Audit Reports	Review of format of internal audit reports to ensure that they remain fit for purpose.	31 March 2020
Manager Training	To target further groups of managers who would benefit from training in Financial Regulations and Processes.	31 March 2020

8. Current Delivery Focus

Audit and Fraud

- Completion of annual governance and annual reports in Audit and Fraud teams and commencement of 2019/20 planned work across teams.
- Continuation of investigation of National Fraud Initiative matches. Continue to undertake vetting of applications for housing & licensing and undertake all required investigations.

Finance

- Completion of the 2018/19 annual accounts
- Liaison with Audit Scotland on the audit of the 2018/19 accounts
- Streamlining process for collating Scottish Government process
- Ongoing review and development of financial systems to improve quality of information and control
- To resource and provide high quality advice on VAT issues
- Ensuring our 2019/20 budgets are uploaded in agreement with Council decisions.
- Continue to develop the Council's response to Welfare Reform ensuring that changes are managed and implications understood.

**EAST DUNBARTONSHIRE
COUNCIL**

6 JUNE 2019

CE/04/19

GERRY CORNES- CHIEF EXECUTIVE

CONTACT OFFICER:

**SUSAN MANION – CHIEF OFFICER, HEALTH AND
SOCIAL CARE PARTNERSHIP**

SUBJECT TITLE:

**HEALTH AND SOCIAL CARE PARTNERSHIP— HOW
GOOD IS OUR SERVICE 2018/19**

1.0 PURPOSE

- 1.1 The purpose of this Report is to provide Council with the annual How Good is Our Service evaluation of performance covering 2018-19 for Social Work as a part of the Health and Social Care Partnership arrangements. (See Appendix 1)
- 1.2 The Report covers the performance indicators set out in the Strategic Group Business and Improvement Plan for 2018-21, approved by Council in March 2018. (CE/01/18/JG). Additionally the Report requests an overview of progress against the full range of improvement activities outlined in the Business Improvement Plans.
- 1.3 Members are asked to scrutinise the level of performance set out in the corporate reporting template (see Appendix 1). Elected Members should also request that progress on any identified improvement activity will be incorporated within the relevant How Good Is Our Service evaluation reviews which will be reported to PNCA Committee over the 19/20 reporting period.

2.0 RECOMMENDATIONS

2.0	<u>RECOMMENDATIONS</u>
2.1	<p>It is recommended that Council:-</p> <ol style="list-style-type: none"> a) Reviews the submitted performance reporting template set out in Appendix 1; and b) Requests that progress on any identified improvement activity is reported in the How Good Is Our Service evaluation reviews, which will be reported during 19/20 cycles of Committee.

**GERRY CORNES
CHIEF EXECUTIVE**

3.0 BACKGROUND/ MAIN ISSUES

- 3.1 Arrangements for performance management and reporting requires the continuing submission of “How Good is Our Service” self-evaluation reviews on a quarterly basis, including a consolidated annual review. This arrangement was approved by Council in October 2009 (Report No. CST/261/09/TD).
- 3.2 The “How Good is Our Service” evaluation reviews provide a concise and comprehensive review of performance and activity covering the following areas:
- Section One – Local Delivery Story
 - Section Two– (A)- Prioritised Performance Indicators
 - Section Two – (B)- Absence Management
 - Section Three – Progress on Business and Improvement Plans
 - Section Four – Financial Targets
 - Section Five – Consultation / Engagement Activity
 - Section Six – Policy & Strategy Documents published in the period
 - Section Seven – Improvement Priorities
 - Section Eight – Current Delivery Focus
- 3.3 Sections Two, Three and Six of Our Service evaluation template have been developed through the Council’s performance management system, Pentana.

4.0 IMPLICATIONS

The implications for the Council are as undernoted.

- 4.1. Frontline Service to Customers- Improved Service Delivery through continued effective scrutiny and management of performance
- 4.2. Workforce (including any significant resource implications)- Impact on future Business Improvement Planning
- 4.3. Legal Implications – None
- 4.4. Financial Implications – None
- 4.5. Procurement - None
- 4.6. ICT - None
- 4.7. Corporate Assets- None
- 4.8. Equalities Implications – None
- 4.9. Other - None

5.0 MANAGEMENT OF RISK

The risks and control measures relating to this report are as follows:-

- 5.1. Ensuring effective Scrutiny of Service Performance and driving improvement in service delivery
- 5.2. Ensuring we are continuing to meet our statutory obligations in regards to performance reporting and Best Value

6.0 IMPACT

- 6.1. **ECONOMIC GROWTH & RECOVERY** – No impact.
- 6.2. **EMPLOYMENT & SKILLS** - No impact.
- 6.3. **DELIVERING FOR CHILDREN & YOUNG PEOPLE** – No impact.
- 6.4. **SAFER & STRONGER COMMUNITIES** - No impact.
- 6.5. **ADULT HEALTH & WELLBEING** - No impact.
- 6.6. **OLDER ADULTS & VULNERABLE PEOPLE** – No impact.
- 6.7. **STATUTORY DUTY** – No impact.

7.0 POLICY CHECKLIST

- 7.1. This Report has been assessed against the Policy Development Checklist and has been classified as being an operational report and not a new policy or change to an existing policy document.

8.0 APPENDICES

- 8.1. **Appendix 1:** Health and Social Care HGIOS 2018- 19



How Good Is Our Service

Health and Social Care Partnership

April 2018 – March 2019

1. Local Delivery Story

The content of this performance report relates mainly to the functions delegated by the Council to the Health and Social Care Partnership Board. A fuller report on improvement activity relating to the totality of integrated delegated health and social care functions from both the Council and the NHS is contained within the East Dunbartonshire HSCP Annual Performance Report 2018-19.

Adult Services

Adult Services are delivered to adults aged under 65 and include assessment and case management services, service for people with a learning disability, mental health services, health improvement services and alcohol and drugs services. In a number of areas adult services have led on implementing new legislation on behalf of all the partnership services including work to ensure compliance with the Carers (Scotland) Act 2016 and work to prepare for the implementation of the piece of legislation commonly referred to as Frank's Law, which extends the right to free personal care to people under the age of 65.

A range of improvement actions have been taken forward during 2018-19, including:

Learning Disability Services:

- The consultation on and development of an Adult Learning Disability Strategy 2019-2023, which established 6 improvement themes that are now being taken forward through transformational and service-level improvement activity;
- New service eligibility and resource allocation policies have been developed to ensure fair, equitable, consistent and sustainable support is available for adults with eligible needs. These policies apply to services for older people as well;
- A Strategic Review of day and accommodation-based support services is well underway, with redesign principles the subject of extensive community and stakeholder consultation.
- Our registered care services received very good inspection reports from the Care Inspectorate

Mental Health:

- Local developments to deliver the new national Mental Health Strategy and the NHS Greater Glasgow & Clyde Mental Health 5 Year Strategy, within both programme board and themed sub groups / working groups. This includes actions to meet East Dunbartonshire's share of the Scottish Government's commitment to provide 800 more mental health workers by 2022;
- Establishment of a volunteer Peer Support Network supported by the Community Mental Health Team & Third Sector;
- Commissioning a full needs assessment with a view to establishing a model of third sector delivery across both Mental Health and Addictions services;

- Development of a Suicide Prevention Group;
- Better recording and provision of enhanced supervision to guardians to enhance our safeguarding of adults subject to welfare guardianship.

Alcohol and Drugs:

- Significant initiative in response to the increase in blood borne viruses (BBV) across GG&C. The team have established a BBV clinic to screen, test and report on BBV and to ensure patients are routed to appropriate treatment services. Training is being rolled out to all clinical & health staff to provide BBV testing and reporting in order to integrate this service throughout routine practice and to offer within all clinics.
- An outreach service to the Homeless Teams within First Stop and Ravenswood Homeless Services has been established formally linking addiction and homeless services to provide comprehensive harm reduction advice, information and assessment when required.
- Agreement to initial investment areas to extend services to people with substance misuse issues using additional funding from Scottish Government to better support this area of work.

Autism:

- We have continued to develop the outcomes of the 10 year Autism Strategy which is nearing it's mid-point. The Strategy Group have audited and evaluated the outcomes to date and recorded progress of almost 50% of the intended outcomes contained within the strategy.
- Additional work has also been taken forward in relation to Autism Friendly Communities and information and public engagement. The second East Dunbartonshire Autism Festival took place in April 2019 which included Arts, Music, Q&A sessions and public events.

Health Improvement:

- We have been working to prepare for the introduction of the new national body, Public Health Scotland, which will act as a single Scotland wide central point of contact for a range of Public Health matters that have traditionally been spread across a range of forums.
- We have worked to align our work to the new national public health priorities to ensure we are embedding a best practice approach across our local actions
- Our Joint Health Improvement Plan (J-HIP) realises the ambitions for the Community Planning Partnership's LOIP 5 - *Our people experience good physical and mental wellbeing with access to a quality built and natural environment in which to lead healthier more active lifestyles*. Further, the J-HIP extends its reach to support core actions and the ambitions highlighted within LOIP 3 *Our children and young people are safe, healthy and ready to learn*.

Older People's Services

Services for Older People are delivered in the Community Health and Care Service area in the HSCP. Services include; adult intake – our duty service for access to initial assessment and support, older people's assessment and support management social work team, care at home, care homes support service, physical disability and rehabilitation, and community health services such as adult community nursing. The Community Health and Care Service is also has responsibility for the development and co-ordination of Primary Care (Family Health Services e.g. General Practice) for the East Dunbartonshire area and liaises with a number of hosted community health services such as podiatry and MSK physiotherapy.

A range of improvement actions have been taken forward during 2018-19, including:

Transforming Care at Home

- The in-house care at home service was inspected in May 2018, and revisited in January 2019. An action plan in response to that inspection is being worked through as a number of requirements and recommendations were imposed by the Care Inspectorate to ensure the continuous improvement of the service and compliance with regulatory requirements. Good progress has been made and we anticipate significant improvements to be recognised by the Care Inspectorate in their 2019/20 inspection programme;
- A full strategic and operational review of homecare services to deliver a sustainable model was worked through in 2018/19. The review has concluded its findings and is in the consultation stage with stage, service users, carers and partners. Our aim is to ensure the retention of a quality in-house homecare service augmented by agreed balance of external provision;
- We have continued to deliver excellence in end of life care. Joint work between primary care, adult community nursing and care at home has enabled 89% of people to die at home or in a homely setting;
- We have facilitated the further development of the strategic relationship between the HSCP and housing sector, particularly in relation to housing for older people and people with physical disabilities.

Reshaping Day Care and Community Supports

- We are committed to reducing social isolation and loneliness, ensuring older people can remain as independently active in their community as possible. A review of older people day-care services was commenced to reshape the provision of day care and daytime community activity. Two Local Area Coordinators were appointed to develop community-based informal alternatives to day services for older people. Building based day care services for people who require higher levels of care are consolidated in one building based provision in the East locality and one in the West.

- We have continued our work to support people with dementia and their carers. Some of this work has been around managing stress and distress which can be a barrier to people with dementia who wish to remain active and independent in their community. We have also reinvigorated Dementia Friendly Communities work through our Locality Planning Groups and Local Outcome 6.

Shifting the Balance of Care

- Work to deliver our Ministerial Strategic Group (MSG) targets around use of secondary care services (in hospital, in an emergency) has continued and improvements have been made in relation to bed day usage and bed days lost to delayed discharge;
- We have further developed a continuum model of intermediate care to help prevent avoidable hospital admission and support people to receive care within their community. We have aligned several teams in our *Home for Me* multi-disciplinary working model, based around the *Home First* principles;
- We have worked with the local Care Home Sector to develop an enhanced model of service provision through our *Caring Together* model;
- We have focussed on the development and promotion of a range of preventative and sustainable approaches to self-management and anticipatory care, including the rollout across community services of the e-frailty model. This is underpinned by our ongoing work to maximise digital solutions to care and support through a refresh of our technology enabled care agenda (telecare and telehealth through our Assistive Technology Strategy);
- We have successfully developed our Primary Care Improvement Plan and begun delivery of primary care transformation in year 1 of the 4 year programme.

Page 113

Children's Services and Criminal Justice

Our staff continue to deliver high quality services to protect children and communities.

Children's Services:

Staff in the Children's Services are committed to keeping children safe and improving outcomes, services continue to be delivered efficiently, effectively and embedded in the principles of Getting It Right For Every Child. Performance targets are routinely met, on rare occasions where this is not the case management action is taken immediately to ensure staff are supported and lessons learned.

The Care Inspectorate has carried out inspections of the following registered services and very good evaluations were achieved:

- Ferndale Residential Services

- Ferndale Outreach Services
- Community Support Team
- Adoption Services
- Fostering Services

Additionally:

- Continued successful implementation and delivery of the Multi-agency Child Protection Training Strategy.
- ThroughCare and Aftercare Team ran a summer programme which increased young person participation and promoted the commencement of a support group.
- Numerous examples of achieving positive outcomes for vulnerable children and their families, including the creative use of a foster placement to support a young mother to return home from hospital and be reunited with her children.
- Workers in the team identifying collective needs of children and creating summer care plans for small groupings of children. This allowed the children's needs to be met while using resources and workers times efficiently.
- Workers attended an integrated staff engagement event and felt able to contribute views and ideas around services. They found this event valued the workforce.
- Implementation of the Carer's (Scotland) Act 2016 in relation to Young Carers
- Continued delivery of high quality services to protect children.
- Continued delivery of multi agency approaches to reduce young offending and prevent young people becoming involved in the Adult Criminal Justice System.
- Children and Families Health and Social Work Services received an HSCP award for the high quality of Child Protection Services delivered jointly during the adverse weather conditions.

Criminal Justice





The most significant development achieved in Criminal Justice this year has been the embedding of the newly established Community Justice Partnership. This is a strategic, multi agency body of senior managers who meet regularly to ensure the Community Justice Outcomes Improvement Plan is implemented.

There has also been a development of a Trauma Informed Practice training programme and the establishment of an Adverse Childhood Experiences steering group which is multi agency and aimed at ensuring best practice is delivered. "Up To You" training was also commissioned, this addresses Domestic Abuse, all staff were trained in this programme of work.



The first annual Community Justice Conference took place and was extremely well evaluated by the multi-agency attendees. The programme was entitled “Community Justice Through a Trauma Informed Lens” and was designed to develop best practice in promoting community and individual safety.

In addition to the service specific areas highlighted above we have also been working throughout the year to streamline and refresh our process and structures to oversee our key public protection functions including child and adult protection, Multi Agency Public Protection Arrangements (MAPPA), and Multi Agency Risk Assessment Case Conferences (MARAC). We have refreshed the arrangements for the protection Chief Officers group and will continue to work further on aligning our systems and structures in the coming year.

2. Prioritised Performance Indicators

		Annual Status	Quarters					Quarterly Target	Annual		
Code	PI Title	2018/19	Q4 2017/18	Q1 2018/19	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q4 2018/19	2018/19		Latest Note
		Status	Value	Value	Value	Value	Value	Target	Value	Target	
HSCP-01-BIP-3	% of child care Integrated Comprehensive Assessments (ICA) for Scottish Children's Reporter Administration (SCRA) completed within target timescales (20 days), as per national target		100%	100%	83%	76%	45%	75%	64%	75%	Performance in this area has decreased during Q4 and is below the national target. 29 ICA reports were submitted to SCRA during Q4, 13 of which were submitted within target timescale. There was a significant increase in the volume of referrals from the Police to SCRA which impacted on the number of report requests. There was also a significant amount received over 2 days just prior to Christmas which made allocation and completion within timescale difficult.
HSCP-02-BIP-3	% of first Child Protection review case conferences taking place within 3 months of registration		100%	100%	94%	100%	93%	95%	96%	95%	Performance in Quarter 4 has declined from the previous quarter and is below target. 15 first Child Protection Reviews took place during Quarter 4 and 14 of these were within timescale. 1 Case Conference was postponed as the mother was unable to attend.
HSCP-04-BIP-3	% of first Looked After & Accommodated reviews taking place within 4 weeks of the child being accommodated		100%	100%	100%	67%	100%	100%	94%	100%	Performance in Quarter 4 is on target. There were 5 first LAAC Reviews held during the quarter and all took place within the target timescale.
HSCP-05-BIP-6	% of Adult Protection cases where the required timescales have been met		93.9%	83.7%	81.7%	85.6%	92%	95%	86%	95%	10 April 2019 This indicator measures quality of case handling processes in Adult Protection. Figure of 92% presented for Q4 is based on data collected on the Social Work Carefirst database, including ASP forms on CareAssess. Validation sources include Carefirst observations and minuted ASP meeting records. Performance is improved compared to the first three quarters of the year, and has recovered to within 3% of the annual target. Unlike the three previous quarters, the service did not experience any unusual

Code		PI Title	Annual Status	Quarters				Quarterly Target				Annual		Latest Note			
				Q4 2017/18		Q1 2018/19		Q2 2018/19		Q3 2018/19		Q4 2018/19			2018/19		
				Value		Value		Value		Value		Value			Target	Value	Target
			2018/19														
			Status														

		Annual Status	Quarters				Quarterly Target				Annual		
			Q4 2017/18	Q1 2018/19	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q4 2018/19	Value	Target			
Code	PI Title	2018/19	Value	Value	Value	Value	Value	Value	Value	Value	Target	Latest Note	
	Case Conference											Quarter 4.	
HSCP-CS-LPI-3	% of Court report requests allocated to a Social Worker within 2 Working Days of Receipt		100%	89.41%	100%	100%	100%	100%	100%	97.29%	100%	Performance in Quarter 4 is on target. 86 report requests were allocated during the quarter, all of these within timescale.	
HSCP-SOL-CHN9	Balance of Care for looked after children: % of children being looked after in the Community		83%	83%	84%	85%	85%	85%	89%	85%	89%	Performance at the end of Quarter 4 is consistent with the previous quarter but continues to be below the target figure. Although the quarterly figure has remained the same, there has been a slight increase in the number of children looked after at home which is an increase overall in community placements.	


2(b) Absence Management

Percentage Absence		
	Adult Services	Council (Excluding teachers)
Quarter 1	9.13%	6.05%
Quarter 2	6.86%	6.23%
Quarter 3	6.81%	6.56%
Quarter 4	7.83%	6.52%
Year End	8.18%	6.34%


Percentage Absence		
	Older People	Council (Including teachers)
Quarter 1	N/A *	6.05%
Quarter 2	12.08%	6.23%
Quarter 3	7.43%	6.56%
Quarter 4	10.90%	6.52%
Year End	10.68%	6.34%

Percentage Absence		
	Children's Services and Criminal Justice	Council (Including teachers)
Quarter 1	5.23%	6.05%
Quarter 2	8.71%	6.23%
Quarter 3	12.72%	6.56%
Quarter 4	10.23%	6.52%
Year End	10.05%	6.34%

3. Progress on Business and Improvement Plans

Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Review and revise the three year Joint Health Improvement Plan	Develop and confirm Partnership plans, driving forward Joint Health Improvement Plan, incorporating core health and wellbeing outcomes; Sexual Health & Wellbeing Action Plan, Tobacco Cessation and Prevention Plan, Mental Health Improvement Plan, Increasing Physical Activity and Reducing Obesity Plan, Alcohol Prevention and Awareness Plan.		100%	30-Apr-2017	30-Apr-2017	The revised three year Joint Health Improvement Plan has been completed

Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Review of Learning Disability Service Delivery Arrangements	Securing continuous improvement in performance whilst maintaining an appropriate balance between quality and cost		75%	31-Mar-2018	30-Nov-2019	LD Review is progressing, overseen as part of the Transformational Board process. The two main workstreams are Daycare and Residential Services. Work across the Daycare workstream is progressing well. The accommodation workstream is now the principle focus for the Project Steering Board. The timescale has been extended due to the complexity of the range of services being reviewed.

Area for Improvement	Improvement Activity	Status	Progress	Original Due Date	Current Timescale	Note
Review of Mental Health Service Delivery Arrangements	Securing continuous improvement in performance whilst maintaining an appropriate balance between quality and cost		100%	31-Mar-2018	31-Mar-2018	This project is complete. The Mental Health services review forms part of the wider NHSGG&C 5 Year Mental Health Review 2018/23. Boardwide & HSCP locality workstreams are in place and funding have been agreed & our locality projects are progressing in line with SG Commitment / Action 15. A new review item to review commissioned mental health services will be undertaken during 2019 – 2020 and an update

						needs assessment has been commissioned to inform this work. The needs assessment will report late 2019.
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4. Financial Targets

Main Service Divisions	Annual Budget	Net Expenditure projected Period 10	Annual Variation projected Period 10	% variation	Narrative
Community Health & Care Services	36,334,855	36,859,445	524,590	1.44%	Overspends are mainly through agencies (service packages) and other bodies and employee costs.
Mental Health, Learning Disability, Addictions & Health Improvement	20,299,570	20,664,545	364,975	1.80%	Overspends are mainly through increased service packages in response to children transitioning to adult services and employee costs.
Children & Families and Criminal Justice	11,844,286	12,268,108	423,822	3.58%	Children's residential costs have led to this overspend, along with payments to voluntary organisations.
Social Work Strategic Resources	-16,528,573	-14,429,832	2,098,741	-12.70%	Pressure relates to reserves agreed to balance the 18/19 budget position and some savings which did not materialise in year. These figures relate to period 10, the last reported position. Further adverse movements are anticipated to year end, and discussions are ongoing with statutory partners to resolve this position.
Total	51,950,138	55,362,266	3,412,128		

5. Stakeholder Engagement Activity

Title	Description	End Date	How the Information gathered has been used to Improve performance
Public Service User & Carer Engagement	Public Service User & Carer Engagement Forum	ongoing	Regular engagement with the HSCPs Public Service User and Carer Group on all aspects of the decisions of the HSCP Board and on development of specific projects, priorities and plans
Moving Forward Together	Raise awareness of NHS GG&C MFT strategy and how local service developments and plans support and contribute to delivery	April 2019	Public, Staff & Partners
Charging	Information giving on charging for day care, transport and community alarms	June 2019	Representative groups and service users
Third Sector engagement	informing revised strategic priorities for the delivery of H&SC services and service redesigns and developments	Annual	Third Sector Interface (TSI) and 3 rd Sector Strategic Forum
Public Protection Annual Conference	Gain public views on issues of protection of children and adults	Annual conference May 2019	Feedback will be reported to child and adult protection committees to inform committee work plan
Community Justice Annual Conference	Gain public views on issues of community justice and raise awareness of community justice agenda	Annual conference Oct 19	Feedback will be reported to the Community Justice Partnership to inform partnership work plan

Title	Description	End Date	How the Information gathered has been used to Improve performance
Criminal Justice: Service Recipient Questionnaire	Rolling programme of questionnaire-based feedback to gather service recipient information on their experience of work undertaken by the Unpaid Work team and what impact that had.	31 March 2020	Individuals and agencies / organisations who have had work done by the Unpaid Work services Assists Criminal Justice Service to plan future work projects and assess quality and impact of work undertaken
Criminal Justice: Service User Feedback	Rolling programme of questionnaire-based feedback to gather service user information on their experience of involvement with the Criminal Justice service.	31 March 2020	Individuals who have been involved with the Criminal Justice service Assist Criminal Justice Service to assess quality of work undertaken
Criminal Justice: Annual consultation re: Unpaid Work	Annual consultation with the community to ascertain what their priorities are in respect of what type of unpaid work they would like to be undertaken in their area (legislative requirement)	31 March 2020	Individuals and agencies / organisations in the EDC area Assist Criminal Justice Service to plan unpaid work plan for coming year
Consultation with parents of children with a disability on experience of transitions	Gather the views of parents of children with a disability on the quality of the transition arrangements for children with disabilities	June 2019	Will contribute to the strategic review process and used to inform outcome
Service user experience of Children and Families Advice and Response Team	Gather the views of Children and Families who have been referred to and received a service from the Advice and Response Team.	31 March 2020	Children and Families who have been referred to and received a service from the Advice and Response Team. Assists Children & Families Service to assess service quality
Consultation with parents/carers of children/young people who are looked after	Gather the views of the parents of children and young people who are looked after.	31 March 2020	Parents of children and young people who are looked after. Assists Children & Families Service to assess service quality

Title	Description	End Date	How the Information gathered has been used to Improve performance
Transition/Exit Interviews for children/young people moving placement	Gather the views of children and young people who are moving placement.	31 March 2020	Children and young people who are moving placement. Assists Children & Families Service to assess service quality
Consultation with children/young people looked after in Ferndale Residential Unit	Gather the views of young people who are looked after in Ferndale Residential Unit.	31 March 2020	Young people who are looked after in Ferndale Residential Unit. Service to assess service quality
Consultation with young people in the youth justice system	Gather the views of young people who are involved with the Youth Justice System.	31 March 2020	Young people who are involved with the Youth Justice System. Assists Youth Justice Service to assess service quality
Consultation with parents/carers of children/young people involved in child protection	Gather the views of parents and carers who attend a child protection case conference.	31 March 2020	Parents and carers who attend a child protection case conference. Assists Children & Families Service to assess service quality
Consultation with parents/carers/ Social Workers of children/young people receiving services from Ferndale Children's Unit	Gather the views of various stakeholders of the Ferndale Children's Unit.	31 March 2020	Ferndale Children's Unit Stakeholders. Assists Children & Families Service to assess service quality
Consultation with foster carers on their experiences of being an EDC Foster Carer	Gather the views of foster carers.	31 March 2020	Foster carers. Assists Children & Families Service to assess service quality
Consultation with children/young people looked after in foster care Placements	Gather the views of children who are looked after in foster care placements.	31 March 2020	Children who are looked after in foster care placements. Assists Children & Families Service to assess service quality

Title	Description	End Date	How the Information gathered has been used to Improve performance
Consultation with service users and families/guardians on developments to LD services emerging from Strategic Review	Consult in order to seek views on proposed service changes	31 May 2019	People who use learning disability day and accommodation with support services and their families and guardians. Stakeholders with interest in service area. Will contribute to the strategic review process and used to inform outcome
Consultation with service users and families/guardians on developments to mental health services emerging from analysis of updated needs assessment	Consult in order to seek views on proposed service changes	1 Nov 2019	People who use mental health services and their families and guardians. Stakeholders with interest in service area. Will contribute to revised commissioning plans for mental health services
Consultation with service users and families/guardians on developments to substance misuse services emerging from analysis of updated needs assessment	Consult in order to seek views on proposed service changes	1 Nov 2019	People who use substance misuse services and their families and guardians. Stakeholders with interest in service area. Will contribute to revised commissioning plans for substance misuse services
Consultation with service users and families/guardians on the development of the Dementia Strategy.	Engage and consult in order to seek the views of local stakeholders in relation to improved outcomes in relation to people with Dementia	Oct 2019	People with a diagnosis of Dementia, their carers, families and guardians. Stakeholders with interest in service area. Will inform the Dementia Strategy and its implementation.

4.Plans, Policies, Programmes and Strategies

PPPS	Intended Outcome	Date Approved	Start Date	End Date
Alcohol and Drugs Partnership Workplan 2019 - 2020	Workplan to be established as part of the ongoing work of the Alcohol & Drug Partnership. Development workshops were held in March 2019 involving all partners and relevant stakeholders to inform the development of the 2019/20 workplan.	June 2019	1 April 2019	31 March 2020
Outcome of Strategic Review of Learning Disability Services	Securing continuous improvement in performance whilst maintaining an appropriate balance between quality and cost	September 2019	1 Dec 2019	na
Outcome of Strategic Review of Home Care	Securing continuous improvement in performance whilst maintaining an appropriate balance between quality and cost	June 2019	1 Sept 2019	na
Outcome of Strategic Review of Children's Services	Securing continuous improvement in performance whilst maintaining an appropriate balance between quality and cost	na	1 Feb 2018	1 May 2019
Autism Strategy 2014 – 2024 Refresh	Identify the priority areas of focus for the remainder of the life-time of the strategy	September 2019	Sept 2019	31 March 2024
Dementia Strategy 2019-2022	Develop and implement multi-agency strategy to improve outcomes for people with Dementia and their carers	na	Oct 2019	Mar 2022
Outcome of Strategic Review of Transitions	Securing continuous improvement in performance whilst maintaining an appropriate balance between quality and cost	September 2018	1 Apr 2019	1 Jul 2019
Outcome of Strategic Review of Management Structure	Securing continuous improvement in performance whilst maintaining an appropriate balance between quality and cost	September 2019	1 Dec 2019	na
Outcome of Strategic Review of Disability Services	Securing continuous improvement in performance whilst maintaining an appropriate balance between quality and cost	November 2019	1 Dec 2019	na
Joint Health Improvement Plan	Improve adult population health & wellbeing& reduce inequalities	May 2018	1Apr 18	31 March 21
Children Services Strategic needs Assessment	Articulate population needs	na	Ongoing	Ongoing
Children's Services plan	creating positive outcomes for children	Jun 2017	Jun 2017	Jun 2020
Community Justice Outcome Improvement Plan	To prevent and reduce further offending and the harm that it causes, to promote desistance, social inclusion, and citizenship.	Sept 2018	April 2018	2021
Outcome of National review re Health & Social Care in Prisons	To review health and social care in prisons to improve the health and wellbeing of the Prison population	NA	2018	2020

7. Improvement activities

Areas Requiring Improvement	Improvement Activity	Timescales for Implementation
Implementation of the HSCP Business Development Plan 2019-20	<p>A programme of 43 strategic and transformational improvement activities relating to delegated functions of the Council:</p> <ul style="list-style-type: none"> • Aligned to delivery of financial efficiencies and Best Value; • Arising from the introduction of new national policy or legislation with cross-cutting implications; • Associated with public sector reform 	March 2020
Implementation of the Action Plan associated with the HSCP Joint Inspection report	<p>The strategic joint inspection by the Care Inspectorate and Healthcare Improvement Scotland in Jan-Feb 2019 assessed the vision, values and culture across the partnership. This included leadership of strategy and direction, the operational and strategic planning arrangements (including progress towards effective joint commissioning), and improvements the partnership is making in both health and social care, in respect of the services that are provided for all adults. A final report is awaited, the findings of which will inform an improvement action plan. This action plan will be a priority for the HSCP during 2019-20.</p>	March 2020
Implementation of the integration improvement proposals set out in the Ministerial Strategic Group report "Review of Progress with Integration of Health and Social Care"	<p>Audit Scotland produced a report into the progress of Health and Social Care Partnerships in November 2018. In response, the Scottish Government's Strategic Leadership Group has proposed 25 areas for improvement, of which 22 apply to local Partnerships in the following areas:</p> <ul style="list-style-type: none"> • Collaborative leadership and building relationships • Integrated finances and financial planning • Effective strategic planning for improvement • Governance and accountability arrangements • Ability and willingness to share information • Meaningful and Sustained Engagement 	March 2020

8. Current Delivery Focus

Adult Services

- Review of Learning Disability Services
- Review of Disability Services Structure
- Review Sleepovers
- Cease Allotments service
- Review of Learning Disability Service Resource Allocation Model (RAM)
- Deliver Mental Health Strategy Commitment 15 projects
- Implement Carers (Scotland) Act 2016
- Implement the Community Care (Personal Care and Nursing Care) (Scotland) Amendment (No. 2) Regulations 2018 (Frank's Law)
- Review of Mental Health commissioned services
- Review of Addiction commissioned services
- Deliver additional Alcohol & Drugs Partnership funded projects
- Enhanced Learning Disability Day Care at Kelvinbank
- Reduce Mental Health Officer Agency Spend
- Review Mental Health Ordinary Residence cases
- Implement Fair Access to Community Care Policy and revised Eligibility Criteria for adult services
- Develop in house Adult Support and Protection training capacity
- Deliver Adult Support Protection Inspection Action Plan

Older People's Services

- Review of SMART flat provision / Maximising use of equipment - we will be reviewing alternatives for the demonstration of SMART technology and scope options for the use of technology in the delivery of care and support to individuals within the community.
- Our Day Care redesign has achieved sign off for the completion of our Day Care transformation. Continue implementation of Older People Daycare Strategy across East Locality to include ethnic daycare provision.
- Continue to implement Older People Day Care Strategy across West locality.
- Review entitlement to respite provision ensuring parity across older people's services.

- Review of delivery mechanism for assessment for blue badges with a view to bringing in-house.
- Review of agency spend for older people social work teams with a view to identifying a recurring solution within older peoples structural arrangements.
- Review of support arrangements for older people to ensure costs are being met appropriately within East Dunbartonshire.
- Review and prioritisation of care home referrals from hospital and the community within a set limit.
- Review of resource capacity to support delivery of older people's mental health services
- Review of resource capacity to support individuals moving on from continuing care settings to supports within their local communities.
- Review of priorities funded through integrated care funding and mainlining of recurring projects.
- Implementation of time scheduling for externally purchased homecare which move from payment on planned hours to actual service delivery.
- Review of charging levels for community alarms in line with benchmarked average.
- Work in partnership with a range of older peoples mental health services to support the delivery of the strategy.

Children's Services

- Review of Fostering.
- Review of All LAAC Placements.
- Review of Transitions.
- Review of Children and Families.
- Review of Transport Policy.
- Review of Out of School provision.
- Develop and implement a Corporate Parenting Strategy.

Criminal Justice

- Purchase and implement a Carefirst Criminal Justice Module.
- Implement new legislation (Management of Offenders Act 2019- Presumption Against Short Term Sentences).
- Contribute to the review of prison Health and Social Care needs.



**EAST DUNBARTONSHIRE
COUNCIL**

6 JUNE 2019

EPB/119/19/KMD

**DEPUTE CHIEF EXECUTIVE - EDUCATION, PEOPLE
& BUSINESS**

CONTACT OFFICER:

**KAREN M DONNELLY – CHIEF SOLICITOR &
MONITORING OFFICER (0141 578 8015).**

SUBJECT TITLE:

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982:
OUTCOME OF PUBLIC CONSULTATION ON REVIEW
OF TAXI AND PRIVATE HIRE VEHICLE
OPERATOR'S AND DRIVER'S LICENCE
CONDITIONS.**

1.0 PURPOSE

- 1.1** The purpose of this Report is to seek Committee approval for new licence conditions relating to the licensing of taxis and private hire vehicles, underpinning policies and procedures, and other associated arrangements.

2.0	<u>RECOMMENDATIONS</u>
2.1	<p>It is recommended that the Committee:</p> <ul style="list-style-type: none">a) approves and adopts the licence Conditions attached to this Report;b) approves and adopts the Schedule A vehicle and driver fitness and vehicle testing documents attached to this Report;c) approves the inclusion of a specific Condition confirming that a breach of Section 21 of the Civic Government (Scotland) Act 1982 will amount to a breach of the relevant Conditions;d) notwithstanding recommendation c) above, approves and adopts the Section 21 Guidance attached to this Report;e) approves the transitional arrangements set out within the Report and instructs the Chief Solicitor & Monitoring Officer to take the steps necessary to implement the new conditions and procedures outlined in this Report;f) instructs the Chief Solicitor and Monitoring Officer to notify each licence holder and Council authorised testing centre of the change in the Conditions, Schedule A vehicle requirements, the testing regime and the fitness to drive standards;

	<p>g) instructs the Chief Solicitor and Monitoring Officer to (i) implement the process of merging zones 1 and 2 into one zone across the authority, through the publication of a notice in local newspapers and (ii) introduce a cap on taxi operator licences at levels across East Dunbartonshire in force on the day immediately preceding the date on which the single zone comes into effect for a transitional period of 24 months commencing from the date of the publication of the notice merging the zones;</p> <p>h) authorises the Chief Solicitor and Monitoring Officer to monitor the applications for taxi and private hire operator licences during the 24 month transitional period, in order to assess the provision of wheelchair accessible vehicles in each fleet, and to submit a further report in the event that further measures are required to supplement the provision of wheelchair accessible vehicles across East Dunbartonshire;</p> <p>i) authorises the Chief Solicitor and Monitoring Officer, in consultation with the Executive Officer – Customer & Digital Services and other stakeholders to commence a process of review of the driver and operator licence application process in order to identify and make efficiency improvements for the benefit of applicants, licence holders, and the Council;</p> <p>j) instructs the Chief Solicitor and Monitoring Officer to establish a forum comprised of Council officers, other stakeholders including Police Scotland, and taxi and private hire vehicle drivers and operators to meet at periodic intervals throughout the year;</p> <p>k) instructs the Chief Solicitor & Monitoring Officer to investigate the potential costs and other administrative arrangements necessary to facilitate the introduction of a knowledge test for taxi drivers within East Dunbartonshire and thereafter submit a further report to the Policy & Resources Committee detailing these costs and arrangements and inviting Members to consider whether a knowledge test should be introduced;</p> <p>l) instructs the Chief Solicitor and Monitoring Officer to further investigate and implement the provision of regulated taxi ranks throughout the authority and to report back to Committee on the outcome of this; and</p> <p>m) requires the Chief Solicitor & Monitoring Officer to undertake a review of current arrangements for the issue of certificates of compliance and submit a report to a future meeting of the Policy & Resources Committee setting out proposals for the future provision of this service.</p>
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ANN DAVIE
DEPUTE CHIEF EXECUTIVE
EDUCATION, PEOPLE & BUSINESS

3.0 BACKGROUND/MAIN ISSUES

- 3.1** In terms of Section 3B and Paragraph 5 of Schedule 1 to the Civic Government (Scotland) Act 1982 (the “Act”) the Council, as licensing authority, is authorised to impose such reasonable standard conditions as it thinks fit when granting or renewing a licence. The standard conditions are in addition to any mandatory conditions required by statute.
- 3.2** At a Council meeting on 13 September 2018, the Chief Solicitor and Monitoring Officer was instructed to commence consultation on draft taxi and private hire vehicle operators’ and drivers’ licence conditions (the “Draft Conditions”). Council also instructed the Chief Solicitor and Monitoring Officer to report back to Committee with the outcome of the consultation process and to recommend final licensing conditions and associated policies for approval. This Report details the work undertaken since that time and the rationale for the proposed taxi and private hire vehicle operators and drivers licence conditions attached at Appendices 1-4 (the “Conditions”).

The Consultation

- 3.3** Members will recall that the key themes underpinning the Draft Conditions are improving public safety, enhancing the customer experience, vehicle use and reliability, and enforcement. Consultation with the trade, interested groups and wider public commenced on 22 October 2018 and was initially due to run until 6 January 2019. However, due to the high level of engagement with the trade and public and the nature of the comments received, the consultation period was extended to 3 March 2019.
- 3.4** The consultees included Police Scotland, the Council’s Licensing Standards Officers and Corporate Fraud Team, taxi operators, organisations representing the taxi trade in the Council area, namely, East Dunbartonshire Taxi Owners Association (the “TOA”) and East Dunbartonshire Taxi Owner/Driver Association (the “TODA”), drivers and operators who are not members of either trade group, community councils, groups representing people with physical and sensory impairments and the general public. The consultation was publicised via email, press release, publication on the Council’s consultation webpage and advertisement on the Council’s Facebook and Twitter accounts, which were both refreshed regularly.
- 3.5** During the consultation, officers held a number of public events. These were as follows:
- 6 November 2018, McGregor House, Kirkintilloch, 10AM – trade;
 - 7 November 2018, Bearsden Academy, 6.30PM – trade;
 - 19 November 2018, McGregor House, Kirkintilloch, 7PM – community councils, public and representatives of people with physical and sensory impairments;
 - 21 January 2019, McGregor House, Kirkintilloch, 10AM – trade;
 - 21 January 2019, McGregor House, Kirkintilloch, 7PM – trade; and
 - 14 February 2019, McGregor House, Kirkintilloch, 10AM – trade.

The trade events were advertised by emailed letter to booking offices, trade organisations, through distribution of leaflets in the Hubs, by the Council’s Licensing Standards Officers directly to drivers and booking offices and by advertising through social media. The public events were advertised to groups such as community councils and East Dunbartonshire Voluntary Action through email and by social media campaign.

The Council also set up a stakeholders group which comprised representatives from Police Scotland's Licensing Division and the local Community Policing representative, the Licensing Standards Officers, the Council's Communications Team, the Corporate Fraud Team, Legal Services and Customer Services Operations. The Council's Fleet Manager also attended to provide expert technical input. The working group met on 7 November 2018, 4 December 2018 and 5 February 2019. The purpose of this group was to allow officers and stakeholders to explore and comment on the proposed draft conditions and to enable a multi-disciplinary overview of the proposed changes and the practicalities around implementation and enforcement. This was particularly useful in relation to technical matters where vehicle expertise was required i.e. the discussion around the contents of Schedule A, which contains the Council's specification on vehicle fitness for vehicles used as taxis and private hire vehicles.

- 3.6** The consultation concluded on 3 March 2019. Officers arranged two more information sessions with drivers and operators which were again advertised via the same methods employed for the earlier meetings. The events were held on 26 March 2019 at McGregor House, Kirkintilloch and on 27 March 2019 at Bearsden Hub. The purpose of these meetings was to inform the trade of the outcome of the consultation and to present the Conditions which officers are recommending to Council. The recommended Conditions are attached to this Report. **(Appendices 1-4).**
- 3.7** Throughout the consultation period, there were 1085 webpage views which included 904 external viewings. Thirty-two emailed representations were received in response to the public consultation. The next section of this Report sets out the representations received under key headings. For ease of reference, the relevant Draft Condition (where applicable) is set out along with the views expressed by stakeholders and others, followed by the officer response and rationale for the recommended Condition.

Insurance – Requirement to Purchase Insurance Before Grant of Licence

View of Trade	View of Statutory Consultees	View of Community	Legal & Democratic Response	Reason
<p>Too expensive. This is the only Council that requires this and companies will not issue insurance certificate until licence granted.</p> <p>Suggest that application is submitted with required fee but licence and badge not issued to applicant until insurance certificate is provided.</p>	n/a	n/a	<p>The Council is not the only licensing authority requiring evidence of insurance at application stage. Also, this matter does not relate to a new or amended Condition, however it is recognised as an issue that causes great concern to the trade</p> <p>It is proposed that the process will change so that an application is submitted with required fee but licence and badge not issued to applicant until insurance certificate is provided and licence is revoked if insurance is not exhibited within 14 days of request.</p>	<p>Ease financial impact on licence holders and make process less onerous.</p> <p>14 day response time required to manage the administrative burden and ensure that appropriate insurances are in place in order to protect the public and other road users.</p>

Merging of the Two Zones

View of Trade	View of Statutory Consultees	View of Community	Legal & Democratic Response	Reason
<p>If zones merge and allow saloons to be licensed as taxis then operators will not opt to buy hackneys due to cost.</p> <p>Merging zones could confuse the public. Drivers could not know every street in the entire area if zones merge. Would allow serious and organised crime into the area. Taxi licences are currently issued unrestricted in zone 2, this should have closed before now. Restriction on number of taxi licences in zone 1 protects the drivers there.</p>	n/a	n/a	<p>Zones should merge in line with Council decision in 2016.</p> <p>The Demand Survey strongly supports the removal of zones and this may lead to more WAVs in zone 2.</p> <p>Capping is anti-competitive, leading to less consumer choice.</p> <p>The Demand Survey refers to Department for Transport guidance stating that zones should only be used where they benefit the public. Benefit to the trade should not be considered a factor</p>	<p>The Demand Survey is clear that the existing two zones are a legacy from local government reorganisation in 1996 and there is no justification for maintaining this in a small authority area.</p> <p>The Demand Survey refers to guidance from the Department of Transport that zoning is anti-competitive and should only be used where necessary.</p> <p>Anecdotal evidence exists of anti-competitive behaviour including the trading of plates for money.</p> <p>The 2 zones may lead to drivers inadvertently committing a breach of s21 if they are only licensed to operate in one zone.</p> <p>Temporary cap on number of taxi operators licences issued following merging of</p>

			for retaining two zones.	zones to allow a period of adjustment.
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Biannual Testing of Vehicles More Than Five Years Old.

View of Trade	View of Statutory Consultees	View of Community	Legal & Democratic Response	Reason
<p>Not necessary and too expensive.</p> <p>Too onerous – could require 3 tests in 15 months.</p> <p>Council should look at capping or reducing fees charged by testing centres.</p> <p>More than what is required of a minibus carrying more people.</p> <p>MOT and biannual test should be combined.</p> <p>Some test centres just issue certificates and do not test the vehicles depending on who the operator is.</p>	<p>Supportive of biannual testing of vehicles over 5 years old.</p> <p>The testing regime for PSV/HGV and mini buses is on an annual basis.</p> <p>The Council inspects its own vehicles every 6 weeks and checks drivers daily. The Council audits these on a regular basis and does random checks.</p> <p>Clarity required on need for MOT when vehicle is for private use.</p> <p>Strongly suggest Council brings taxi/PHV testing in-house as the current testing stations do not provide suitable safety standards for public protection.</p>	n/a	<p>Proposal for biannual testing for vehicles over 5 years old should be adopted.</p> <p>Condition 41 of PHV operators conditions and Condition 44 of taxi operators conditions states that MOT not required where certificate of compliance is held. This will cover private use as the vehicle is exempt from requirement to hold MOT. Certificate of compliance is MOT+.</p>	<p>Essential to promote public safety. Large number of other authorities already have this requirement.</p> <p>This is in line with Scottish Government guidance.</p> <p>Other authorities do not allow vehicles over a certain age to be used as taxis/PHVs. Officers not proposing to go as far as that but safety and reliability must still be paramount and reflected in these requirements.</p>

Vehicle Condition – Schedule A Requirements

View of Trade	View of Statutory Consultees	View of Community	Legal & Democratic Response	Reason
Trade feels that tolerance period should be introduced so that trade has time to get vehicles up to new standard – suggest 2020.	Police strongly supportive of Schedule A requirements – suggested additional requirements in relation to lighting, wiper blades and washer fluid reservoir, which were incorporated in published Schedule A.	n/a	Schedule A requirements will be imposed on a vehicle at the point it undergoes the next scheduled test, lead in period therefore of up to one year.	New requirements should take place asap for safety reasons but unduly onerous to require operators to undergo new tests while current test still valid, hence the proposed phasing.
Tyre tread requirement will have big financial implication, current UK MOT standard of 1.6mm is more than sufficient.	Police supportive of proposals. New requirement is proposed due to the time between services/inspections, as a tyre could go from legal to illegal in a week or less. Other Councils require up to 3mm.	n/a	Minimum requirement for tread depth should be 2mm.	Important for ensuring public safety. Research has shown that tyre tread depth requirements vary across Scotland from 1.6mm to 3mm; some Councils require 2mm depth, however the majority of Councils have a requirement of 1.6mm.
Licenceholder should only be required to report accidents to the Council if the vehicle is deemed not to be roadworthy. Minor repairs are carried out by authorised insurance repairers which should negate need to inform Council.	Minor scratches and dents are not important but everything else is a vehicle safety issue, still want to know about minor repairs	n/a	Amend condition so that minor scratches and dents are exempt.	This is a vehicle safety issue.
Tow bars should be allowed.	Tow bars should not be allowed as real chance of	n/a	Permit tow bars but no towing whilst	Less restrictive for operators. Prohibition on

	someone being injured while loading the boot.		vehicle is in use as taxi/PHV.	towing is required as trailers are not tested to any standard by the Council.
Drivers are not equipped to measure brake pads as they are done by garage during service.	Brake pad friction material of 3mm or more should be minimum standard.	n/a	No change to draft Schedule A requirement which requires a minimum friction material of 3mm.	Vehicles should be undergoing regular checks and tests where this will be identified. The minimum required in higher than the statutory minimum and is in line with the recommendation of most car manufacturers. The requirement for taxi and private hire vehicles should be higher than for the general public for public safety reasons.
Bodywork should only be deemed unacceptable if there are serious corrosion faults or damage to the bodywork.	Condition required that vehicle should be in good condition and should not be damaged or extensively corroded.	n/a	No change to draft Schedule A requirement which requires that: "Bodywork shall be in good condition and shall not be damaged or extensively eroded".	Serious corrosion and extensively corroded mean the same thing. This is a safety issue. This is also a standards issue and the Council wishes to ensure that all vehicles licensed are of an acceptable standard.
Trade feels that minor scratches or blemishes are more cosmetic issues than a vehicle fitness requirement – therefore this is unnecessary condition.	Condition required that paint finish shall be of a good standard, and in particular shall be of a uniform finish, shall not be of any different colours or shades, and shall	n/a	While scratches and blemishes are a cosmetic issue, it is imperative that vehicles are maintained to a	Agree that minor scratches are a cosmetic issue rather than a vehicle safety issue. Vehicles should still be kept to a high standard.

	not contain any surface deficiencies i.e. paint runs, peeling, scratches or broken paint surface.		high standard and this includes the appearance of the vehicle, both internally and externally. This helps to maintain the high standards and perception of East Dunbartonshire licensed vehicles.	
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Introduction of Official Ranks

View of Trade	View of Statutory Consultees	View of Community	Legal & Democratic Response	Reason
Official ranks should be introduced.	n/a	Need public ranks in Milngavie town centre and train station and other locations.	Accept that ranks are needed. Locations will be dependent on engagement with the trade and other stakeholders, traffic regulation orders and landowners consent where necessary.	This is necessary to help the trade and to improve the trade image. The provision of official ranks provides certainty to the public increasing confidence and safety in the use of an East Dunbartonshire licensed vehicle. Officers will take the establishment of ranks forward as part of Phase 2.

Requirement for a Knowledge Test

View of Trade	View of Statutory Consultees	View of Community	Legal & Democratic Response	Reason
Majority of trade (particularly from zone 2) feel that a knowledge test is required, some feel that if the zones merge drivers would not know all the streets in the entire area.	LSOs strongly supportive of the introduction of a knowledge test and English language test. The introduction of a knowledge test ensures that licensed drivers are familiar with the local topography, increasing public confidence in using taxis/PHVs. The introduction of an English language test ensures that drivers are able to communicate properly with customers and understand the Conditions. LSOs also indicate that from their anecdotal discussions, the trade is supportive of the introduction of a knowledge test.	One response received asking for a knowledge test to be a requirement for a taxi driver's licence.	Neutral, however it is proposed that officers investigate the potential costs and other administrative arrangements and thereafter invite Members to consider whether or not to introduce this requirement once all information is available.	This was previously not deemed to be required due to available navigation technology. However, there has been a clear expression for of support for the introduction of a knowledge test during the consultation. There may be administrative and cost implications to the Council.

Equalities Issues

View of Trade	View of Statutory Consultees	View of Community	Legal & Democratic Response	Reason
n/a	Change wording in PHV drivers condition 34 to: "Abusive, offensive or discriminatory language relating to anyone's characteristics, identity or circumstances". Fraud, LSOs & Police suggest adding "by all means of communication".	n/a	Condition amended to: "The Licence Holder shall not use any abusive, sexist, offensive, discriminatory or racist language relating to a person's characteristics, identity or circumstances, either in front of and/or addressed to a passenger".	Strengthens the condition and is in keeping with the Council's wider responsibility to promote equalities.
Braille exemption certificate is required, certificates can cause confusion if two or more drivers using a vehicle – suggest use of "exemption badge" instead.	Exemption certificates should be required in large print, black/yellow contrast and braille to meet greater range of needs.	Only a small percentage of people can actually read braille. Instead a "tactile" certificate should be introduced. Wording of clause involves a judgement call as to whether a passenger can/can attempt to read braille. Suggest exemption certificates should be shown to all assistance dog users, and the customer should be	Look at possibility of introducing tactile and high contrast certificates. Legally the Council cannot accept change to use badge instead.	The form of certificates is prescribed by the Equality Act 2010. The Council cannot issue a badge instead. Changes which have been accepted strengthen the condition and equalities protection. Officers will look at introducing requirement to hold a tactile badge and

		made aware of the tactile format also available’.	high contrast certificates in Phase 2.
	Recognise non-physical forms of accessibility e.g. language and communication difficulties.	n/a	Nothing has been proposed at the present time. This will be considered during Phase 2
Operators will not opt to buy hackneys and there will be a lack of WAVs. 40% more expensive to buy and maintain a hackney type vehicle. All public hire vehicles should be accessible to wheelchair users and accessible from the pavement (near side) for safety. Benchmark for WAVs should not be 100%.	Benchmark the percentage of WAV fleet, do not rely solely on demand survey as people with disabilities or other access barriers are less likely to participate in a consultation.	n/a	Not all people with disabilities require a WAV, and in some instances a WAV is unsuitable for certain mobility issues. The required percentage of WAVs should be informed by demand. Officers would not recommend a 100% WAV threshold, and will monitor the fleet mix during the transitional period.
n/a	n/a	Any document required to be kept in a vehicle should also be required to be kept in tactile form e.g. insurance, licence etc.	Too costly and onerous at present time

Cap on Number of Licences

View of Trade	View of Statutory Consultees	View of Community	Legal & Democratic Response	Reason
Number of licences should be capped – amount of work is decreasing whilst number of licence holders is increasing. Booking offices benefit as they receive more in weigh-ins but it is crippling drivers.	n/a	n/a	<p>Demand Survey indicates a temporary cap of up to two years on taxi operators licence numbers may be necessary when moving to merge zones.</p> <p>Demand Survey confirms that there is no justification for cap on taxis in Zone 1.</p>	Demand Survey has indicated that a temporary cap on taxi operator's licences may be required to allow taxi operators to adjust to the new zoning, but there is no justification for the current cap on zone 1.

Uber

View of Trade	View of Statutory Consultees	View of Community	Legal & Democratic Response	Reason
Unsure why Uber are in the area when they do not have a licence, seems to be more Uber vehicles in the area recently	n/a	Uber unwelcome and unnecessary – pay and conditions are terrible, price surge, vomit fraud, false “no show” charges, poor complaint handling processes, lack of monitoring, tax avoidance	Uber has not applied for a booking office licence in East Dunbartonshire and any application will be dealt with on its	It is neither appropriate to encourage or discourage Uber to apply for a licence. The Council's role as a licensing authority is to regulate those who do operate in its area.

			merits if/when received.	
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Section 21 of the Civic Government (Scotland) Act 1982

View of Trade	View of Statutory Consultees	View of Community	Legal & Democratic Response	Reason
<p>Lack of clarity about how section 21 works.</p> <p>Cannot introduce condition based on s21 as this relates to criminal offences and this is not the role of the licensing authority.</p>	<p>Agree with content of section 21 guidance note, require drivers to advise booking office if they pick up a hire from any method apart from via the booking office, who must retain this record for 12 months. If not working from booking office driver must maintain a record of all jobs undertaken for period of 12 months. Police Scotland supportive.</p>	n/a	<p>Condition mirroring s.21 requirements should be included, along with guidance on the Council's interpretation of s.21, in order to give the trade clarity over enforcement.</p> <p>Section 21 guidance note produced, requires to be disseminated to the trade.</p>	<p>Dissemination of section 21 guidance note to trade will provide clarity as to what can and cannot be done in the context of the Conditions and more generally in relation to s.21 compliance.</p> <p>Competent to introduce condition mirroring s21 requirements. No intention of introducing criminal sanction, but allows the Board to make a decision on fitness of licence holder to hold a licence.</p>

Enforcement Issues

View of Trade	View of Statutory Consultees	View of Community	Legal & Democratic Response	Reason
More spot checks are required, particularly for cleanliness.	LSOs will take forward application of new conditions.	n/a	LSOs to take forward when new conditions are in place.	LSOs to take forward when new conditions are in place.
More effort in tackling pirating required e.g. mystery shoppers.	LSOs will take forward application of new conditions.	n/a	LSOs to take forward when new conditions are in place.	LSOs to take forward when new conditions are in place.
Checks on insurance required as drivers are not telling insurance companies about speeding tickets.	Include condition requiring drivers to provide Council with evidence they have reported FPN to insurer, should also require statement of facts in addition to certificate of insurance.	n/a	Accept. Changes made to taxi operator condition 49 and PHV operator condition 46, and to taxi driver condition 50 and PHV driver condition 45.	Help to ensure drivers are adequately insured and insurance not voided. Public safety issue.
Checks on vehicle owners required as a lot of operators are just named on a licence and not really the owners.	Require V5 within 28 days, require licence holders to keep in vehicle proof of ownership and lease agreement, if applicable.	n/a	An operator need not be the ultimate owner of the vehicles or the business. The Act allows for this unless the ultimate owner would have been refused a licence if they had applied on their own behalf.	Helps to ensure correct vehicle details are recorded.

Only one booking office telephone number should be displayed on vehicle	Details of only one licensed booking office should be advertised, if this changes new booking office should be disclosed to Council within 48 hours	n/a	Changes made to taxi operators condition 13 and PHV operator condition 14.	Helps to ensure only licensed booking offices are operating in the area and are licenced accordingly
n/a	Want a more robust CCTV policy.	n/a	To be considered as part of phase 2	To be considered as part of phase 2

Environmental Issues

View of Trade	View of Statutory Consultees	View of Community	Legal & Democratic Response	Reason
Should be proactive in looking at terms and conditions to accommodate the need to update or change vehicles in preparation for the extended diesel and petrol exclusions	n/a	All taxis in the area should be electric	PHV operator conditions 59 and 60 and taxi operator condition 61 allow for electric vehicles to be used where the make/model is on Council's approved list of vehicles.	Responding to increased use and desirability of electric vehicles. To require all taxis to be electric would be impossible currently and necessary charging infrastructure is not in place.
		Council should invest in electric car charging points	The Council is considering this issue separately.	The Council is considering this issue separately.

Demand Survey

- 3.8** A Taxi and Private Hire Vehicle Demand Survey (the “Demand Survey”) was commissioned from Local Transport Projects Ltd. The Demand Survey compiled data on the demand for taxis and private hire vehicles within East Dunbartonshire using methods such as observational surveys, public attitude interview surveys and consultation with various key stakeholders. In addition to the local trade and members of the public, various community groups were consulted as part of this process. The Demand Survey also looked at the merging of the two zones in the authority, whether the requirement for accessible taxis is being met from the existing fleet mix and whether the Council should move to introduce formal ranks for taxis. A copy of the Demand Survey is attached as Appendix 8 to this Report

Unmet Demand

- 3.9** The conclusion of the Demand Survey is that, in general, there is no significant unmet demand, however there may be an issue in terms of the provision of wheelchair accessible vehicles (“WAVs”) in the current Zone 2. It may also be that there is a latent demand across the area, where potential users choose alternative travel methods due to the lack of availability, or perceived lack of availability, of accessible vehicles. However, this is difficult to quantify.

Accessible Vehicles

- 3.10** At the request of the Council a specific questionnaire was designed and provided to organisations representing people with a variety of physical and sensory impairments. The purpose of providing a bespoke questionnaire was to reach those individuals who may not be easily visible via other data collection techniques employed by the consultants. Responses were received from East Dunbartonshire Voluntary Action, East Dunbartonshire Access Panel, East Dunbartonshire Visually Impaired Peoples Forum and Bearsden North Community Council. These groups represent a significant number of individuals and third sector organisations active in representing the interests of people with sensory and/or physical impairments. It is also recognised that the provision of WAVs alone may not be suitable for all individuals with other impairments.
- 3.11** Most of the respondents were content with the availability of accessible vehicles, both taxis and private hire vehicles. However, it should be noted that issues relating to the availability of WAVs were raised in respect of the current Zone 2 by Bearsden North Community Council. This respondent highlighted the lack of hackney type taxis or other WAVs in Zone 2 in particular, although it was accepted by Bearsden North Community Council that there was no issue in hiring other types of vehicles. The Demand Survey identifies that in the current Zone 1 there is 1 WAV per 2,600 residents. In Zone 2, the proportion is 1 WAV per 20,720 residents. This clearly represents a significant imbalance in the distribution of WAVs across the authority.

A copy of the Demand Survey report is attached as Appendix 8 to this Report. Members will note that it makes reference to there being only 25 WAV taxis in the current Zone 1. By way of explanation, the Council has only recently started recording whether a vehicle is a WAV and this is being done as part of the application or renewal process. At the time of commissioning the Demand Survey, this new record showed that there were 25 WAV taxis in Zone 1 and at the time of writing this Report now shows a total of 34. However, Members will be aware that most, if not all taxis in Zone 1 are WAV, notwithstanding the Council’s new record. It is important to note that this does not compromise nor undermine the output from the Demand Survey and if anything means that the disparity of provision of WAVs between Zones 1 and 2 is even greater than stated.

- 3.12** The Demand Survey identifies that the first step in addressing this imbalance is the establishment of one licensing zone which covers the entirety of East Dunbartonshire. This would open up

opportunities for operators with WAVs to service this need in zone 2, thereby providing increased business opportunities for Operators and Drivers, and resulting in improved provision within that area. In the medium to longer term, the Demand Survey identifies that if the trade does not naturally supply sufficient WAVs, then the Council may require to amend the taxi operator application process in order to limit applications to those vehicles which are wheelchair accessible. This is the approach adopted by other authorities, however it is not currently possible to identify whether this will be required in East Dunbartonshire. Officers will monitor the fleet mix during the 24 month transition period. If additional measures are required to address the fleet mix then a further report will be submitted to Committee.

Merging of Zones 1 and 2

- 3.13** Council previously decided on 21 June 2016 to merge the existing 2 zones. Zone 1 is the former Strathkelvin District Council area and zone 2 is the former Bearsden and Milngavie District Council area. The perpetuation of the two zones is a direct consequence of zoning not being addressed at the time of local government reorganisation in 1996 when the two district councils were abolished and East Dunbartonshire Council established.
- 3.14** The Demand Survey considers taxi zoning systems to have a negative effect on the service quality provided to users and, unless there are good reasons from a user perspective for providing zones, recommends they are not used. From the review of the zones, the Demand Survey concludes that the zones offer no user benefit and their existence is potentially restricting availability and choice for users, in particular disabled and mobility impaired individuals. From an assessment of the potential effects of changing the zoning arrangements, the Demand Survey concludes that combining the two zones would provide a benefit to all users in terms of availability of vehicles and choice in relation to operator and therefore cost and quality.
- 3.15** There is currently a cap on operator licences in zone 1. There is also anecdotal evidence that taxi operator plates attract a financial premium within zone 1 as a result of the existing cap and that partnerships or other legal entities are created in order to transfer a “plate” without regard to the current waiting list. The Demand Survey makes clear that the protection of a premium attached to an operator’s licence is not a justification for maintaining zoning. The Demand Survey quotes from a 2003 report by the Office of Fair Trading (“OFT”) on the regulation of taxis and private hire vehicles. This report finds that the economic premium attached to such a licence in a capped area is an artificial one and does not relate to any effort of the licensee to improve service levels and quality of service. The Demand Survey, quoting from the OFT report, goes on to state that in these circumstances a licence holder has done nothing to earn the premium beyond holding a licence in an area where there is a constraint on the market caused by a cap on the number of available licences.
- 3.16** If the zones are merged then the Council would need to operate the combined area as either a capped or un-capped taxi licensing area. The evidence from the surveys undertaken as part of the Demand Survey does not indicate any key benefits or detriment associated with either. Guidance from the UK Government Competition and Markets Authority recommends that, unless customer requirements dictate otherwise, taxi services should be uncapped and subject to market competition. Given the prevailing advice to operate taxi licensing in an uncapped environment, it is considered that the appropriate way forward would be to operate any future merged zone without a limit on licences.
- 3.17** The Demand Survey points out that the abolition of the zones will have the effect of increasing customer choice and availability of vehicle types across East Dunbartonshire. In particular, this will directly address any real or perceived lack of accessible vehicles in the current zone 2. The Demand Survey also refers to Department for Transport guidance stating that zones should only be

used where they benefit the public. In line with this, benefits to the trade should not be considered a factor for retaining two zones.

- 3.18** Notwithstanding the service benefits to the public and the general provision within the area, the Demand Survey recognises that combining the two zones may have some impact on the commercial performance of some operators. Whilst this is not considered to be a material consideration in terms of the proposed change to the licenced zones (in line with guidance on this matter), the Demand Survey suggests that the Council adopts a transitional approach to allow operators a period of adjustment to the changes. However, it is important that this is not at the expense of reduced services to users and it is therefore recommended that a transitional period of 24 months is adopted. During this time, operators will be in a position to monitor the effect of the change on the business, develop an appropriate business plan and implement any necessary changes in service and operations. It is also recommended that taxi licences are capped at the level in place immediately prior to the merger of the zones during the transitional period. This cap should thereafter be removed. Throughout the transitional period the Council will monitor the effect of the merger of the zones and the cap and will engage with the trade through the proposed forum.

Taxi Ranks

- 3.19** The Demand Survey recommends that the Council formalises arrangements for the existing informal ranks across East Dunbartonshire, through the use of relevant traffic regulation orders. This will improve access for the public and would enable the Council's Licensing Standards Officers and Police Scotland to enforce taxi activity at these ranks and deter misuse. It is also suggested that the Council considers the provision of additional ranks in key areas where there is currently no provision including in the vicinity of Bishopbriggs station and a number of shopping/retail areas across East Dunbartonshire, however this would be subject to land ownership issues, access/road safety and other regulatory matters such as traffic orders.
- 3.20** It is proposed that officers look at the creation and location of formal taxi ranks during Phase 2 and in conjunction with the trade through the taxi forum. Any proposals to establish ranks will be reported to a future meeting of the Committee.

Schedule A and Vehicle Fitness

- 3.21** At its meeting on 20th September 2018, Council instructed the Chief Solicitor and Monitoring Officer to bring forward policy documents to underpin the Draft Conditions. Schedule A details the standard of vehicle fitness that is required for a vehicle to be licensed as a taxi or private hire vehicle in East Dunbartonshire. This is a standard which is higher than the MOT standard given the public service use of the vehicles. Schedule A has been agreed with the Council's Fleet Manager and Police Scotland, and is based on standards used by other Councils (**Appendix 5**).
- 3.22** The Policy on Vehicle and Driver Fitness details the vehicle specification and other matters required for a vehicle to be licensed by the Council and incorporates the Schedule A requirements. The policy also details the vehicle testing regime which applies, with the frequency of testing being dependent upon the age of the vehicle. Again this is consistent with good practice and is an approach adopted by a number of other licensing authorities. It should be noted that in some areas, there is a blanket prohibition on the use of vehicles over a certain age, however the view of officers is that this is overly restrictive and that regular testing will ensure the fitness of older vehicles. In order to supplement the Schedule A obligations, guidance is included for testing centres to ensure compliance with the new testing regime requirements which will assist test centres and help promote consistency. Importantly, it is proposed to introduce a prohibition on a Test Centre testing a vehicle

if the Test Centre has a conflict of interest in the outcome of the test. In particular, this will prevent vehicles being tested in a test centre which is owned, managed or otherwise under the substantial control of the owner or operator of the vehicle being tested.

- 3.23** The policy documents and Schedule A were the subject of engagement and input at the stakeholders group. It is fair to say that the stakeholders are strongly supportive of the proposals. In addition, the policy documents formed the basis of three consultation meetings with the trade. Comments received from the trade have been taken into consideration in the Conditions.
- 3.24** Schedule A and the associated policies have been drafted with a view to providing drivers and operators, as well as Police Scotland and the Licensing Standards Officers with clarity as to the minimum vehicle fitness requirements that the Council expects of vehicles which are licensed to carry the public in East Dunbartonshire. Officers, including the Council Fleet Manager, have had regard to standards which are applied in other authorities similar to East Dunbartonshire when drafting the new requirements. The application of modern requirements as to vehicle fitness will help to ensure public safety and increase public confidence in the trade throughout the East Dunbartonshire (**Appendix 6**).

Driver Fitness

- 3.25** Officers are proposing the introduction of guidance on fitness to drive a licensed vehicle. Currently if there is a question on whether an individual is fit to drive a taxi or private hire vehicle, that individual would be medically assessed against DVLA Group 1 standard. DVLA Group 1 standard is the standard that applies to drivers of general motor vehicles. DVLA guidance recommends that taxi and private hire vehicle drivers should be assessed to DVLA Group 2 standard, which is the standard that applies to PHV and HGV type vehicles. The logic for this DVLA recommendation is that taxi and private hire vehicle drivers drive vocationally, they spend long periods of time each day driving and have responsibility for transporting the public, including vulnerable persons, safely in their vehicles. On these grounds it is the view of officers that it would be prudent from a public safety perspective to require a driver over whom there is question of medical fitness to meet DVLA Group 2 standard.
- 3.26** In circumstances where such a question arises, the new policy states that the Council will seek medical evidence that a licence holder is fit to drive to DVLA Group 2 standard.

Section 21

- 3.27** Members will be aware that the application of Section 21 is an area of much debate, particularly in relation to complaints and other matters referred to the Civic Government Appeals Board (“the Board”) for determination, and of driver and operator concerns around the illegal operation of taxis and private hire vehicles contrary to Section 21 of the Act. Section 21 details offences associated with the operation of taxis outside the licensed area, but also provides circumstances where exemptions to these offences may apply. Section 21 is complex and difficult to apply and arguably does not reflect modern society. For an offence to be prosecuted, the Procurator Fiscal would require to be satisfied that there is a reasonable prospect of a conviction. There have been very few, if any, successful prosecutions in the criminal courts for breaches of Section 21, however non-compliance with Section 21 is something that a licensing authority can take into consideration in determining whether an applicant is a fit and proper person to hold a licence.
- 3.28** In the Conditions, officers are proposing a condition which has the effect of making a breach of Section 21 a breach of the Conditions. This will remove any uncertainty and allow these breaches to be dealt with as licensing matters and be brought before the Board. The inclusion of this condition

is not an attempt to replace or usurp the criminal law, and the Police and Procurator Fiscal will always retain the ability to raise a prosecution where sufficient evidence of a breach of Section 21 exists. It is the view of officers that it is lawful for a licensing authority to attach any condition to a licence which is, in its opinion, reasonable and there is no prohibition on doing so contained within the Act. Representations were received from a solicitor acting on behalf of the TODA claiming that the inclusion of a condition applying Section 21 was unlawful. This was on the basis that Section 21 deals with criminal offences and the Council has no power to introduce criminal offences as part of the conditions. This representation appears to be based on a misunderstanding of the Act and the Council's powers to introduce conditions to licences. The aim of officers in recommending the introduction of a condition reflecting Section 21, is to allow a complaint of a breach of Section 21 to be brought before the Board as a breach of the licence holder's conditions. The Board will then assess whether an alleged breach of the Section 21 condition impinges on a licence holder's continuing requirement to be a fit and proper person to hold a licence. The Board will not be imposing a criminal sanction nor acting in a manner which usurps the role and powers of the criminal courts. This is entirely legitimate.

- 3.29** Regardless of the introduction of a specific Condition dealing with breaches of Section 21, the Board will most likely continue to have to consider the provisions of the section and its interpretation when dealing with representations that a potential licence holder may not be a fit and proper person. Accordingly, and in order to be transparent and support the trade, officers have drafted guidance on Section 21 for licence holders (**Appendix 7**). The guidance and worked examples are intended to be an aid to licence holders, the Board and the Licensing Standards Officers, to provide clarity on the Council's interpretation of Section 21, by setting out when Section 21 applies and how to avoid breaching it. The guidance does not form legal advice and is intended to be indicative of likely scenarios that drivers and operators may face on a daily basis.

Knowledge Test

- 3.30** A number of authorities insist that all licence holders and applicants for licences pass a knowledge test as a prerequisite to obtaining or holding a licence. The Draft Conditions did not contain such a requirement, given the technological aids to navigation which are now available to drivers, operators and booking offices.
- 3.31** During the consultation period, the issue of a knowledge test requirement was raised by drivers, mainly from Zone 2. It was also raised by the public, with most being supportive of a knowledge test being a requirement to obtain and to hold a licence within East Dunbartonshire.
- 3.32** In light of the above, it is proposed that officers investigate the costs and other administrative requirements attached to the introduction of a knowledge test. Thereafter, a further report will be submitted to Committee following this fuller investigation into how such a test would be operated, including possible delivery models, and any cost implications for the Council and drivers.

Implementation

- 3.33** In terms of Section 3B of the Act, the Council, as licensing authority, can determine standard conditions which attach to licences. The standard conditions must be, in the view of the Council, reasonable. The Council must also publish the standard conditions in order for these to be effective.
- 3.34** The Committee is asked to authorise the Chief Solicitor and Monitoring Officer to implement the proposals as follows:-
- 3.34.1** To publish a notice in local newspapers with a date upon which the new conditions will apply to all licence grant and renewal applications ("the Implementation Date").

This date will be no less than three months from the date of the publication of the notice and subject to advertising and notification will be 1st October 2019;

- 3.34.2** To publish a notice in local newspapers with a date upon which the zones will be merged, which for the avoidance of doubt will be the Implementation Date;
- 3.34.3** To set and apply a cap maintaining taxi operators' licences at the level in force on the day preceding the Implementation Date and apply this for a period of 24 months from the Implementation Date;
- 3.34.4** To apply the driver fitness rules with immediate effect;
- 3.34.5** To apply the Schedule A requirements in respect of new vehicles from the Implementation Date and in respect of existing vehicles from the date of the next scheduled test for that vehicle;
- 3.34.6** To apply the new engine size requirements in respect of applications for approval of new vehicles with immediate effect;
- 3.34.7** To write to each authorised testing centre advising of the application of Schedule A requirements and to ensure that requirements around paperwork and compliance are clear;
- 3.34.8** To publish a notice with a longstop date upon which the licence conditions will come into effect for all remaining current drivers and operators. It is proposed that this be 1 April 2020; and
- 3.34.9** To write to each current licence holder prior to the Implementation Date to advise of the date when the Conditions will apply to their licence(s).

Phase 2

- 3.35** Work to modernise taxi and private hire licensing in East Dunbartonshire and to improve engagement with the trade will continue beyond the implementation of the Conditions, subject always to Committee approval. A forum will be established over the summer months and will provide an opportunity for the Council to regularly engage with the trade and other stakeholders to look at issues affecting the provision of the service in East Dunbartonshire. During the recent consultation exercise, officers have committed to early engagement regarding ranks and to monitor the impact of the Conditions. In addition, the Chief Solicitor & Monitoring Officer has given a commitment to repeat the recent taxi fare consultation exercise in the event that implementation of the Conditions and policies attached to this report results in drivers and operators experiencing financial hardship.

4.0 IMPLICATIONS

The implications for the Council are as undernoted.

- 4.1** Frontline Service to Customers – the review of taxi and private hire conditions has been undertaken with the aim of improving the standard of taxi and private hire vehicles which provide an important service to the public of East Dunbartonshire. The Conditions will help contribute to the provision of a modern and appropriately mixed taxi and private hire fleet.
- 4.2** Workforce (including any significant resource implications) – none

- 4.3 Legal Implications – under the Act the Council is required to make and attach standard conditions to a licence as it determines are reasonably required. The Conditions reflect the modern working environment that is faced by drivers and operators.
- 4.4 Financial Implications – there will potentially be increased costs to the Council associated with the increased regulation of the trade. This will be monitored and addressed going forward.
- 4.5 Procurement – none
- 4.6 ICT – none
- 4.7 Corporate Assets – none
- 4.8 Equalities Implications – the Conditions will help contribute to the provision of a modern mixed taxi and private hire fleet, thereby improving the offering for different interest groups and communities.

5.0 **MANAGEMENT OF RISK**

The risks and control measures relating to this Report are as follows:-

- 5.1 The introduction of modern Conditions is in fulfilment of the Council's obligation to regulate the operation of the taxi and private hire trade under the Act. Legal advice will be provided throughout the process to the Committee to ensure that the statutory requirements are met at all times.

6.0 **IMPACT**

- 6.1 **ECONOMIC GROWTH & RECOVERY** – the provision of a set of modern Conditions will help towards the maintenance of a modern and efficient taxi fleet in East Dunbartonshire, enhancing and contributing to the economic development of the area.
- 6.2 **EMPLOYMENT & SKILLS** - none
- 6.3 **CHILDREN & YOUNG PEOPLE** - a modern and efficient taxi fleet will contribute to the objective of delivering for children and young people utilising the service, in particular in fulfilment of school and social work transport contracts.
- 6.4 **SAFER & STRONGER COMMUNITIES** - a modern and efficient taxi fleet will contribute to wider community safety.
- 6.5 **ADULT HEALTH & WELLBEING** - none
- 6.6 **OLDER ADULTS, VULNERABLE PEOPLE & CARERS** - a modern and efficient taxi fleet will contribute to the Council's objective in protecting older adults and vulnerable people, who may use taxi services disproportionately more than other sections of the community.
- 6.7 **STATUTORY DUTY** –in conducting the consultation, the Council is ensuring that the taxi and private hire licence standard Conditions properly reflect the modern working environment.

7.0 **POLICY CHECKLIST**

7.1 Completed documentation in this regard can be found at Appendices 9, 10 and 11.

8.0 **APPENDICES**

8.1 **APPENDIX 1:** Standard Conditions – Taxi Operators Licence.

8.2 **APPENDIX 2:** Standard Conditions – Private Hire Operators Licence.

8.3 **APPENDIX 3:** Standard Conditions – Taxi Drivers Licence.

8.4 **APPENDIX 4:** Standard Conditions – Private Hire Drivers Licence.

8.5 **APPENDIX 5:** Schedule A.

8.6 **APPENDIX 6:** Vehicle Specification, and Requirements, Driver Fitness and Testing Centre Guidance.

8.7 **APPENDIX 7:** Guidance on Application of Section 21 of the Civic Government (Scotland) Act 1982.

8.8 **APPENDIX 8 -** – Demand Survey

8.9 **APPENDIX 9 -** Policy Development Checklist Template checklist.

8.9 **APPENDIX 10 -** Equality Impact Assessment Template assessment.

8.10 **APPENDIX 11 -** Risk Assessment Template assessment.

TAXI OPERATOR'S LICENCE

DEFINITIONS:-

- (a) "Authorised Officer" means any person authorised by the Council to act in connection with any matter relative to the Schedule of Conditions and to the Act or amendment or re-enactments thereof and any statute or regulation affecting the Act.
- (b) The "Act" means the Civic Government (Scotland) Act 1982.
- (c) The "Council" means East Dunbartonshire Council as the licensing authority in terms of the Act.
- (d) The "Licence Holder" means the person to whom the Council has granted a licence and whose name is specified in the licence to which the Schedule of Conditions relates. References to masculine gender include feminine unless the contrary intention appears.
- (e) "Operator" means the holder of an Operator's Licence.
- (f) "Operator's Licence" means a taxi licence within the meaning of s.10 of the Act.
- (g) The "Schedule of Conditions" means the undernoted numbered conditions imposed by the Council in respect of the licence, with which the Licence Holder must comply and also referred to as "Conditions".
- (h) The "Vehicle" or the "Taxi" means the vehicle specified in the licence.

SCHEDULE OF CONDITIONS

1. The Licence Holder shall ensure that all drivers who use the Vehicle are fully aware of their obligations under these Conditions and the consequence/s of breach of any of these Conditions by a driver.
2. The Licence Holder shall not ask, require or create an impression that he requires a driver of a Vehicle to do anything which would result in the driver breaching any of these Conditions or Driver Conditions or acting unlawfully in any way. In particular the Licence Holder shall not operate, nor encourage or instruct drivers under his control to operate, in breach of Section 21 of the Act.
3. The Licence Holder must hold, in the name of the following persons, the required Vehicle Registration Document (V5) and certificate of insurance in relation to the Vehicle as required by Part VI of the Road Traffic Act 1988:-
 - a. if the Operator is an individual, in the name of that person; or
 - b. if the Operator is trading as a company, in the name of that company; or

- c. if the Operator is trading as a partnership, in the name of all that partnership or at least one of the named partners; or
 - d. the named day to day manager; or
 - e. Where the Vehicle is leased from a leasing company, proof of ownership of the Vehicle by the leasing company and proof of the leasing arrangement entered into by the Licence Holder with the leasing company.
- 4. A Licence Holder shall ensure that the following documentation is carried in the Vehicle at all times by the driver:-
 - a. The taxi driver's licence issued by the Council (copy);
 - b. The badge of identification issued by the Council;
 - c. The Operator's Licence (copy)
 - d. An original or copy of an up to date, valid certificate of insurance issued for the Vehicle.
- 5. The Licence Holder must display the badge of identification issued by the Council at all times and exhibit this to a passenger upon request. The Licence Holder shall ensure that the driver of the Vehicle is aware of his/her responsibility to exhibit the documents referred to in Condition 4 upon demand to a police officer or Authorised Officer. In addition, the Licence Holder shall ensure that the driver's driving licence issued by the DVLA shall be exhibited to a police officer or Authorised officer if requested.
- 6. The Licence Holder must exhibit to the Council, Authorised Officer and/or police officer, when required, the registration document relating to the Vehicle and the certificate of insurance for the Vehicle to satisfy the Council, Authorised Officer or police officer that the Vehicle is currently insured and has been continuously insured throughout the full currency of the licence.
- 7. The Licence Holder shall not obstruct in any way an Authorised Officer or police officer in the performance of that Authorised Officer's or police officer's duties/powers under the Act.
- 8. The Licence Holder shall comply with all lawful instructions and/or directions of an Authorised Officer or police officer in relation to these Conditions and shall hand over all information reasonably required in the discharge of the duties of that Authorised Officer or police officer.
- 9. The Licence Holder shall ensure that a Vehicle never carries more than four passengers except in the case where a Vehicle designed to carry more than four passengers is tested at a testing station authorised by the Council and approved to carry more than four passengers. The maximum permitted number of passengers which will be authorised in terms of this licence will be eight passengers. For the purposes of this Condition, one person constitutes one passenger.
- 10. The Licence Holder shall never authorise the Vehicle to carry more than the maximum number of passengers it is permitted to carry in terms of Condition 9

above and he/she will ensure that the driver of the Vehicle never carries more than this permitted maximum number.

11. The Licence Holder shall at all times ensure that, where provided by the manufacturer, the manufacturer's recommended spare wheel and tyre or an equivalent is carried in the Vehicle, and that said wheel and tyre are in a roadworthy condition. If any tyre and/or wheel has been punctured or damaged and has been submitted for repair then the Licence Holder shall ensure that evidence of that repair is carried in the Vehicle. The Licence Holder shall ensure that the necessary repair/s are effected within a forty eight hour period.
12. Advertising is permitted on and/or in all taxis subject to the requirements set out in Conditions 13 to 16.
13. Advertisements must not
 - a. be placed on any of the Vehicle's windows;
 - b. obscure any identification plates, notices, stickers or signs provided by the Council; and
 - c. display details of more than one booking office currently licensed by the Council.
14. Wheel hub advertisements must be securely fitted and comply with the requirements applied by a test centre approved by the Council.
15. The fitting of internal TV or video displays for advertisement or entertainment purposes will require the making of an application for consent to carry out a material alteration to the Vehicle and, if approved, will require to be inspected by a test centre approved by the Council and comply with the requirements set.
16. The advertising of the following products is prohibited –
 - a. Alcohol products (but not including advertisements of premises which are licensed in terms of the Licensing (Scotland) Act 2005)
 - b. Tobacco products and/or e-cigarettes, including reference to sporting activities sponsored by tobacco and/or e-cigarette companies where the tobacco or e-cigarette producer or the name of the manufacturing company is included.
17. The Licence Holder shall be bound to fulfil, or cause to be fulfilled, at the time and location specified, a request to hire the Vehicle which has been accepted, unless there be sufficient cause for not fulfilling the request to hire.
18. The Licence Holder shall ensure that the driver of the Vehicle is aware of his/her responsibility to provide any passenger with a written receipt for their journey when requested to do so. Such a receipt shall include the date, time and cost of the journey.

19. The Licence Holder shall display upon the roof of the Vehicle a sign of a type approved by the Council for the purpose of identifying the Vehicle as a taxi.
20. The Licence Holder shall ensure that, whilst their Vehicle is in use as a taxi, any plates or other items which have been issued by the Council for the purpose of indicating that the Vehicle is a taxi, are displayed at all times in positions specified by the Council. No other signage shall be displayed on or in the Vehicle that has not been approved by the Council in writing.
21. The Licence Holder shall not deface any plate or other item which is fixed to the Vehicle and has been issued by the Council for the purpose of indicating that the Vehicle is a taxi. If any plate or other item which is fixed to the Vehicle and has been issued by the Council for the purpose of indicating that the Vehicle is a taxi becomes so defaced as not to be distinctly visible or legible or if any such plate or other item is lost, the Licence Holder shall report this to the Council as soon as reasonably practicable in order to obtain a replacement.
22. Upon receiving a replacement plate or other item in terms of Condition 21, the Licence Holder shall ensure that the plate or other item is affixed to the Vehicle in the original position that has received prior written consent from the Council.
23. The Licence Holder shall not install or allow to be installed at any time a camera or other similar device (including a video and/or digital image recorder) which is capable of recording/taking/storing images of passengers entering/exiting/sitting in the Vehicle without the prior written consent of the Council and with clear signs on all external passenger doors advising of the operation of said devices operating within the Vehicle. The provisions of this condition shall not apply to a camera or similar device which is entirely forward facing and cannot be reset or repositioned so as to record images of passengers entering/exiting/sitting in the Vehicle.
24. The Licence Holder shall require the driver of the Vehicle to notify any change of permanent address as soon as reasonably practicable after the change. If/when it comes to the attention of the Licence Holder that a driver has changed permanent address then the Licence Holder shall ensure that this is communicated in writing to the Council by both the Licence Holder and the driver within five working days of said change.
25. If a Licence Holder changes permanent address or place of business, or there is any other material change in circumstances, then the Licence Holder shall notify the Council in writing of said change within five working days.
26. The Licence Holder shall not permit any driver or passenger to smoke in the Vehicle at any time. This prohibition includes e-cigarettes. The Licence Holder shall ensure that a No-Smoking sign is displayed prominently within the Vehicle at all times.
27. The Licence Holder shall ensure that any driver of the Vehicle is fully aware that whilst the Vehicle is in motion, they are not permitted to use a mobile phone, satellite navigation system or interactive communication device, except

- a hand-free device permissible by law. Further, the Licence Holder shall ensure that any driver of the Vehicle is aware that they are not permitted to conduct themselves in a manner which prevents them from exercising full control over the speed and direction of the Vehicle, while it is in motion.
28. The Licence Holder shall ensure that the Vehicle, including all bodywork, upholstery and fittings, is roadworthy, safe and serviceable, and is in a clean condition subject to prevailing road conditions.
 29. The Licence Holder shall ensure that the Vehicle is in a proper state of repair for use as a taxi in accordance with Schedule A to these conditions.
 30. The Licence Holder must ensure that the Vehicle carries a modern, legally valid, fully working fire extinguisher in a suitable fastener which is easily accessible in the Vehicle at all times. The Licence Holder shall ensure that said fire extinguisher is of the correct type, conforms to the relevant British Standard and is, at all times, in a good working order and, where applicable, within its expiry date.
 31. The Licence Holder shall obtain from the Council a notice detailing the table of approved taxi fares and charges ("the Fare Card") and shall display the notice in the passenger compartment of the taxi in such a position that it will be readily visible to the passengers being carried. The Fare Card shall be kept clear, legible and easily distinguishable and shall not be concealed in any way. No other table of fares and charges shall be displayed in or on the Vehicle.
 32. The Licence Holder shall ensure that, except where the cost of the journey is regulated by the Fare Card structure, drivers take steps to ensure that any potential hirer of the taxi is informed, prior to acceptance of the hire,
 - a. that the fare is not so regulated; and
 - b. the cost, or the method of calculating the cost of the proposed journey.
 33. The Licence Holder shall ensure that drivers are aware that they are entitled to demand and take for the hire of the taxi, the fare prescribed on the Fare Card, the fare being calculated by distance unless the hirer expresses at the time of hiring his desire to engage by time, when the fare shall be the subject of special agreement. The Licence Holder or driver shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges prescribed on the Fare Card, which may not be possible to record on the face of the taximeter.
 34. Nothing shall prevent the Licence Holder or driver from charging lower fares than those prescribed. If such lower fares are charged, the particulars as to fares to be set forth in the Fare Card required by Condition 31 to be affixed inside the carriage shall be such lower fares and the taximeter fixed to the taxis shall be so constructed as to register accurately such lower fixed fares.
 35. The Licence Holder, shall only use a taximeter which has been stamped or sealed by the Council/Council approved tester and no other taximeter shall be

- affixed or used. Once such a taximeter is fitted to the Vehicle, the Licence Holder shall not tamper with the taximeter or break or tamper with any seal or stamp on such taximeter or any attachment or connection affixed thereto except to remove the taximeter for repair or replacement. Should the taximeter be removed or should the seal be broken or faulty, the Licence Holder must immediately withdraw the Vehicle from service and the taximeter shall be re-tested, stamped and sealed by the Council/Council approved tester before being used again as a taxi Vehicle.
36. The taximeter shall not be used for more than a twelve month period without retesting and written evidence of that re-testing must be submitted to the Council in writing within ten working days of re-testing.
37. The Licence Holder shall ensure that the taximeter is fitted to the Vehicle in a manner and position approved by the Council.
38. The Licence Holder shall not knowingly use, or cause or permit to be used, a taximeter which is any way defective.
39. The Licence Holder shall not use, or cause or permit to be used on the Vehicle,
- a. where there is an electronic taximeter fitted to the Vehicle, a road wheel or tyre or other apparatus which inhibits the proper functioning of the electronic taximeter; or
 - b. where there is a mechanical taximeter fitted to the Vehicle, a road wheel or tyre of a different circumference from that for which the taximeter affixed to the Vehicle was designed, geared and tested by the Council/Council approved tester.
40. The Licence Holder shall require and ensure that the Vehicle undergoes and passes an annual inspection at a testing centre authorised by the Council, and that the Licence Holder holds a current certificate of compliance in respect of the Vehicle issued by that testing centre showing compliance with the Council's requirements in respect of that Vehicle. For those Vehicles that are five years old or more, a Licence Holder shall require and ensure that their Vehicle undergoes and passes an inspection twice per year.
41. In addition to any routine inspection, and upon receiving not less than two days' notice either verbally or in writing from an Authorised Officer or police officer, the Licence Holder shall produce or ensure the production of the Vehicle for examination at a time and place specified by that Authorised Officer or police officer to ensure its road worthiness and/or safety.
42. The Licence Holder, when presenting the Vehicle for inspection, shall exhibit the certificate of insurance for the Vehicle. Said certificate of insurance shall satisfy the Council that the Vehicle is currently insured and has been continuously insured throughout the full currency of the Licence.

43. The Licence Holder, when the Vehicle is damaged in a vehicular accident or by any other means, shall report the damage to the Council no later than two working days from said damage and, if the Vehicle is roadworthy, shall present it for examination at a testing centre within the following two working days (being days on which the testing facilities operate) after the occurrence. As soon as repairs to the Vehicle have been completed, the Licence Holder shall present in writing to the Council evidence from the testing centre that the Vehicle is in a safe and roadworthy state of repair and is fit to be operated as a taxi Vehicle. The Council shall be the ultimate arbiter in determining whether the Vehicle is fit for purpose to be used as a taxi Vehicle.
44. Where the Licence Holder holds a current licence and a current certificate of compliance issued by a Council approved test centre, certifying compliance of the Vehicle with the requirements of the Council in respect of the Vehicle then, in accordance with Regulation 6(4) of the Motor Vehicle (Test) Regulations 1981, the Licence Holder shall not require to hold a separate MOT certificate in respect of the Vehicle. The Licence Holder shall require to renew the certificate of compliance every 12 months from the date of issue and shall exhibit the certificate of compliance to an Authorised Officer or a police officer upon request.
45. The Licence Holder shall keep an up-to-date record of the names and addresses of all taxi drivers employed by that Licence Holder or in a contract or vehicle leasing arrangement with that Licence Holder, together with the dates and times that each driver is in charge of the Vehicle. The Licence Holder shall exhibit this record to an Authorised Officer or a police officer upon request.
46. The record referred to in Condition 45 shall be kept for a minimum of twelve months and must be produced on request to an Authorised Officer or police officer for inspection at any reasonable time, together with any other such information as may be required by an Authorised Officer or police officer for the purpose of ascertaining the identity of any driver or for any other purpose relating to these Conditions.
47. The Licence Holder shall ensure that any allegations made to them of abusive, sexist, offensive, discriminatory or racist language relating to a person's characteristics, identity or circumstances, and which was allegedly perpetrated by a driver of the Vehicle in front of and/or addressed to a passenger, shall be reported to an Authorised Officer within two working days of said allegations being made.
48. The Licence Holder shall report any alleged and/or suspicious criminal activity/behaviour allegedly perpetrated by a driver and/or within the Vehicle to Police Scotland and an Authorised Officer immediately upon awareness of the allegation/suspicion.
49. If during the currency of the licence, the Licence Holder is charged with or convicted of any offence or receives an endorsable fixed penalty, they shall, within five working days of said charge, conviction or endorsement, provide full details in writing of such charge, conviction or endorsement to the Council. The

Licence Holder shall also upon request evidence to an Authorised Officer or a police officer that the charge, conviction or endorsable fixed penalty has been reported to the Licence Holder's insurance company.

50. Subject to Condition 51, the Licence Holder shall ensure that the driver of the Vehicle is aware of the responsibility not to refuse to carry luggage in the Vehicle, providing that the said luggage can be accommodated safely within the Vehicle and/or its luggage compartment.
51. The Licence Holder shall ensure that the driver of the Vehicle is aware of the responsibility to give such assistance as the driver is physically able to give with loading and unloading luggage when required to do so. However, no driver shall be required to leave the immediate proximity of the Vehicle in doing so.
52. The Licence Holder shall ensure that the driver of the Vehicle is aware of the responsibility to not knowingly allow the Vehicle to be used for illegal or immoral purposes, permit to be carried in the Vehicle any article of a dirty, filthy or noxious nature or an explosive or dangerous nature, nor permit to be carried in the Vehicle anyone who has vermin on his person.
53. The Licence Holder shall ensure that, where the Vehicle has been hired by or for a disabled person who is accompanied by a guide dog, a hearing dog or an assistance dog, or by a person who wishes such a disabled person to accompany them in the Vehicle, the driver of the Vehicle is fully aware of the legal obligations, subject to Condition 54 below, to carry the disabled person's dog and allow it to remain with the disabled person and that the driver makes no additional charge for doing so.
54. The Licence Holder shall ensure that all drivers of the Vehicle are aware that they may be exempted from their obligation to carry a disabled passenger's guide dog, hearing dog or assistance dog on medical grounds but only by the relevant driver applying to the Council for an exemption notice which, if granted, must be exhibited either by –
 - a. affixing it in a prominent position on the dashboard facing upwards; or
 - b. affixing it to the windscreen of the Vehicle, facing outwards.

In either case, a Braille version of the exemption notice must be kept in the Vehicle at all times and provided to anyone requesting or appearing, in the reasonable opinion of the Licence Holder, to require this.

55. Where the Vehicle is designated as a wheelchair accessible vehicle in terms of section 167 of the Equality Act 2010, the Licence Holder shall ensure that the driver of the Vehicle is fully aware of the obligation:
 - a. to carry a passenger whilst in a wheelchair;
 - b. not to make any additional charge for doing so;
 - c. if the passenger chooses to sit in a passenger seat, to carry the wheelchair;

- d. to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
 - e. to give the passenger such mobility assistance as is reasonably required
56. The Licence Holder shall ensure that, if a driver of the Vehicle holds a certificate of exemption from compliance with the obligation to assist wheelchair users then the driver shall display copies of that certificate on the external passenger doors of the Vehicle for all potential passengers to easily see.
57. The Licence Holder shall ensure that, if it comes to their attention for whatever reason and/or they become concerned that a driver of the Vehicle is and/or seems medically unfit to drive a Vehicle, then the Licence Holder shall notify the Council in writing of such reasonable concerns within 24 hours of becoming aware.
58. The Licence Holder shall take all reasonable steps to ensure that any driver of the Vehicle has a lawful right to work in the United Kingdom. Said steps shall include the Licence Holder requesting sight of the original proof of that right to work in the United Kingdom and recording and maintaining a record of that request for a minimum period of twelve months. The record shall include the following:
- a. name of (the proposed/current) driver;
 - b. nationality of (the proposed/current) driver;
 - c. permanent address of the (proposed/current) driver; and
 - d. type of original proof shown by the (proposed/current) driver with regard to the right to work in the United Kingdom.
59. The record referred to in Condition 58 shall be made available to the Council upon request at any reasonable time.
60. The Licence Holder shall ensure that the Vehicle is either:
- a. of the Hackney, Fiat Scudo, Peugeot Euro 7 or other type of vehicle approved in writing by the Council as a taxi vehicle; or,
 - b. subject to the Council's discretion, of a saloon car, estate type or such other type of vehicle approved by the Council which has four doors, a 'Power to Weight' ratio equal to or greater than 0.0648 hp per kg, a minimum seat cushion size of 400mm wide and 350mm depth, a minimum seat cushion height (or near side front cushion height if manufacturer's original) of 300mm and a minimum leg room of any passenger seat within the Vehicle of 650mm.
61. The Licence Holder is entitled to operate at taxi stances officially designated by the Council, a list of which can be obtained from the Council. The precise location and number of taxis to be allowed at each such stance shall be fixed by the Council from time to time and may be amended by them, having regard to any change of circumstances arising at or near any of the said stances. The said locations and number of taxis allowed when so fixed or amended shall be advertised in a newspaper circulating in East Dunbartonshire, and may also be

identified by the erection of notices or the provisions of marking at such locations or any of them.

62. The Licence Holder shall comply with all rules and regulations established by any landowner and approved by the Council in relation to the conduct of taxis operating from taxi stances located on private land. In particular, if so required by the landowner, the Licence Holder shall obtain a permit from the landowner authorising him to operate from the private stance.

DRAFT

PRIVATE HIRE VEHICLE OPERATOR'S LICENCE

DEFINITIONS:-

- (a) "Authorised Officer" means any person authorised by the Council to act in connection with any matter relative to the Schedule of Conditions and to the Act or amendment or re-enactments thereof and any statute or regulation affecting the Act.
- (b) The "Act" means the Civic Government (Scotland) Act 1982.
- (c) The "Council" means East Dunbartonshire Council as the licensing authority in terms of the Act.
- (d) The "Licence Holder" means the person to whom the Council has granted a licence and whose name is specified in the licence to which the Schedule of Conditions relates. References to masculine gender include feminine unless the contrary intention appears.
- (e) "Operator" means the holder of an Operator's Licence.
- (f) "Operator's Licence" means a private hire car licence within the meaning of s.10 of the Act.
- (g) The "Schedule of Conditions" means the undernoted numbered conditions imposed by the Council in respect of the licence, with which the Licence Holder must comply and also referred to as "Conditions".
- (h) The "Vehicle" means the vehicle specified in the licence.

SCHEDULE OF CONDITIONS

- 1. The Licence Holder shall ensure that all drivers who use the Vehicle are fully aware of their obligations under these Conditions and the consequence/s of breach of any of these Conditions by a driver.
- 2. The Licence Holder shall not ask, require or create an impression that he requires a driver of a Vehicle to do anything which would result in the driver breaching any of these Conditions or the Drivers Conditions or acting unlawfully in any way. In particular the Licence Holder shall not operate, nor encourage or instruct drivers under his control to operate, in breach of Section 21 of the Act.
- 3. The Licence Holder must hold, in the name of the following persons, the required Vehicle Registration Document (V5) and certificate of insurance in relation to the Vehicle as required by Part VI of the Road Traffic Act 1988:
 - a. if the Operator is an individual, in the name of that person; or
 - b. if the Operator is trading as a company, in the name of that company; or

- c. if the Operator is trading as a partnership, in the name of that partnership or at least one of the named partners; or
 - d. the named day to day manager; or
 - e. where the Vehicle is leased from a leasing company, proof of ownership of the Vehicle by the leasing company and proof of the leasing arrangement entered into by the Licence Holder with the leasing company.
- 4. A Licence Holder shall ensure that the following documentation is carried in the Vehicle at all times by the driver of the Vehicle:
 - a. The private hire driver's licence issued by the Council (copy);
 - b. The badge of identification issued by the Council;
 - c. The Private Hire Operator's Licence (copy)
 - d. An original or copy of an up to date, valid certificate of insurance issued for the Vehicle.
- 5. The Licence Holder must display the badge of identification issued by the Council at all times and exhibit this to a passenger upon request. The Licence Holder shall ensure that the driver of the Vehicle is aware of his/her responsibility to exhibit the documents referred to in Condition 4 upon demand to a police officer or Authorised Officer. In addition, the Licence Holder shall ensure that the driver's driving licence issued by the DVLA shall be exhibited to a police officer or Authorised officer if requested.
- 6. The Licence Holder must exhibit to the Council, an Authorised Officer and/or police officer when required, the registration document relating to the licensed Vehicle and the certificate of insurance for the Vehicle to satisfy the Council, an Authorised Officer, and/or police officer that the Vehicle is currently insured and has been continuously insured throughout the full currency of the licence.
- 7. The Licence Holder shall not obstruct in any way an Authorised Officer and/or police officer in the performance of their duties/powers under the Act.
- 8. The Licence Holder shall comply with all lawful instructions and/or directions of an Authorised Officer or police officer in relation to these Conditions and shall hand over all information reasonably required in the discharge of the duties of that Authorised Officer or police officer.
- 9. The Licence Holder shall ensure that a Vehicle never carries more than four passengers, except in the case where a Vehicle designed to carry more than four passengers is tested at a testing station authorised by the Council and approved to carry more than four passengers. The maximum permitted number of passengers which will be authorised in terms of this licence will be eight passengers. For the purposes of these Conditions, one person constitutes one passenger.
- 10. The only exception to the maximum permitted number of passengers specified in Condition 9 above shall be in relation to chauffeur driven vehicles, in which case the maximum permitted number of passengers which will be authorised in

terms of this licence shall be the number specified in the Vehicle Registration Document.

11. The Licence Holder shall never authorise the Vehicle to carry more than the maximum number of passengers it is permitted to carry in terms of Condition 9 or Condition 10 above and he/she will ensure that the driver of the Vehicle never carries more than the permitted maximum number.
12. An Operator's Licence shall be required for any vehicle which is to be driven by a chauffeur carrying passengers under a contract for its exclusive hire for a period of less than twenty four hours. This Condition does not apply to a vehicle while it is being used in connection with a funeral or wedding.
13. The Licence Holder shall at all times ensure that, where provided by the manufacturer, the manufacturer's recommended spare wheel and tyre or an equivalent is carried in the Vehicle, and that said wheel and tyre are in a roadworthy condition. If any tyre and/or wheel has been punctured or damaged and has been submitted for repair then the Licence Holder shall ensure that evidence of that repair is carried by the driver in the Vehicle. The Licence Holder shall ensure that the necessary repair/s are effected within a forty-eight hour period.
14. The Licence Holder shall not display internally or externally on the Vehicle any advertisements/signage without the prior written consent of the Council, such consent not to be unreasonably withheld. Vehicles must not display details of more than one booking office currently licensed by the Council.
15. The Licence Holder shall be bound to fulfil, or cause to be fulfilled, at the time and location specified, a request to hire the Vehicle which has been accepted, unless there is sufficient cause for not fulfilling the request to hire.
16. The Licence Holder shall ensure that the driver of the Vehicle is aware of his/her responsibility to provide any passenger with a written receipt for their journey when requested to do so. Such a receipt shall include the date, time and cost of the journey.
17. The Licence Holder shall ensure that, whilst the Vehicle is in use as a private hire Vehicle, any plates or other items which have been issued by the Council for the purpose of indicating that the Vehicle is a private hire Vehicle are displayed at all times in positions specified by the Council. No other signage shall be displayed on or in the Vehicle that has not been specified by the Council in writing.
18. In respect of chauffeur driven vehicles as are referred to in Condition 10, it shall be acceptable for the front and rear plates that are issued by the Council to be kept inside the luggage compartment of the Vehicle. This is on the basis that both plates shall be exhibited by the driver upon demand to a police officer, Authorised Officer and/or passenger/s and the Licence Holder shall ensure that the driver of the Vehicle is aware of his/her duty in this regard.

19. The Licence Holder shall not deface any plate or other item which is fixed to the Vehicle and has been issued by the Council for the purpose of indicating that the Vehicle is a private hire vehicle. If any plate or other item which is fixed to the Vehicle and has been issued by the Council for the purpose of indicating that the Vehicle is a private hire vehicle becomes so defaced as not to be distinctly visible or legible or if any such plate or other item is lost, the Licence Holder shall report this to the Council as soon as reasonably practicable in order to obtain a replacement.
20. Upon receiving a replacement plate or other item in terms of Condition 19, the Licence Holder shall ensure that the plate or other item is affixed to the Vehicle in the original position that has received prior written consent from the Council.
21. The Licence Holder shall ensure that affixed to the Vehicle, on both front external doors and in a position and style specified by the Council, there is a sign that has been provided by the Council and which reads 'Private Hire Vehicle Pre-Arranged Bookings Only'. Said sign must be obvious and clearly visible to members of the public.
22. The Licence Holder shall not install or allow to be installed at any time a camera or other similar device (including a video and/or digital image recorder) which is capable of recording/taking/storing images of passengers entering/exiting/sitting in the Vehicle without the prior written consent of the Council and with clear signs on all external passenger doors advising of the operation of said devices operating within the Vehicle. The provisions of this condition shall not apply to a camera or similar device which is entirely forward facing and cannot be reset or repositioned so as to record images of passengers entering/exiting/sitting in the Vehicle.
23. The Licence Holder shall require the driver of the Vehicle to notify any change of permanent address as soon as reasonably practicable. If it comes to the attention of the Licence Holder that a driver of the Vehicle has changed his/her permanent address then the Licence Holder shall ensure that this is communicated in writing to the Council by both the Licence Holder and the driver within five working days of said change.
24. If a Licence Holder changes permanent address or place of business or there is a material change in circumstances then the Licence Holder shall notify the Council in writing of said change within five working days.
25. The Licence Holder shall not allow any driver or passenger to smoke in the Vehicles at any time. This prohibition includes e-cigarettes. The Licence Holder shall ensure that a No-Smoking sign is displayed prominently within the Vehicle at all times.
26. The Licence Holder shall ensure that drivers of the Vehicle are fully aware that whilst the Vehicle is in motion, they are not permitted to use a mobile phone, satellite navigation system or any other interactive communication device, except a hands-free device which is permissible by law. Further, the Licence Holder shall ensure that all drivers of the Vehicle are aware that they are not

permitted to conduct themselves in a manner which prevents them from exercising full control over the speed and direction of the Vehicle, while it is in motion.

27. The Licence Holder shall ensure that the Vehicle, including all bodywork, upholstery and fittings, is roadworthy, safe and serviceable, and is in a clean condition subject to prevailing road conditions.
28. The Licence Holder shall ensure that the Vehicle is in a proper state of repair for use as a private hire vehicle in accordance with Schedule A to these Conditions.
29. The Licence Holder must ensure that the Vehicle carries a modern, legally valid, fully working fire extinguisher in a suitable fastener which is easily accessible in the Vehicle at all times. The Licence Holder shall ensure that said fire extinguisher is of the correct type, conforms to the relevant British Standard and, at all times, in a good working order and, where applicable, within its expiry date.
30. Where the Licence Holder's Vehicle is fitted with a taximeter, the Licence Holder shall only use a taximeter which has been stamped or sealed by the Council/Council approved tester and no other taximeter shall be affixed or used. Once such a taximeter is fitted to the Vehicle, the Licence Holder shall not tamper with the taximeter or break or tamper with any seal or stamp on such taximeter or any attachment or connection affixed thereto except to remove the taximeter for repair or replacement. Should the taximeter be removed or should the seal be broken or faulty, the Licence Holder must immediately withdraw the Vehicle from service and the taximeter shall be re-tested, stamped and sealed by the Council/Council approved tester before being used again as a private hire vehicle.
31. The taximeter shall not be used for more than a twelve month period without retesting and written evidence of that re-testing must be submitted to the Council in writing within ten working days of re-testing.
32. Where the Licence Holder's Vehicle is fitted with a taximeter, the Licence Holder shall ensure that the taximeter is fitted to the Vehicle in a manner and position approved by the Council.
33. The Licence Holder shall not knowingly use, or cause or permit to be used, a taximeter which is any way defective.
34. The Licence Holder shall not use, or cause or permit to be used on his Vehicle,
 - a. where there is an electronic taximeter fitted to the Vehicle, a road wheel or tyre or other apparatus which inhibits the proper functioning of the electronic taximeter; or
 - b. where there is a mechanical taximeter fitted to the Vehicle, a road wheel or tyre of a different circumference from that for which the taximeter

affixed to the Vehicle was designed, geared and tested by the Council/Council approved tester.

35. Where the Licence Holder's Vehicle is fitted with a taximeter, the Licence Holder shall, within 2 working days, inform the Council of the removal of the taximeter from the Vehicle. The Licence Holder shall not re-fit a taximeter on a second or subsequent occasion without prior permission from the Council, except when the Vehicle is due to be tested by the Council/Council approved tester.
36. The Licence Holder shall ensure the following:
- a. where there is a taximeter fitted to the Vehicle, the Licence Holder shall obtain from the Council a notice detailing the table of approved fares and charges ("**the Fare Card**") and shall display the notice in the passenger compartment of the Vehicle in such a position that it will be readily visible to the passengers being carried. The Fare Card shall be kept clear, legible and easily distinguishable, shall not be concealed in any way and shall set forth in distinct figures and lettering the detailed requirements imposed by the Council as to the fare charges to be charged;
 - b. where there is a taximeter fitted to the Vehicle, except where the cost of the journey is regulated by the Fare Card structure, the Licence Holder shall take steps to ensure that drivers inform any potential hirer of the Vehicle prior to acceptance of the hire,
 - i. that the fare is not so regulated; and
 - ii. the cost, or the method of calculating the cost, of the proposed journey;
 - c. where there is a taximeter fitted to the Vehicle, the Licence Holder shall ensure that drivers are aware that they are entitled to demand and take for the hire of the Vehicle, the fare prescribed on the Fare Card, the fare being calculated by distance unless the hirer expresses at the time of hiring his desire to engage by time, when the fare shall be the subject of special agreement. The Licence Holder or driver shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges prescribed on the Fare Card, which may not be possible to record on the face of the taximeter;
 - d. where a taximeter is not fitted to the Vehicle, the Licence Holder shall take steps to ensure that, where a driver is asked by a potential hirer to do so, the driver informs any potential hirer of the Vehicle, prior to acceptance of the hire, of either the cost or the method of calculating the cost of the proposed journey.
37. The Licence Holder shall require and ensure that the Vehicle undergoes and passes an annual inspection at a testing centre authorised by the Council, and that the Licence Holder holds a current certificate of compliance in respect of the Vehicle issued by that testing centre showing compliance with the Council's

requirements in respect of that Vehicle. For those Vehicles that are five years old or more, a Licence Holder shall require and ensure that their Vehicle undergoes and passes an inspection twice per year.

38. In addition to any routine inspection, and upon receiving not less than two days' notice, either verbally or in writing from an Authorised Officer or police officer, the Licence Holder shall produce or ensure the production of the Vehicle for examination at a time and place specified by that Authorised Officer or police officer to ensure its road worthiness and/or safety.
39. The Licence Holder, when presenting the Vehicle for inspections, shall exhibit the certificate of insurance for the Vehicle. Said certificate of insurance shall satisfy the Council that the Vehicle is currently insured and has been continuously insured throughout the full currency of the Licence.
40. The Licence Holder, when the Vehicle is damaged in a vehicular accident or by any other means, shall report the damage to the Council no later than two working days from said damage and, if the Vehicle is roadworthy, shall present it for examination at a testing centre within the following two working days (being days on which the testing facilities operate) after the occurrence. As soon as repairs to the Vehicle have been completed, the Licence Holder shall present in writing to the Council appropriate evidence from the testing centre that the Vehicle is in a safe and roadworthy state of repair and is fit to be operated as a private hire vehicle. The Council shall be the ultimate arbiter in determining whether the Vehicle is fit for purpose to be used as a private hire vehicle.
41. Where the Licence Holder holds a current licence and a current certificate of compliance issued by a Council approved test centre, certifying compliance of the Vehicle with the requirements of the Council in respect of the Vehicle then, in accordance with Regulation 6(4) of the Motor Vehicle (Test) Regulations 1981, the Licence Holder shall not require to hold a separate MOT certificate in respect of the Vehicle. The Licence Holder shall require to renew the certificate of compliance every 12 months from the date of issue and shall exhibit the certificate of compliance to an Authorised Officer or a police officer upon request.
42. The Licence Holder shall keep an up-to-date record of the names and addresses of all drivers employed by that Licence Holder or in a contract or vehicle leasing arrangement with that Licence Holder, together with the dates and times that each driver is in charge of the Vehicle. The Licence Holder shall exhibit this record to an Authorised Officer or a police officer upon request.
43. The record referred to in Condition 42 shall be kept for a minimum of twelve months and must be produced on request to an Authorised Officer or a police officer for inspection at any reasonable time together with any other such information as may be required by an Authorised Officer or police officer, for the purpose of ascertaining the identity of any driver employed by the said Licence Holder or for any other purpose relating to these Conditions.

44. The Licence Holder shall ensure that, if any allegations are made to them of abusive, sexist, offensive, discriminatory or racist language relating to a person's characteristics, identity or circumstances, and which was allegedly perpetrated by a driver of their Vehicle in front of and/or addressed to a passenger, then said allegations shall be reported to an Authorised Officer within two working days of said allegations being made.
45. The Licence Holder shall report any alleged and/or suspicious criminal activity/behaviour allegedly perpetrated by a driver and/or within the Vehicle to Police Scotland and an Authorised Officer immediately upon awareness of the allegation/suspicion.
46. If during the currency of the licence, the Licence Holder is charged with or convicted of any offence or receives an endorsable fixed penalty, they shall, within 5 working days of said charge, conviction or endorsement, provide full details in writing of such charge, conviction or endorsement to the Council. The Licence Holder shall also upon request evidence to an Authorised Officer or a police officer that the charge, conviction or endorsable fixed penalty has been reported to the Licence Holder's insurance company.
47. Subject to Condition 48, the Licence Holder shall ensure that the driver of the Vehicle is aware of the responsibility not to refuse to carry luggage in the Vehicle providing that the said luggage can be accommodated safely within the Vehicle and/or its luggage compartment.
48. The Licence Holder shall ensure that the driver of the Vehicle is aware of the responsibility to give such assistance as the driver is physically able to give with loading and unloading luggage when required to do so. However, no driver shall be required to leave the immediate proximity of the Vehicle in doing so.
49. The Licence Holder shall ensure that the driver of the Vehicle is aware of the responsibility to not knowingly allow the Vehicle to be used for illegal or immoral purposes, permit to be carried in the Vehicle any article of a dirty, filthy or noxious nature or an explosive or dangerous nature, nor permit to be carried in the Vehicle anyone who has vermin on his person.
50. The Licence Holder shall ensure that, where the Vehicle has been hired by or for a disabled person who is accompanied by a guide dog, a hearing dog or an assistance dog, or by a person who wishes such a disabled person to accompany them in the Vehicle, the driver of the Vehicle is fully aware of the legal obligations, subject to Condition 51 below, to carry the disabled person's dog and allow it to remain with the disabled person and that the driver makes no additional charge for doing so.
51. The Licence Holder shall ensure that all drivers of the Vehicle are aware that they may be exempted from their obligation to carry a disabled passenger's guide dog, hearing dog or assistance dog on medical grounds but only by the relevant driver applying to the Council for an exemption notice which, if granted, must be exhibited either by

- a. affixing it in a prominent position on the dashboard facing upwards; or
- b. affixing it to the windscreen of the Vehicle, facing outwards.

In either case, a Braille version of the exemption notice must be kept in the Vehicle at all times and provided to anyone requesting or appearing, in the reasonable opinion of the Licence Holder, to require this.

52. Where the Vehicle is designated as a wheelchair accessible vehicle in terms of section 167 of the Equality Act 2010, the Licence Holder shall ensure that the driver of the Vehicle is fully aware of the obligation:-
- a. to carry a passenger whilst in a wheelchair;
 - b. not to make any additional charge for doing so;
 - c. if the passenger chooses to sit in a passenger seat, to carry the wheelchair;
 - d. to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
 - e. to give the passenger such mobility assistance as is reasonably required.
53. The Licence Holder shall ensure that, if a driver of the Vehicle holds a certificate of exemption from compliance with the obligation to assist wheelchair users then he/she shall display copies of that certificate on the external passenger doors of the Vehicle for all potential passengers to easily see.
54. The Licence Holder shall ensure that, if it comes to their attention for whatever reason and/or they become concerned that the driver of the vehicle is and/or seems medically unfit to drive the Vehicle, then the Licence Holder shall notify the Council in writing of such reasonable concerns within 24 hours of becoming aware.
55. The Licence Holder shall take all reasonable steps to ensure that any driver in charge of the Vehicle has a lawful right to work in the United Kingdom. Said steps shall include the Licence Holder requesting sight of the original proof of that right to work in the United Kingdom and recording and maintaining a record of that request for a minimum period of twelve months. The record shall include the following:
- a. name of (the proposed/current) driver;
 - b. nationality of (the proposed/current) driver;
 - c. permanent address of the (proposed/current) driver; and
 - d. type of original proof shown by the (proposed/current) driver with regard to the right to work in the United Kingdom.
56. The record referred to in Condition 55 shall be made available to the Council upon request at any reasonable time.
57. The Licence Holder shall ensure that the Vehicle is, subject to the Council's discretion, of a saloon car, estate type or such other type of vehicle approved by the Council and which has four doors and a 'Power to Weight' ratio equal to or greater than 0.0648 hp per kg. The Licence Holder shall also ensure that

the Vehicle has a minimum seat cushion size of 400mm wide and 350mm depth, minimum seat cushion height (or near side front cushion height if manufacturer's original) of 300mm and that the minimum leg room of any passenger seat within the Vehicle is 650mm.

58. Subject to inspection and testing by the Council or testing station authorised by the Council, Vehicles may use electricity as a means of propulsion including its use within any hybrid engine.
59. Any Vehicle which uses electricity as a means of propulsion must be contained in the approved list of electric vehicles maintained by the Council and no other vehicle using electricity as a means of propulsion may be operated hereunder.

DRAFT

TAXI DRIVER' S LICENCE

DEFINITIONS:-

- (a) "Authorised Officer" means any person authorised by the Council to act in connection with any matter relative to the Schedule of Conditions and to the Act or amendment or re-enactments thereof and any statute or regulation affecting the Act.
- (b) The "Act" means the Civic Government (Scotland) Act 1982.
- (c) The "Council" means East Dunbartonshire Council as the licensing authority in terms of the Act.
- (d) The "Licence Holder" means the person to whom the Council has granted a licence and whose name is specified in the licence to which the Schedule of Conditions relates. References to masculine gender include feminine unless the contrary intention appears.
- (e) "Operator" means the holder of an Operator's Licence.
- (f) "Operator's Licence" means a taxi licence within the meaning of s.10 of the Act.
- (g) The "Schedule of Conditions" means the undernoted numbered conditions imposed by the Council in respect of the licence, with which the Licence Holder must comply and also referred to as "Conditions".
- (h) The "Vehicle" or the "Taxi" means the taxi or public hire vehicle which is subject to a Taxi Operators Licence issued by the Council and driven by the Licence Holder in furtherance the Licence.
- (i) "Licensed Area" means the local authority territory known as East Dunbartonshire, as defined within the Local Government etc. (Scotland) Act 1994, as amended.

SCHEDULE OF CONDITIONS

- 1. A Licence Holder shall ensure that the following documentation is carried in the Vehicle at all times:
 - a. The taxi driver's licence issued by the Council (copy);
 - b. The badge of identification issued by the Council;
 - c. The Operator's Licence (copy); and
 - d. An original or copy of an up to date, valid certificate of insurance issued for the Vehicle.
- 2. The badge of identification referred to in Condition 1(b) shall be displayed in a prominent position at all times whilst the Vehicle is being driven, and worn by the Licence Holder should he leave the immediate proximity of the Vehicle. The identity badge issued by the Council shall include the driver's name, a recent

photograph showing a true likeness and the date on which the licence expires. The badge of identification must be shown to any passenger upon request.

3. The documents referred to in Condition 1 shall be exhibited by the driver upon demand to either a police officer or an Authorised Officer.
4. The Licence Holder must exhibit to the Council, an Authorised Officer, and/or police officer when required, the certificate of insurance for the Vehicle to satisfy the Council, an Authorised Officer and/or police officer that the Vehicle is currently insured and has been continuously insured throughout the full currency of the Licence.
5. The Licence Holder shall not obstruct in any way an Authorised Officer and/or police officer in the performance of their duties/powers under the Act.
6. The Licence Holder shall comply with all lawful instructions and/or directions of an Authorised Officer or police officer in relation to these Conditions and shall hand over all information reasonably required in the discharge of their duties.
7. The Licence Holder shall ensure that a Vehicle never carries more than four passengers except in the case where a Vehicle designed to carry more than four passengers is tested at a testing station authorised by the Council and approved to carry more than four passengers. The maximum permitted number of passengers which will be authorised in terms of this licence will be eight passengers. For the purposes of this Condition, one person constitutes one passenger.
8. The Licence Holder shall at all times ensure that, where provided by the manufacturer, the manufacturer's recommended spare wheel and tyre or an equivalent is carried in the Vehicle, and that said wheel and tyre are in a roadworthy condition. If any tyre and/or wheel has been punctured or damaged and has been submitted for repair then the Licence Holder shall ensure that evidence of that repair is carried in the Vehicle. The Licence Holder shall ensure that the requirement for repair is reported to the holder of the Operator's Licence immediately upon becoming aware that the wheel and/or tyre are in need of repair.
9. The Licence Holder shall not display internally or externally on the Vehicle any advertisements/signage without the prior written consent of the Council, which consent shall not be unreasonably withheld. In particular the Licence Holder shall not display details of more than one booking office currently licensed by the Council.
10. The Licence Holder shall not operate in breach of Section 21 of the Act. In addition it is further stipulated that the Licence Holder may only operate from a radio base or control point located within the Licensed Area.
11. At the conclusion of any journey which requires the Licence Holder to leave the Licensed Area, the Licence Holder must return immediately to the Licensed Area.

12. The Licence Holder shall be bound to fulfil, or cause to be fulfilled, at the time and location specified, an engagement to hire the Vehicle which has been accepted, unless prevented by sufficient cause.
13. The Licence Holder when driving a Vehicle which has been hired may not, under any circumstances, pick up or convey another passenger without the consent of the original hirer or passenger.
14. The Licence Holder when driving a Vehicle which has been hired, shall drive to the destination by the shortest practicable route unless otherwise instructed by the hirer.
15. Subject to Condition 16 below, the Licence Holder shall not refuse to drive a passenger to any place within the Licensed Area.
16. The Licence Holder need not convey any hirer or passenger who is intoxicated or otherwise not in a fit and proper state to be carried, or whose condition or clothing is offensive or likely to cause damage to the interior of the Vehicle, or who refuses to cease smoking in the Vehicle when requested to do so by the Licence Holder or, subject to Conditions 41 and 42, is accompanied by any animal which is likely to damage or soil the interior of the Vehicle, or for any other reasonable excuse.
17. The Licence Holder shall, when requested to do so by a passenger, provide that passenger with a written receipt for their journey. Such a receipt shall include the date, time and cost of the journey.
18. The Licence Holder shall ensure that, whilst the Vehicle is in use as a taxi, there is displayed upon the roof of the Vehicle a sign of a type approved by the Council for the purpose of identifying the Vehicle as a taxi.
19. The Licence Holder shall ensure that, whilst the Vehicle is in use as a taxi, any plates or other items which have been issued by the Council for the purpose of indicating that the Vehicle is a taxi are displayed at all times in positions specified by the Council. No other signage shall be displayed on or in the Vehicle that has not been specified by the Council in writing.
20. The Licence Holder shall not deface any plate or other item which is fixed to the Vehicle and has been issued by the Council for the purpose of indicating that the Vehicle is a taxi. If any plate or other item which is fixed to the Vehicle and has been issued by the Council for the purpose of indicating that the Vehicle is a taxi becomes so defaced as not to be distinctly visible or legible or if any such plate or other item is lost, the Licence Holder shall report this to the holder of the Operator's Licence as soon as reasonably practicable in order to obtain a replacement.
21. The Licence Holder shall not install or allow to be installed at any time a camera or other similar device (including a video and/or digital image recorder) which is capable of recording/taking/storing images of passengers

entering/exiting/sitting in the Vehicle without the prior written consent of the Council and clear signs on all external passenger doors advising of the operation of said devices within the Vehicle. The Council's consent to such device shall not be unreasonably withheld. The provisions of this condition shall not apply to a camera or similar device which is entirely forward facing and cannot be reset or repositioned so as to record images of passengers entering/exiting/sitting in the Vehicle.

22. If the Licence Holder changes his/her permanent address, or there is otherwise a material change in circumstances such that require to be notified to the Council, then the Licence Holder shall notify the Council in writing of said change within five working days. The Licence holder shall at the same time inform the holder of the relevant Operator Licence(s) of the material change.
23. The Licence Holder shall not smoke, nor allow any passenger to smoke in the Vehicle at any time. This prohibition includes e-cigarettes. The Licence Holder shall ensure that a No-Smoking sign shall be displayed prominently within the Vehicle at all times.
24. The Licence Holder shall not use a mobile phone, satellite navigation system or interactive communication device whilst the Vehicle is in motion, except a hand-free device permissible by law. Further, the Licence Holder shall not conduct him/herself in a manner which prevents him/her from exercising full control over the speed and direction of the Vehicle while it is in motion.
25. The Licence Holder shall ensure that, whilst the Vehicle is in use as a taxi, the Vehicle, including all bodywork, upholstery, interior fittings, and wheelchair fittings where installed, is in a safe and serviceable condition and, subject to prevailing road conditions, in a clean condition.
26. The Licence Holder shall ensure that whilst the Vehicle is in use as a taxi, there is carried in a suitable fastener a modern, legally valid, fully working fire extinguisher which is easily accessible at all times.
27. The Licence Holder shall ensure at all times whilst the Vehicle is in use as a taxi, that there is affixed in a conspicuous position inside the Vehicle, a printed card in a slip-in frame ("the Fare Card") which shall be kept clear, legible and easily distinguishable and not concealed in any way and which shall set forth in distinct figures and lettering the detailed requirements imposed by the Council as to the fares and other charges to be charged.
28. The Licence Holder shall be entitled to demand and take for the hire of the Vehicle, the fare prescribed on the Fare Card, the fare being calculated by distance unless the hirer expresses at the time of hiring the desire to engage by time, when the fare shall be the subject of special agreement. The driver shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges prescribed on the Fare Card, which it may not be possible to record on the face of the taximeter.

29. The Licence Holder shall, unless the cost of the journey is regulated by the Fare Card structure, inform the hirer or passenger before the journey commences
 - a. that the fare is not so regulated; and
 - b. the cost, or the method of calculating the cost of the proposed journey.
30. Nothing shall prevent the Licence Holder from charging lower fares than those prescribed. If such lower fares are charged, the particulars as to fares to be set forth in the Fare Card required by Condition 27 to be affixed inside the Vehicle, shall be such lower fares and the taximeter fixed to the Vehicle shall be so constructed as to register accurately such lower fares.
31. In the event of the Vehicle breaking down or any way becoming unfit to convey the hirer to the destination for which the Vehicle is engaged, the Licence Holder shall not be entitled to charge any fare for the distance already travelled. However, where the hirer elects to wait until repairs are completed or to use a substitute Vehicle provided within a reasonable time, the full fare for the completed journey shall be due less the amount of fare chargeable for waiting as fixed by the Council.
32. The Licence Holder shall drive the Vehicle as a taxi only if:-
 - a. The taximeter is working properly, and in accordance with the Council's scale of fares, except in accordance with Condition 30.
 - b. The taximeter has been approved and sealed by the Council; and
 - c. The seal affixed by the Council has neither been broken nor tampered with in any way.
33. When the Vehicle is damaged in a vehicular accident or by any other means, the Licence Holder shall report the damage to the Council and to the holder of the Operator's Licence within two working days.
34. The Licence Holder shall not use any abusive, sexist, offensive, discriminatory or racist language relating to a person's characteristics, identity or circumstances, either in front of and/or addressed to a passenger.
35. The Licence Holder shall at all times avoid the improper use of the Vehicle's horn (e.g. sounding of the Vehicle horn to announce arrive at point of hire/pick up). NOTE: Misuse of car horns is a criminal offence.
36. The Licence Holder, when the Vehicle is hired or standing for hire, shall either sit in the driving seat of the Vehicle or stand in the immediate proximity thereto except during any period when he may be absent to announce the arrival of his Vehicle to the hirer or when assisting the hirer with luggage to or from the Vehicle for any other necessary purpose.
37. Subject to Condition 38, the Licence Holder shall not to refuse to carry luggage in the Vehicle providing that the said luggage can be accommodated safely within the Vehicle and/or its luggage compartment.

38. The Licence Holder shall give such assistance as he/she is physically able to give with loading and unloading luggage when required to do so. However, the Licence Holder shall not be required to leave the immediate proximity of the Vehicle in doing so.
39. The Licence Holder shall not knowingly allow the Vehicle to be used for illegal or immoral purposes, permit to be carried in the Vehicle any article of a dirty, filthy or noxious nature or an explosive or dangerous nature, or permit to be carried in the Vehicle anyone who has vermin on his person.
40. The Licence Holder, at the end of a shift, shall search the Vehicle for any property which may have been left therein. Any property found by the Licence Holder, shall, within twenty four hours, be returned to the owner of the property if known, or shall be handed in to any police station.
41. The Licence Holder shall, where a Vehicle has been hired by or for a disabled person who is accompanied by a guide dog, a hearing dog or an assistance dog, or by a person who wishes such a disabled person to accompany them in the Vehicle, subject to Condition 42 below, carry the disabled person's dog and allow it to remain with the disabled person. The Licence Holder shall not be entitled to make any additional charge for doing so.
42. The Licence Holder may be exempted from the obligation to carry a disabled passenger's guide dog, hearing dog or assistance dog on medical grounds but only by applying to the Council for an exemption notice which, if granted, must be exhibited either by –
 - a. Affixing it in a prominent position on the dashboard facing upwards; or
 - b. Affixing it to the windscreen of the Vehicle, facing outwards.In either case, a Braille version of the exemption notice must be kept in the Vehicle at all times and provided to anyone requesting or appearing, in the reasonable opinion of the Licence Holder, to require this.
43. Where the Vehicle is designated as a wheelchair accessible vehicle in terms of section 167 of the Equality Act 2010, the Licence Holder shall ensure that he/she complies with the obligation:
 - a. to carry a passenger whilst in a wheelchair;
 - b. not to make any additional charge for doing so;
 - c. if the passenger chooses to sit in a passenger seat, to carry the wheelchair;
 - d. to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort;
 - e. to give the passenger such mobility assistance as is reasonably required
44. Where the Licence Holder holds a certificate of exemption from compliance with the obligation to assist wheelchair users then he/she shall display copies of that certificate on the external passenger doors of the Vehicle for all potential passengers to easily see.

45. The Licence Holder shall not drive the Vehicle if he/she becomes medically unfit to do so. The Licence Holder shall notify both the holder of the Operator Licence and the Council in writing within 24 hours after becoming aware that he/she is medically unfit to drive the Vehicle.
46. The Licence Holder shall not park, or stop the Vehicle, nor canvass or importune for employment within 50 metres of any designated taxi stance.
47. Unless the Council makes specific arrangements for particular stances, when a taxi Vehicle is driven off a stance, the driver of the taxi Vehicle immediately behind shall draw up his Vehicle to take the place vacated, and the taxi drivers on the stance behind shall draw up their Vehicles in a like manner.
48. The Licence Holder is entitled to operate at taxi Vehicle stances officially designated by the Council, a list of which can be obtained from the Council. The precise location and number of taxi Vehicles to be allowed at each such stance shall be fixed by the Council from time to time and may be amended, having regard to any change of circumstances arising at or near any of the said stances. The locations and number of taxi Vehicles allowed when so fixed or amended shall be advertised in a newspaper circulating in East Dunbartonshire, and may also be identified by the erection of notices or the provisions of marking at such locations or any of them.
49. The Licence Holder shall comply with all rules and regulations established by any landowner and approved by the Council in relation to the conduct of taxi Vehicles operating from taxi stances located on private land. In particular, if so required by the landowner, the Licence Holder shall obtain a permit from the landowner authorising him to operate from the private stance.
50. If during the currency of the licence, the Licence Holder is charged with or convicted of any offence or receives an endorsable fixed penalty, he/she shall, within 5 working days of said charge, conviction or endorsement, provide full details in writing of such charge, conviction or endorsement to the Council. The Licence Holder shall also upon request evidence to an Authorised Officer or a police officer that the charge, conviction or endorsable fixed penalty has been reported to the Licence Holder's insurance company.

PRIVATE HIRE VEHICLE DRIVER' S LICENCE

DEFINITIONS:-

- (a) "Authorised Officer" means any person authorised by the Council to act in connection with any matter relative to the Schedule of Conditions and to the Act or amendment or re-enactments thereof and any statute or regulation affecting the Act.
- (b) The "Act" means the Civic Government (Scotland) Act 1982.
- (c) "Council" means East Dunbartonshire Council as the licensing authority in terms of the Act. .
- (d) The "Licence Holder" means the person to whom the Council has granted a licence and whose name is specified in the licence to which the Schedule of Conditions relates. References to masculine gender include feminine unless the contrary intention appears.
- (e) "Operator" means the holder of an Operator's Licence.
- (f) "Operator's Licence" means a private hire car licence within the meaning of s.10 of the Act.
- (g) The "Schedule of Conditions" means the undernoted numbered conditions imposed by the Council in respect of the licence, with which the Licence Holder must comply and also referred to as the "Conditions".
- (h) The "Vehicle" means the private hire vehicle which is subject to a Private Hire Vehicle Operators Licence issued by the Council and driven by the Licence Holder in furtherance of the Licence.
- (i) "Licensed Area" means the local authority territory known as East Dunbartonshire, as defined within the Local Government etc. (Scotland) Act 1994, as amended.

SCHEDULE OF CONDITIONS

- 1. A Licence Holder shall ensure that the following documentation is carried in the Vehicle at all times:
 - a. The private hire vehicle driver's Licence issued by the Council (copy);
 - b. The badge of identification issued by the Council;
 - c. The Operator's Licence (copy); and
 - d. An original or copy of an up to date, valid certificate of insurance issued for the Vehicle.

2. The badge of identification referred to in Condition 1(b) shall be displayed in a prominent position at all times whilst the Vehicle is being driven, and worn by the Licence Holder should he leave the immediate proximity of the Vehicle. The identity badge issued by the Council shall include the driver's name, a recent photograph showing a true likeness and the date on which the licence expires. The badge of identification must be shown to any passenger upon request
3. The documents referred to in Condition 1 shall be exhibited by the driver upon demand to either a police officer or an Authorised Officer.
4. The Licence Holder must exhibit to the Council, an Authorised Officer, and/or police officer when required, the certificate of insurance for the Vehicle to satisfy the Council, an Authorised Officer, and/or police officer that the Vehicle is currently insured and has been continuously insured throughout the full currency of the licence.
5. A Licence Holder shall not obstruct in any way an Authorised Officer and/or police officer in the performance of their duties/powers under the Act.
6. A Licence Holder shall comply with all lawful instructions and/or directions of an Authorised Officer or police officer in relation to these Conditions and shall hand over all information reasonably required in the discharge of their duties.
7. The Licence Holder shall ensure that a Vehicle never carries more than four passengers, except in the case where a Vehicle designed to carry more than four passengers is tested at a testing station authorised by the Council and approved to carry more than four passengers. The maximum permitted number of passengers which will be authorised in terms of this licence will be eight passengers. For the purposes of this Condition, one person constitutes one passenger.
8. The only exception to the maximum permitted number of passengers specified in Condition 7 shall be in relation to chauffeur driven vehicles, in which case the maximum permitted number of passengers which will be authorised in terms of this licence shall be the number specified in the Vehicle Registration Document.
9. A private hire vehicle drivers licence shall be required for driving any Vehicle as a chauffeur whilst carrying passengers under a contract for its exclusive hire for a period of less than twenty four hours. This Condition does not apply to a Vehicle while it is being used in connection with a funeral or wedding. Nor does this Condition apply to any type of minibus, bus or coach.
10. The Licence Holder shall at all times ensure that, where provided by the manufacturer, the manufacturer's recommended spare wheel and tyre or an equivalent is carried in the Vehicle, and that said wheel and tyre are in a roadworthy condition. If any tyre and/or wheel has been punctured or damaged and has been submitted for repair then the Licence Holder shall ensure that evidence of that repair is carried in the Vehicle. The Licence Holder shall ensure that the requirement for repair is reported to the holder of the Operator Licence

immediately upon becoming aware that the wheel and/or tyre are in need of repair.

11. The Licence Holder shall not display internally or externally on the Vehicle any advertisements/signage without the prior written consent of the Council, which consent shall not be unreasonably withheld. In particular the Licence Holder shall not display details of more than one booking office currently licensed by the Council.
12. The Licence Holder shall not operate in breach of Section 21 of the Act. In addition it is further stipulated that the Licence Holder may only operate from a radio base or control point located within the Licensed Area.
13. At the conclusion of any journey which requires the Licence Holder to leave the Licensed Area, the Licence Holder must return immediately to the Licensed Area.
14. The Licence Holder shall be bound to fulfil, or cause to be fulfilled, at the time and location specified, an engagement to hire the Vehicle which has been accepted, unless prevented by sufficient cause.
15. The Licence Holder when driving a Vehicle which has been hired may not, under any circumstances, pick up or convey another passenger without the consent of the original hirer or passenger.
16. The Licence Holder when driving a Vehicle which has been hired shall drive to the destination by the shortest practicable route unless otherwise instructed by the hirer.
17. Subject to Condition 18 below, the Licence Holder shall not refuse to drive a passenger to any place within the Licensed Area.
18. The Licence Holder need not convey any hirer or passenger who is intoxicated or otherwise not in a fit and proper state to be carried, or whose condition or clothing is offensive and likely to cause damage to the interior of the Vehicle, or who refuses to cease smoking in the Vehicle when requested to do so by the Licence Holder or, subject to Conditions 40 and 41, is accompanied by any animal which is likely to damage or soil the interior of the Vehicle, or any other reasonable excuse.
19. The Licence Holder shall, when requested to do so by a passenger, provide that passenger with a written receipt for their journey. Such a receipt shall include the date, time and cost of the journey.
20. The Licence Holder shall ensure that, whilst the Vehicle is in use as a private hire vehicle, any plates or other items which have been issued by the Council for the purpose of indicating that the Vehicle is a private hire vehicle are displayed at all times in positions specified by the Council. No other signage shall be displayed on or in the Vehicle that has not been specified by the Council in writing.

21. In respect of chauffeur driven Vehicles as are referred to in Condition 9, it shall be acceptable for the front and rear plates that are issued by the Council to be kept inside the luggage compartment of the Vehicle. This is on the basis that both plates shall be exhibited by the Driver upon demand to either a police officer, Authorised Officer or passenger/s.
22. The Licence Holder shall not deface any plate or other item which is fixed to the Vehicle and has been issued by the Council for the purpose of indicating that the Vehicle is a private hire vehicle. If any plate or other item which is fixed to the Vehicle and has been issued by the Council for the purpose of indicating that the Vehicle is a private hire vehicle becomes so defaced as not to be distinctly visible or legible or if any such plate or other item is lost, the Licence Holder shall report this to the holder of the Operator Licence as soon as reasonably practicable in order to obtain a replacement.
23. The Licence Holder shall ensure that, whilst the Vehicle is in use as a private hire vehicle, on both front external doors and in a position and style specified by the Council, there is a sign that has been provided by the Council and which reads 'Private Hire Vehicle Pre-Arranged Bookings Only'. Said sign must be obvious and in a position specified by the Council.
24. The Licence Holder shall not install or allow to be installed at any time a camera or other similar device (including a video and/or digital image recorder) which is capable of recording/taking/storing images of passengers entering/exiting/sitting in the Vehicle without the prior written consent of the Council and with clear signs on all external passenger doors advising of the operation of said devices operating within the Vehicle. The Council's consent to such device shall not be unreasonably withheld. The provisions of this condition shall not apply to a camera or similar device which is entirely forward facing and cannot be reset or repositioned so as to record images of passengers entering/exiting/sitting in the Vehicle.
25. If the Licence Holder changes his/her permanent address, or there is otherwise a material change in circumstances such that requires to be notified to the Council, then the Licence Holder shall notify the Council and the holder of the Operator License in writing of said change within five working days.
26. The Licence Holder shall not smoke and shall not permit any passenger to smoke in the Vehicle at any time. This prohibition includes e-cigarettes. The Licence Holder shall ensure that a No-Smoking sign is displayed prominently within the vehicle at all times.
27. The Licence Holder shall not use a mobile phone, satellite navigation system or interactive communication device whilst the Vehicle is in motion, except a hand-free device which is permissible by law. Further, the Licence Holder shall not conduct him/herself in a manner which prevents him/her from exercising full control over the speed and direction of the Vehicle while it is in motion.

28. The Licence Holder shall ensure that, whilst the Vehicle is in use the Vehicle, including all bodywork, upholstery and interior fittings, is in a safe and serviceable condition and, subject to prevailing road conditions, in a clean condition.
29. The Licence Holder shall ensure that whilst the Vehicle is in use, there is carried in a suitable fastener a modern, legally valid, fully working fire extinguisher which is easily accessible at all times.
30. Where the Vehicle driven by the Licence Holder has had a taximeter fitted it shall be operated at all times in accordance with the following requirements:-
 - a. The taximeter has been approved and sealed by the Council and
 - b. The seal affixed by the Council has neither been broken nor tampered with in any way.
31. The Licence Holder, whose Vehicle is fitted with a taximeter, shall ensure at all times whilst the Vehicle is in use as a private hire vehicle, that there is affixed in a conspicuous position inside the Vehicle, a printed card in a slip-in frame ("the Fare Card") which shall be kept clear, legible and easily distinguishable and not concealed in any way and which shall set forth in distinct figures and lettering the detailed requirements imposed by the Council as to the fare charges to be charged.
32. The following applies in relation to Fare Cards:
 - a. where there is a taximeter fitted to the Vehicle, the Licence Holder shall ensure that any potential hirer of the Vehicle is informed, prior to acceptance of the hire:
 - i. that the fare is not so regulated;
 - ii. the cost, or the method of calculating the cost, of the proposed journey;except where the cost of the journey is regulated by the Fare Card structure;
 - b. where there is a taximeter fitted to the Vehicle, the Licence Holder shall be entitled to demand and take for the hire of the Vehicle, the fare prescribed on the Fare Card, the fare being calculated by distance unless the hirer expresses at the time of hiring his desire to engage by time, when the fare shall be the subject of special agreement. The Licence Holder shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges prescribed on the Fare Card, which may not be possible to record on the face of the taximeter;
 - c. where a taximeter is not fitted to the Vehicle, the Licence Holder shall, when asked by a potential hirer to do so, takes steps to ensure that any potential hirer of the Vehicle is informed, prior to acceptance of the hire,

of either the cost or the method of calculating the cost of the proposed journey.

33. When the Vehicle is damaged in a vehicular accident or by any other means the Licence Holder shall report the damage to the Council and to the holder of the Operator's Licence within two working days.
34. The Licence Holder shall not use any abusive, sexist, offensive, discriminatory or racist language relating to a person's characteristics, identity or circumstances either in front of and/or addressed to a passenger.
35. The Licence Holder shall at all times avoid the improper use of the Vehicle's horn (e.g. sounding of the Vehicle horn to announce arrive at point of hire/pick up). NOTE: Misuse of car horns is a criminal offence.
36. Subject to Condition 37, the Licence Holder shall not to refuse to carry luggage in the Vehicle providing that the said luggage can be accommodated safely within the Vehicle and/or its luggage compartment.
37. The Licence Holder shall give such assistance as physically able to give with loading and unloading luggage when required to do so. However, the Licence Holder shall not be required to leave the immediate proximity of the Vehicle in doing so.
38. The Licence Holder shall not knowingly allow the Vehicle to be used for illegal or immoral purposes, permit to be carried in the Vehicle any article of a dirty, filthy or noxious nature or an explosive or dangerous nature, or permit to be carried in the Vehicle anyone who has vermin on his person.
39. The Licence Holder, at the end of a shift, shall search the Vehicle for any property which may have been left therein. Any property found by the Licence Holder shall, within twenty four hours, be returned to the owner of the property if known, or shall be handed in to any police station.
40. The Licence Holder shall, where a Vehicle has been hired by or for a disabled person who is accompanied by a guide dog, a hearing dog or an assistance dog, or by a person who wishes such a disabled person to accompany them in the Vehicle, subject to Condition 41 below, carry the disabled person's dog and allow it to remain with the disabled person. The Licence Holder shall not be entitled to make any additional charge for doing so.
41. The Licence Holder may be exempted from the obligation to carry a disabled passenger's guide dog, hearing dog or assistance dog on medical grounds but only by applying to the Council for an exemption notice which, if granted, must be exhibited either by –
 - a. affixing it in a prominent position on the dashboard facing upwards; or
 - b. affixing it to the windscreen of the Vehicle, facing outwards.

In either case, a Braille version of the exemption notice must be kept in the Vehicle at all times and provided to anyone requesting or appearing, in the reasonable opinion of the Licence Holder, to require this.

42. Where the Vehicle is designated as a wheelchair accessible vehicle in terms of section 167 of the Equality Act 2010, the Licence Holder shall ensure that he/she complies with the obligations:_
 - a. to carry a passenger whilst in a wheelchair;
 - b. not to make any additional charge for doing so;
 - c. if the passenger chooses to sit in a passenger seat, to carry the wheelchair; to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
 - d. to give the passenger such mobility assistance as is reasonably required
43. Where the Licence Holder holds a certificate of exemption from compliance with the obligation to assist wheelchair users then he/she shall display copies of that certificate on the external passenger doors of the Vehicle for all potential passengers to easily see.
44. The Licence Holder shall not drive the Vehicle if he/she is or becomes medically unfit to do so. The Licence Holder shall notify both the holder of the Operator Licence and the Council in writing within 24 hours of after he/she becomes aware of being medically unfit to drive the Vehicle.
45. If during the currency of the licence, the Licence Holder is charged with or convicted of any offence or receives an endorsable fixed penalty, he/she shall, within 5 working days of said charge, conviction or endorsement, provide full details in writing of such charge, conviction or endorsement, convictions to the Council. The Licence Holder shall also upon request, evidence to an Authorised Officer or a police officer that the charge, conviction or endorsable fixed penalty has been reported to the Licence Holder's insurance company.



SCHEDULE A - Conditions of fitness of taxi vehicles and private hire vehicles.

Conditions of fitness of taxi vehicles

- i. The battery shall be in good condition and free from leaking.
- ii. Terminals shall be in good condition and free from corrosion.
- iii. Engine compartment components shall be in good condition, secure and with no signs of chafing. In particular, the wiring shall be secure and insulated.
- iv. The driver compartment shall be clean and in good condition. In particular, it shall not be dirty or dusty and it shall be free from any rubbish.
- v. The speedometer shall be in full working order and shall be registering correctly.
- vi. All ventilation equipment and heaters shall be in full working order. In particular, the heater shall emit heat, the ventilation shall supply adequate airflow to windscreen and car interior, the vents shall be secure and the control mechanism shall be fully operational.
- vii. Vehicle suspension shall be of the correct geometry and not excessively worn.
- viii. Wheel alignment shall not display any visible signs of incorrect geometry e.g. feathering of tyres.
- ix. Clutch shall be in good working order and the pedal rubbers shall not be excessively worn or missing.
- x. Tread depth of tyres shall not be less than 2.0mm across the width of the tyre.
- xi. Wheels shall be of the type specified by the manufacturer.

Appendix 5 Schedule A Conditions of fitness for Vehicles

- xii. All wheels and wheel trims shall be matching.
- xiii. Brake pads friction material shall not be less than 3.00mm.
- xiv. The jack and wheel key shall be securely stored in the Vehicle.
- xv. The fuel tanks shall be the manufacturer's original equipment.
- xvi. All visible fuel components shall be in good condition and there shall not be any fuel accumulating in/on any fitting or receptacle.
- xvii. The exhaust system shall be in good working order and shall be of a standard specification.
- xviii. Bodywork shall be in good condition and shall not be damaged or extensively corroded.
- xix. The paint finish shall be of a good standard, and in particular shall be of a uniform finish, shall not be of any different colours or shades, and shall not contain any surface deficiencies i.e. paint runs, peeling, scratches or broken paint surface, beyond that attributable to normal use.
- xx. The engine compartment shall be in good condition and shall not be dirty, greasy or oily.
- xxi. The passenger compartment shall be in a good and clean condition. It shall not be dirty or dusty and shall be free from any rubbish or litter.
- xxii. Interior upholstery shall be secure, and in a good and clean condition. In particular, the upholstery shall not be dirty, missing, insecure or torn or in such a condition as to soil clothing or adversely affect passenger comfort.
- xxiii. Ramps and steps for disabled access shall be in good condition, shall be stable, secure, and correctly and safely stowed.
- xxiv. Roof mounted taxi sign shall be present, secure and in good working order. In particular, said sign shall illuminate.

- xxv. The front and rear taxi plates shall be displayed, matching and secured with the appropriate fixing kit.
- xxvi. Door opening mechanisms shall be in good condition, and in particular, the door seals shall not be damaged or missing.
- xxvii. Door hinges are in good condition and are not worn or insecure.
- xxviii. Taximeter (where fitted), lights, seal and calibration shall all be in good working order. In particular, they shall all be of the correct specification, shall illuminate, shall not be defective in any way and shall not fail the relevant road test. The seal shall not be missing or broken.
- xxix. Modern, legally valid and fully working fire extinguishers shall be present, easily accessible, and properly secured. Fire extinguishers shall be of the correct type, conform to the relevant British standard and shall be at all times in good working order, and where applicable within its expiry date. Alternatively, and where appropriate, fire extinguishers shall be maintenance checked every 12 months. Fire extinguishers in Vehicles shall not be damaged, have been discharged or have a lack of pressure charge.
- xxx. Tow bars may be fitted to the Vehicle, but shall not be used for towing while the Vehicle is in use as a taxi.
- xxxi. All exterior lights fitted to the Vehicle shall be clean and in good working order.
- xxxii. All wiper blades fitted to the Vehicle shall be in good condition and any washer fluid system shall be fully operational with sufficient fluid present in the reservoir.

Conditions of fitness of private hire car vehicle

- i. The battery shall be in good condition and free from leaking.
- ii. Terminals shall be in good condition and free from corrosion.
- iii. Engine compartment components shall be in good condition, secure and with no signs of chafing. In particular, the wiring shall be secure and insulated.
- iv. The driver compartment shall be clean and in good condition. In particular, it shall not be dirty or dusty and it shall be free from any rubbish.
- v. The speedometer shall be in full working order and shall be registering correctly.
- vi. All ventilation equipment and heaters shall be in full working order. In particular, the heater shall emit heat, the ventilation shall supply adequate airflow to windscreen and car interior, the vents shall be secure and the control mechanism shall be fully operational.
- vii. Vehicle suspension shall be of the correct geometry and not excessively worn.
- viii. Wheel alignment shall not display any visible signs of incorrect geometry e.g. feathering of tyres.
- ix. Clutch shall be in good working order and the pedal rubbers shall not be excessively worn or missing.
- x. Tread depth of tyres shall not be less than 2.0mm across the width of the tyre.
- xi. Wheels shall be of the type specified by the manufacturer.
- xii. All wheels and wheel trims shall be matching.
- xiii. Brake pads friction material shall not be less than 3.00mm.
- xiv. The jack and wheel key shall be securely stored in the Vehicle.
- xv. The fuel tanks shall be the manufacturer's original equipment.

- xvi. All visible fuel components shall be in good condition and there shall not be any fuel accumulating in/on any fitting or receptacle.
- xvii. The exhaust system shall be in good working order and shall be of a standard specification.
- xviii. Bodywork shall be in good condition and shall not be damaged or extensively corroded.
- xix. The paint finish shall be of a good standard, and in particular shall be of a uniform finish, shall not be of any different colours or shades, and shall not contain any surface deficiencies i.e. paint runs, peeling, scratches or broken paint surface, beyond that attributable to normal use.
- xx. The engine compartment shall be in good condition and shall not be dirty, greasy or oily.
- xxi. The passenger compartment shall be in a good and clean condition. It shall not be dirty or dusty and shall be free from any rubbish or litter.
- xxii. Interior upholstery shall be secure, and in a good and clean condition. In particular, the upholstery shall not be dirty, missing, insecure or torn or in such a condition as to soil clothing or adversely affect passenger comfort.
- xxiii. Ramps and steps for disabled access shall be in good condition, shall be stable, secure, and correctly and safely stowed.
- xxiv. The front and rear private hire car plates shall be displayed, matching and secured with the appropriate fixing kit.
- xxv. Door opening mechanisms shall be in good condition, and in particular, the door seals shall not be damaged or missing.
- xxvi. Door hinges are in good condition and are not worn or insecure.

- xxvii. Taximeter (where fitted), lights, seal and calibration shall all be in good working order. In particular, they shall all be of the correct specification, shall illuminate, shall not be defective in any way and shall not fail the relevant road test. The seal shall not be missing or broken.
- xxviii. Modern, legally valid and fully working fire extinguishers shall be present, easily accessible, and properly secured. Fire extinguishers shall be of the correct type, shall conform to the relevant British standard and shall be at all times in good working order, and where applicable within its expiry date. Alternatively, and where appropriate, fire extinguishers shall be maintenance checked every 12 months. Fire extinguishers in Vehicles shall not be damaged, have been discharged or have a lack of pressure charge. In respect of estate type Vehicles, no dog guard type device shall be fitted.
- xxix. Tow bars may be fitted to the Vehicle, but shall not be used for towing while the Vehicle is in use as a private hire vehicle.
- xxx. All exterior lights fitted to the Vehicle shall be clean and in good working order.
- xxxi. All wiper blades fitted to the Vehicle shall be in good condition and any washer fluid system shall be fully operational with sufficient fluid present in the reservoir.

EAST DUNBARTONSHIRE COUNCIL

POLICY IN RESPECT OF TAXI AND PRIVATE HIRE VEHICLES AND DRIVER FITNESS

This policy document has been prepared to set out in East Dunbartonshire Council ("the Council's") policy in respect of certain requirements for taxi and private hire vehicles. For a full list of the relevant requirements applying to taxi and private hire licences the relevant conditions should be consulted.

VEHICLE TESTING

Frequency of Testing

All vehicles which are younger than five years old must undergo a test once per year to assess their roadworthiness and suitability for use as a taxi or private hire car vehicle, and the Licence Holder must hold a current certificate of compliance in respect of the vehicle issued by a testing centre showing compliance with the Council's requirements in respect of that vehicle.

In respect of vehicles which are five years old or older, these must undergo a test every six months to assess their roadworthiness and suitability for use as a taxi or private hire car vehicle, and the Licence Holder must hold a current certificate of compliance in respect of the vehicle issued by a testing centre showing compliance with the Council's requirements in respect of that vehicle. Consequently, for such vehicles the test pass will only be valid for six months instead of twelve months.

Test Stations

Testing must be carried out only by test stations that have been approved by the Council in writing.

Test stations shall only be approved if they comply with certain requirements notified by the Council from time to time.

Among these will be the requirements to show that a valid, up-to-date Motor Vehicle Testing Authorisation of Examiner certificate issued by the Driver and Vehicle Standards Agency is in place.

A testing centre shall not be approved by the Council to carry out taxi or private hire vehicle testing in respect of any vehicle where any person who owns, has an interest in or exerts any control over the centre, or is involved directly in the testing, also holds or has an interest in that taxi or private hire operator's, driver's or booking office licence granted by the Council under the Civic Government (Scotland) Act 1982. Applicants for approval and current holders of approval in respect of a testing centre will be required to confirm and, if required, evidence to the Council's satisfaction that no such person is in this position.

VEHICLE SPECIFICATION

Vehicle Specification – Taxis

Appendix 6 Vehicle and Driver Fitness

In addition to the vehicle requirements below, all vehicles used for taxi licences must be of a Hackney, Fiat Scudo, Peugeot Euro 7 or other type of vehicle approved in writing by the Council for public hire.

Vehicle Requirements - Taxis

In order to pass the annual or six monthly vehicle inspection, vehicles must meet the standards set out in the conditions of fitness of taxi vehicles which are incorporated within this policy at Appendix 1 and which are also attached to the new standard taxi Conditions as Schedule A.

Guidance Notes on Vehicle Testing are to be issued to each new and existing licence holder in relation to these conditions of fitness. This guidance is incorporated within this policy at Appendix 3.

Vehicle Specification – Private Hire Vehicles

In addition to the vehicle requirements below, all vehicles used for private hire licences must:

- (i) be a saloon car, estate type or such other type of vehicle approved by the Council;
- (ii) have four doors;
- (iii) have an engine capacity with a power to weight ratio equal to or greater than 0.0648 hp per kg; and
- (iv) have a minimum seat cushion size of 400mm wide and 350mm depth.
- (v) have a minimum seat cushion height (or near side front cushion height if manufacturer's original) of 300mm, and
- (vi) have minimum leg room of any passenger seat of 650mm.

Subject to vehicles being included in the approved list of electric vehicles maintained by the Council and inspection and testing by the Council or testing stations approved by the Council, private hire vehicles may use electricity as a means of propulsion including its use within any hybrid engine.

Vehicle Requirements – Private Hire Vehicles

In order to pass the annual or six monthly vehicle inspection, vehicles must meet the standards set out in the conditions of fitness of private hire car vehicles which are incorporated within this policy at Appendix 2 and which are also attached to the new standard private hire car conditions as Schedule A.

Guidance Notes on vehicle testing are to be issued to each new and existing licence holder in relation to these conditions of fitness. This guidance is incorporated within this policy at Appendix 3.

HEALTH OF DRIVERS

Fitness to drive will be assessed against the DVLA Group 2 standard. Responsibility for determining any higher standards and medical requirements for taxi and private hire vehicle drivers, over and above the driver licensing requirements, rests with the Council, in line with DVLA recommendations.

The Council has taken into account the occupational nature of the driving, the length of time that drivers spend driving on a daily basis and the fact that drivers convey paying passengers, including vulnerable passengers, in their vehicles. Accordingly it is appropriate that drivers are required to meet DVLA Group 2 medical fitness to drive standards and any medical certification required to be produced by a driver by the Council to prove that driver's fitness to drive must be to Group 2 standard.

Appendix 1

Conditions of fitness of a taxi vehicle

- i. The battery shall be in good condition and free from leaking.
- ii. Terminals shall be in good condition and free from corrosion.
- iii. Engine compartment components shall be in good condition, secure and with no signs of chafing. In particular, the wiring shall be secure and insulated.
- iv. The driver compartment shall be clean and in good condition. In particular, it shall not be dirty or dusty and it shall be free from any rubbish.
- v. The speedometer shall be in full working order and shall be registering correctly.
- vi. All ventilation equipment and heaters shall be in full working order. In particular, the heater shall emit heat, the ventilation shall supply adequate airflow to windscreen and car interior, the vents shall be secure and the control mechanism shall be fully operational.
- vii. Vehicle suspension shall be of the correct geometry and not excessively worn.
- viii. Wheel alignment shall not display any visible signs of incorrect geometry e.g. feathering of tyres.
- ix. Clutch shall be in good working order and the pedal rubbers shall not be excessively worn or missing.
- x. Tread depth of tyres shall not be less than 2.0mm across the width of the tyre.
- xi. Wheels shall be of the type specified by the manufacturer.
- xii. All wheels and wheel trims shall be matching.
- xiii. Brake pads friction material shall not be less than 3.00mm.
- xiv. The jack and wheel key shall be securely stored in the Vehicle.
- xv. The fuel tanks shall be the manufacturer's original equipment.
- xvi. All visible fuel components shall be in good condition and there shall not be any fuel accumulating in/on any fitting or receptacle.
- xvii. The exhaust system shall be in good working order and shall be of a standard specification.

- xviii. Bodywork shall be in good condition and shall not be damaged or extensively corroded.
- xix. The paint finish shall be of a good standard, and in particular shall be of a uniform finish, shall not be of any different colours or shades, and shall not contain any surface deficiencies i.e. paint runs, peeling, scratches or broken paint surface, beyond that attributable to normal use.
- xx. The engine compartment shall be in good condition and shall not be dirty, greasy or oily.
- xxi. The passenger compartment shall be in a good and clean condition. It shall not be dirty or dusty and shall be free from any rubbish or litter.
- xxii. Interior upholstery shall be secure, and in a good and clean condition. In particular, the upholstery shall not be dirty, missing, insecure or torn or in such a condition as to soil clothing or adversely affect passenger comfort.
- xxiii. Ramps and steps for disabled access shall be in good condition, shall be stable, secure, and correctly and safely stowed.
- xxiv. Roof mounted taxi sign shall be present, secure and in good working order. In particular, said sign shall illuminate.
- xxv. The front and rear taxi plates shall be displayed, matching and secured with the appropriate fixing kit.
- xxvi. Door opening mechanisms shall be in good condition, and in particular, the door seals shall not be damaged or missing.
- xxvii. Door hinges are in good condition and are not worn or insecure.
- xxviii. Taximeter (where fitted), lights, seal and calibration shall all be in good working order. In particular, they shall all be of the correct specification, shall illuminate, shall not be defective in any way and shall not fail the relevant road test. The seal shall not be missing or broken.
- xxix. Modern, legally valid and fully working fire extinguishers shall be present, easily accessible, and properly secured. Fire extinguishers shall be of the correct type, conform to the relevant British standard and shall be at all times in good working order, and where applicable within its expiry date. Alternatively, and where appropriate, fire extinguishers shall be maintenance

Appendix 6 Vehicle and Driver Fitness

checked every 12 months. Fire extinguishers in Vehicles shall not be damaged, have been discharged or have a lack of pressure charge.

xxx. Tow bars may be fitted to the Vehicle, but shall not be used for towing while the vehicle is in use as a taxi.

xxxi. All exterior lights fitted to the Vehicle shall be clean and in good working order.

xxxii. All wiper blades fitted to the Vehicle shall be in good condition and any washer fluid system shall be fully operational with sufficient fluid present in the reservoir.

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Appendix 2

Conditions of fitness of private hire car vehicle

- i. The battery shall be in good condition and free from leaking.
- ii. Terminals shall be in good condition and free from corrosion.
- iii. Engine compartment components shall be in good condition, secure and with no signs of chafing. In particular, the wiring shall be secure and insulated.
- iv. The driver compartment shall be clean and in good condition. In particular, it shall not be dirty or dusty and it shall be free from any rubbish.
- v. The speedometer shall be in full working order and shall be registering correctly.
- vi. All ventilation equipment and heaters shall be in full working order. In particular, the heater shall emit heat, the ventilation shall supply adequate airflow to windscreen and car interior, the vents shall be secure and the control mechanism shall be fully operational.
- vii. Vehicle suspension shall be of the correct geometry and not excessively worn.
- viii. Wheel alignment shall not display any visible signs of incorrect geometry e.g. feathering of tyres.
- ix. Clutch shall be in good working order and the pedal rubbers shall not be excessively worn or missing.
- x. Tread depth of tyres shall not be less than 2.0mm across the width of the tyre.
- xi. Wheels shall be of the type specified by the manufacturer.
- xii. All wheels and wheel trims shall be matching.
- xiii. Brake pads friction material shall not be less than 3.00mm.
- xiv. The jack and wheel key shall be securely stored in the Vehicle.
- xv. The fuel tanks shall be the manufacturer's original equipment.
- xvi. All visible fuel components shall be in good condition and there shall not be any fuel accumulating in/on any fitting or receptacle.
- xvii. The exhaust system shall be in good working order and shall be of a standard specification.

- xviii. Bodywork shall be in good condition and shall not be damaged or extensively corroded.
- xix. The paint finish shall be of a good standard, and in particular shall be of a uniform finish, shall not be of any different colours or shades, and shall not contain any surface deficiencies i.e. paint runs, peeling, scratches or broken paint surface, beyond that attributable to normal use.
- xx. The engine compartment shall be in good condition and shall not be dirty, greasy or oily.
- xxi. The passenger compartment shall be in a good and clean condition. It shall not be dirty or dusty and shall be free from any rubbish or litter.
- xxii. Interior upholstery shall be secure, and in a good and clean condition. In particular, the upholstery shall not be dirty, missing, insecure or torn or in such a condition as to soil clothing or adversely affect passenger comfort.
- xxiii. Ramps and steps for disabled access shall be in good condition, shall be stable, secure, and correctly and safely stowed.
- xxiv. The front and rear private hire car plates shall be displayed, matching and secured with the appropriate fixing kit.
- xxv. Door opening mechanisms shall be in good condition, and in particular, the door seals shall not be damaged or missing.
- xxvi. Door hinges are in good condition and are not worn or insecure.
- xxvii. Taximeter (where fitted), lights, seal and calibration shall all be in good working order. In particular, they shall all be of the correct specification, shall illuminate, shall not be defective in any way and shall not fail the relevant road test. The seal shall not be missing or broken.
- xxviii. Modern, legally valid and fully working fire extinguishers shall be present, easily accessible, and properly secured. Fire extinguishers shall be of the correct type, conform to the relevant British standard and shall be at all times in good working order, and where applicable within its expiry date. Alternatively, and where appropriate, fire extinguishers shall be maintenance checked every 12 months. Fire extinguishers in Vehicles shall not be damaged, have been discharged or have a lack of pressure charge.

Appendix 6 Vehicle and Driver Fitness

xxix. In respect of estate type Vehicles, no dog guard type device shall be fitted.

xxx. Tow bars may be fitted to the Vehicle, but shall not be used for towing while the vehicle is in use as a private hire vehicle.

xxxi. All exterior lights fitted to the Vehicle shall be clean and in good working order.

xxxii. All wiper blades fitted to the Vehicle shall be in good condition and any washer fluid system shall be fully operational with sufficient fluid present in the reservoir.

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Appendix 3



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Guidance

Taxi and Private Hire Car Vehicle Inspections

Contents

Introduction.....	3
Vehicle Inspection	3
Lights and Electrical system.....	4
Drivers Compartment and Controls.....	4
Steering, Drive and Suspension.....	5
Wheels, Tyres and Brakes	6
Fuel and Exhaust system.....	6
Vehicle Cleanliness/ Appearance/ Structure	7
Meter Testing.....	8

TAXI AND PRIVATE HIRE VEHICLE INSPECTION

Introduction

East Dunbartonshire Council (“the Council”), as licensing authority in terms of the Civic Government (Scotland) Act 1982, is responsible for the licensing of drivers of taxis and private hire car vehicles. To comply with licensing conditions, drivers are required to present their vehicles to the Council, or a testing station authorised by the Council, for inspection on an annual or six monthly basis.

The purpose of this document is to provide taxi and private hire car vehicle operators within East Dunbartonshire an indication of the requirements of the vehicle inspection. This document should be used as guidance for ensuring that vehicles are suitably presented for testing.

Vehicle Inspection

Vehicle inspections for taxis and private hire car vehicles are required to pass the certificate of compliance examination according to the Council’s standards. This examination must take place annually for taxis and private hire vehicles less than five years old. In respect of taxis and private hire vehicles that are older than five years, vehicle inspections must be conducted every six months.

The condition that a vehicle must be in to pass the taxi and private hire car vehicle inspection is higher than that which is required for a M.O.T test and is to the standard contained in Schedule A to the licence conditions and Appendices 1 or 2 to the East Dunbartonshire Council Policy in Respect of Taxi and Private Hire Vehicles and Driver Fitness. A list of the standard that is required is outlined at pages 3 – 8 of this document. Generally speaking, any area where a “pass with advisory” is awarded for a M.O.T inspection will result in a failure for a taxi or private hire vehicle inspection.

In addition to assessing the mechanical condition of the vehicles, the taxi and private hire car vehicle inspection will also cover areas such as bodywork condition and cleanliness.

Testers responsible for inspecting vehicles are experienced professionals and are either officers of the Council or are acting on behalf of a testing centre authorised by the Council where a valid, up-to-date Motor Vehicle Testing Authorisation of Examiner certificate is in place. No testing centre shall be authorised by the Council to test a vehicle where any person who owns, has an interest in or exerts any control over the centre, or is involved directly in the testing, also holds or has an interest in a taxi or private hire operator’s, driver’s or booking office licence granted by the Council under the Civic Government (Scotland) Act 1982 for that vehicle..

Should the vehicle inspection result in a failure, it is the responsibility of the licence holder to carry out any remedial work prior to presenting the vehicle for a re-test.

Appendix 6 Vehicle and Driver Fitness
Lights and Electrical system

Inspection	Reason for Failure
Check operation of all lights and indicators	Lights not working Insecure Not fitted Flickers Cracked lens Insufficient illumination Out of alignment Bulb/lens discolouration Indicator rate of flash too fast (60-120per minute)
Check battery and terminals	Insecure, leaking Corroded terminals
Check engine compartment components	Wiring not secure or insulated Signs of chafing Components insecure

Drivers Compartment and Controls

Inspection	Reason for Failure
Check driver compartment is clean and in good condition	Dirty/Dusty Contains any rubbish Contains any items likely to interfere with the proper control of the vehicle
Check condition and security of driver's seat & passenger seats	Seat insecure or structurally weakened Padding or covering is seriously deteriorated Seat belts must be operational and in good condition(not structurally weakened)
Check seat adjustment mechanism	Insecure, ineffective
Check steering wheel and drivers controls	Controls inoperative, ineffective, insecure Damage to steering wheel Movement between shaft and steering wheel Excessive radial movement at top of steering wheel Excessive steering shaft end float
Check Horn	Horn control or horn faulty Sound emitted not loud enough to be heard by another road user or pedestrian
Check Speedometer operation	Not working Clearly registering incorrectly
Check the operation of all ventilation equipment and heaters	Heater doesn't emit heat Ventilation not supplying adequate airflow to windscreen or car interior Insecure vents Control mechanism is inoperative

Appendix 6 Vehicle and Driver Fitness
Steering, Drive and Suspension

The steering wheel must be set on the offside of the vehicle.

Inspection	Reason for Failure
Check steering mechanism	Any part of mechanism that is not working correctly, excessively worn, fouling or obstructing movement at wheel rims/brake pipes
Check Power steering operation and inspect for leaks	Power steering inoperative Leak in system Pipe damaged/ fouling Pump insecure/ drive system defective
Check transmission shafts	Any obvious damage Excessive wear in a shaft bearing Loose or missing flange bolts, flange cracked or loose on the transmission shaft Bearing housing cracked/ insecure Excessive wear in universal joint Deterioration of flexible coupling Damaged, cracked or bent shaft Fouling Dust covers/ gators damaged/ not intact
Check wheel bearings	Excessive free play or "roughness in wheel" that could result in failure
Check suspension (front/ rear)	Incorrect geometry Fracture, displacement or distortion that could affect steering operation or excessive wear.
Check shock absorbers (front/rear)	Missing, leaking, potential to detach Condition likely to adversely affect control of vehicle
Wheel alignment	Visible incorrect steering geometry e.g. feathering of tyres
Check clutch operation	Pedal not secure, pedal rubbers worn excessively or pedal rubbers missing. Excessive wear and/or defective clutch operation

Wheels, Tyres and Brakes

Inspection	Reason for Failure
Check circumference of all wheels/tyres	Different to that specified by taximeter
Check tyre type/size	Incorrect type of tyre (as per manufacturers standard specification) Incorrect tyre size
Check tyre condition	Any obvious damage/faults: Worn Bulge Incorrectly seated Cut(s) Tread depth is less than 2.0mm across the width of the tyre
Check wheels	Incorrect size Wheels different from manufacturers specification Any obvious damage to wheel or rim Spare wheel is not full size, or a is not a manufacturers recommended space saver wheel Non-matching wheels or wheel trims
Check wheel security	Insecure, loose nuts
Check foot pedal/ hand brake	Operation/condition/ fitment and performance Any side play Excessive wear/travel Pedal rubbers worn excessively or missing. Brake pads friction material - less than 3.0mm Handbrake pawl insecure/ineffective
Check service brake operation	General condition, fitment & performance Failure on brake tester, vacuum not building.
Check brake pipes	Leaks rust, insecure, fouling.
Check jack and wheel key	There is no appropriate wheel key or jack securely stored

Fuel and Exhaust system

Inspection	Reason for Failure
Check fuel tanks	Not original manufacturers equipment Leaking or insecure Tank condition, free of corrosion
Check (all visible) fuel system components	Unshielded, Overflowing, Leaking Fuel accumulating in/on any fitting or receptacle
Check exhaust system	Insecure, leaking / "blowing", corroded Not standard specification
Smoke emission	Failure to meet specified standards per vehicle type

Vehicle Cleanliness/ Appearance/ Structure

Inspection	Reason for Failure
Check bodywork security/condition	Bodywork damage Bodywork extensively corroded
Check paint finish	Different colours/shades Not to a uniform finish Surface deficiencies i.e. paint runs, peeling, scratched, beyond that attributable to normal use. Broken paint surface
Check external cleanliness	Dirty/ Dusty exterior
Check vehicle underside	Not free from road dirt Excess grease Excess oil
Check engine compartment	Dirty, Greasy, Oily Insecure components Defective engine mounting Any leaks
Check passenger compartment is clean and in good condition	Dirty/Dusty Contains any rubbish
Check interior upholstery for security, cleanliness and condition	Upholstery, trim or headlining is dirty, missing, insecure, torn or in such a condition as to soil clothing or adversely affect passenger comfort
Ramps and steps for disabled access	Incorrectly/unsafely stowed, insecure, not in good condition, unstable
Check front and rear licence plate	Not displayed Delaminated Illegible Different
Check roof mounted "Taxi" sign (doesn't apply to P-H vehicles)	Absent Insecure Fails to illuminate Taxi P.H. stickers correctly positioned
Check front and rear "Taxi" or PHV plates.	Not displayed Different Not secured with fixing kit Taxi P.H. stickers correctly positioned
Online check of road tax or equivalent. to be undertaken by testing centre on day of test.	Out of date

Doors, windows and visibility

Inspection	Reason for Failure
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Appendix 6 Vehicle and Driver Fitness

Check operation of door opening mechanisms	Inoperative, defective Door seals damaged/ missing
Check door hinges	Worn, insecure
Check door pillars	Insecure, weakened by damage, corroded
Check windows (including view to front and rear)	Any obstruction that limits the view out of front or rear windows Insecure Not made of safety glass Crack, scratch or surface damage, which impairs the drivers vision to the front and rear Tinted out with legal limits Obscured by signs/stickers

Meter Testing

Inspection	Reason for Failure
Check Taxi meter (where fitted), lights, seal and calibration	Incorrect specification Missing or broken seal Failure to illuminate Fails road test Defective

Approved and Non-Approved additional extras

Inspection	Reason for Failure
Check fire extinguishers	Absent Not easily accessible Not properly secured Discharged or lack of pressure charge Damaged Last maintenance check in excess of 12 months Not conforming to relevant British standard
Estate type vehicles only	Dog guard type device not fitted

East Dunbartonshire Council**Guidance Note****Section 21 of the Civic Government (Scotland) 1982****What Is Permissible?**

Section 21 of the Civic Government (Scotland) Act 1982 (the “**Act**”) makes it an offence for taxi and private hire drivers and operators to work in areas that they are not licensed in. The same section of the Act also provides exceptions to this basic rule. The purpose of this guidance note is to set out clearly what the Council, as the licensing authority, considers section 21 allows you to do.

It is important to note that this is not intended to be a definitive statement of the law and that it will have no binding effect upon the Police, the Procurator Fiscal or other local authorities. In following this guidance note however, you will be meeting the expectations of the Council while you are driving or operating your vehicle.

1. What Can You Do?

- It is **always** OK to commence a hire and drop off within the area where you are licensed.
- You can commence a hire which drops off outwith the area you are licensed for if you are in your licensed area when
 - you receive the request from your booking office, or
 - you receive the request for hire from a passenger.
- You can commence a hire outwith your licensed area when that hire drops off in the area you are licensed for.
- You can commence a hire when outwith your licensed area
 - **if** you were engaged in a hire at the time the request for hire was received
 - **and** the hire you are engaged in when the request was made began or ends within your licensed area.
- You can commence a hire and drop off outwith your area **if** you were on your way back to your licensed area **immediately** after a drop off outwith your licensed area. “**Immediately**” means you must be returning by the quickest, most direct or most expedient route.

2. What You Cannot Do

- Taxis must only pick up hails in public when operating within their licensed area.
- You must never commence a hire and drop off outwith your area if you completed a drop off then waited for any period of time outside your area. You must return immediately to your licensed area.

- You cannot operate outwith your licensed area unless the situations outlined above apply.

Important Point to note:-

- Section 21 does not just apply to drivers. It also applies to operators and to booking offices who permit drivers or operators to work outside their licensed areas.

East Dunbartonshire Council

**Taxi Unmet Demand Survey,
East Dunbartonshire**

March 2019

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East Dunbartonshire Council

Taxi Unmet Demand Survey

East Dunbartonshire

March 2019

Client Commission

Client:	East Dunbartonshire Council	Date Commissioned:	July 2017
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LTP Quality Control

Job No:	LTP/17/2893	File Ref:	East Dunbartonshire Council Unmet Taxi Demand Study FINAL 03.04.19
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Issue	Revision	Description	Originated	Checked	Date
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FINAL	-	Final Issue	ET/AD	NW	25/10/2017
DRAFT	A	Draft update for client comment	ET/EW	NW	15/03/2019
DRAFT	B	Draft incorporating client comments	ET	NW	20/03/2019
FINAL	A	Final Issue with updates	ET/NW	NW	03/04/2019
Authorised for Issue:				AM	

LTP PROJECT TEAM

As part of our commitment to quality the following team of transport professionals was assembled specifically for the delivery of this project. Relevant qualifications are shown and CVs are available upon request to demonstrate our experience and credentials.

Team Member	LTP Designation	Qualifications
Andy Mayo	Director	BA(Hons) MSc MCIHT FIHE CMILT
Nigel Wilson	Technical Director	CEng FICE FIHE CMIHT
Aimee Dunne	Senior Traffic & Highway Engineer	MEng BEngTech MIHE
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TAXI UNMET DEMAND SURVEY

EAST DUNBARTONSHIRE

CONTENTS

EXECUTIVE SUMMARY	3
1. INTRODUCTION	7
1.1 General	7
1.2 Taxi Market in East Dunbartonshire	8
1.3 Wheelchair Accessible Vehicles	10
1.4 Taxi Fares	10
1.5 Public Transport Services in East Dunbartonshire	12
1.6 Previous Studies/Reports.....	13
2. TAXI RANK SURVEYS	14
2.1 Rank Survey Locations	14
2.2 Rank Survey Results	14
2.3 Commentary on Results.....	19
3. PUBLIC ATTITUDE SURVEY RESULTS.....	21
3.1 Introduction	21
3.2 2017 Survey Results.....	21
3.3 Commentary on 2017 Results.....	26
3.4 2019 Survey Results.....	27
4. STAKEHOLDER CONSULTATION.....	29
4.1 Introduction	29
4.2 Taxi Trade Consultation	29
4.3 Non-Trade Consultation	30
4.4 2019 Consultation: Community Councils and Disabled Advocacy Groups	30
5. EVALUATION OF UNMET DEMAND.....	34
5.1 Calculation of ISUD Variables.....	34
6. TAXI LICENSING ZONES.....	37
6.1 Background	37
6.2 Effects of taxi licence zone changes.....	37
6.3 Effects of taxi licence limit changes	39
6.4 Potential transitional period	42
7. TAXI RANKS.....	44
7.1 Benefits of formal taxi ranks	44
7.2 Implementation of formal taxi ranks	44
8. STUDY SUMMARY AND CONCLUSIONS.....	47
8.1 Introduction	47
8.2 Recommendations	52
9. REFERENCES	54

FIGURES

Figure 1: EDC Taxi Fare Card	12
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TABLES

Table 1: Number of Licensed Drivers & Vehicles in East Dunbartonshire	8
Table 2: Comparison with Local Authorities in Scotland.....	9
Table 3: Number of Wheelchair Accessible Vehicles in East Dunbartonshire	10
Table 4: Average Delays and Departures	19
Table 5: The Balance of Supply & Demand in East Dunbartonshire	20
Table 6: Standard of Taxis and PHVs in East Dunbartonshire	28
Table 7 – Impact of zoning on taxi availability	38

APPENDICES

Appendix 1– Public Transport Services

Appendix 2 - Railway Station Accessibility Services

EXECUTIVE SUMMARY

Background

Local Transport Projects Ltd has undertaken this Taxi Unmet Demand study on behalf of East Dunbartonshire Council (EDC), who are the Licensing Authority under the Civic Government (Scotland) Act 1982. This study provides an evidence base for the Council to make an informed decision about the existing EDC zoning policy. Currently, taxi operations are split into two separate zones. Zone 1 includes the main urban centres of Kirkintilloch and Bishopbriggs and Zone 2 includes Bearsden and Milngavie. The number of taxis which the Council licenses to operate in Zone 1 is limited to 71 while no limit is applied to Zone 2.

The study was undertaken during September 2017 and included the identification of both patent and latent demand through taxi rank observational surveys, public perception surveys, consultation with key stakeholders including those involved in the trade. Using an industry recognised approach, the unmet demand was evaluated and a determination made as to whether this was significant.

The study was updated in March 2019 to reflect additional consultation with community councils and disability advocacy groups to obtain views and opinions in relation to the adequacy of provision for disabled and mobility impaired people in East Dunbartonshire with particular reference to wheelchair accessible and accessible vehicles.

Public Consultation

Public consultation was undertaken through on-street perception surveys within Bishopbriggs, Kirkintilloch, Lenzie, Milngavie and Bearsden. Public feedback indicated:

- Low levels of delay are experienced by passengers using both taxis and PHVs across both zones;
- Only a very small proportion stated that they had issues obtaining a taxi, however there were no instances where prospective passengers did not make their trip or made it by a different mode as a result of taxi services being unavailable;
- Generally high approval ratings for taxi and PHV services across both zones with no reported issues in being physically able to use taxis/PHVs within both zones; and
- Additional public consultation focused on disabled and mobility impaired users within East Dunbartonshire identified some dissatisfaction with the quality and availability of wheelchair accessible and accessible vehicles in East Dunbartonshire.

Stakeholder Consultation

A range of non-trade stakeholders were consulted on their views and experiences of current taxi operations within East Dunbartonshire. Five responses were received and the main points are summarised as follows:

- Opinions were fairly evenly split regarding whether or not there are suitable taxi services and accessible taxis in the district with it being noted that more information could be provided regarding what accessible taxis are available in the different areas;

- Existing taxi/PHV services were generally considered to integrate well with existing public transport services; and
- It was noted that the current arrangement of two zones is unnecessary and suggests a divide in the area rather than the communities being linked.

Trade Consultation

Both taxi operators and drivers were consulted on their views of current taxi operations, particularly existing licensing arrangements within East Dunbartonshire. One response was received, in which the respondent considered the current operation of two zones to be beneficial for customers. The respondent also considered the issue of illegal pick-ups by PHVs from the other zone, who also did not have local knowledge of the area.

Unmet Demand Assessment

Observation surveys of the 'informal' taxi ranks were undertaken for a continuous period of 168 hours from midnight on Monday 11 September to midnight on Monday 18 September 2017. A total of seven locations were surveyed, including the following:

Zone 1:

- Kirkintilloch – Regent Centre (pick up area at the rear of Tesco Supermarket)
- Kirkintilloch – Cowgate/West High Street (Outside Bar Bliss and Club Bliss)
- Bishopbriggs – Triangle Centre taxi rank
- Lenzie Railway Station

Zone 2:

- Bearsden Cross parade of shops between Kirk Street and Roman Road
- Bearsden Railway Station
- Milngavie Railway Station

The Index of Significant Unmet Demand (ISUD) is an indicator of the level of unmet taxi demand, where values below 80 are generally considered to indicate that there is no significant unmet demand for Taxis. The ISUD value calculated for Zone 1 was 7.64 and for Zone 2 was 0.0. Therefore, this indicates that there is no significant unmet demand for Taxis in East Dunbartonshire.

Wheelchair Users Assessment

There are 28 wheelchair accessible vehicles currently in use in East Dunbartonshire of which 25 are taxis operating in Zone 1, two are taxis operating in Zone 2 and one is a PHV operating in Zone 2. This represents some 9% of the overall fleet of licensed vehicles (taxis and PHVs) operating in East Dunbartonshire and is significantly less than the 17.3% of the East Dunbartonshire population who are limited in their activity through either long-term health problems or disability. This is reflected in a number of stakeholder responses that considered there was a need for additional wheelchair accessible vehicles in East Dunbartonshire.

There were no observed instances of wheelchair users hiring taxis/PHVs at any of the survey sites and the interview surveys identified only one wheelchair user wishing to use taxis. This may reflect a latent demand by wheelchair users who, whilst small in number, are selecting not to use taxi services due to the limitations in available services.

Conclusions

The observation results from the survey locations, together with the results from the public interview surveys indicates that there is no unmet demand, including Latent Demand, for taxis from the travelling public in East Dunbartonshire. Consequently, it is considered that the current maximum limit on taxi licences applied is sufficient and the assessment of unmet demand provides no indication that this should be increased. The existence of the two zones is a result of a historical legacy from previous jurisdictional boundaries. The merging of the zones and removal of taxi licence limits is likely to provide greater benefits than might be available from the continuation of the existing two zone regime. This is because the number of licensed taxis available for hire would be able to increase flexibly with changes to the population and travel needs within East Dunbartonshire. The merged operation would also support the introduction of consistent quality standards across the authority including the potential to improve the attractiveness and use of accessible taxis. The improved efficiency of operating a single zone is likely to result in reduced administration costs for the authority and clarify/simplify the position on hiring taxis/PHVs within the district for passengers.

Recommendations

The key recommendations of the study are:

Single Zone Strategy - EDC should develop a strategy for the merging of the two taxi zones within the authority. The strategy should be introduced as a phased programme over a 24-month period during which time the zones should be combined and a cap on taxi licences of 309 vehicles applied across East Dunbartonshire. Following this 24-month period and pending the results of a review of taxi and PHV service quality, supply and demand, the taxi licence cap should be removed across the authority. The development and implementation of the strategy should be undertaken in consultation with, and full participation of, both taxi and PHV operators and drivers licensed by the authority.

Quality Standards - quality standards and requirements for taxi operators and drivers should continue to be monitored and revised in order to maintain and improve the high levels of customer satisfaction and approval with taxi services in East Dunbartonshire. Special focus should be made with respect to supporting the attractiveness and use of taxi services by wheelchair users and other disabled/mobility impaired groups.

Accessible Taxis – EDC should seek to improve both the quantity of wheelchair accessible/accessible vehicles (both taxi and PHV) and the quality of services provided to disabled and mobility impaired users in the authority area. Short term improvements can be achieved through the adoption of the proposed single zone strategy with longer-term quantity improved by ensuring new entrants to the market utilise wheelchair accessible/accessible vehicles with similar standards being adopted for replacement vehicles. In terms of quality, EDC should consider introducing a wider programme of activity to inform disabled and mobility impaired users of the taxi and PHV services available within the authority and providing training and advice to operators and drivers in relation to disability awareness and assisting disabled users. This should be supported through continued engagement with operators and disability action groups in the district to help identify specific accessibility issues or gaps in the market relating to accessible taxis/PHVs and measures to address and monitor these.

Taxi Ranks – EDC should look to formalise taxi ranks in the district. Locations surveyed as part of this study, such as the Triangle Centre and Bearsden railway station, are already well established ‘informal’ ranks. The formalisation of these ranks, through the introduction of Traffic Regulation Orders, would provide EDC with the power to enforce and deter mis-use or illegal parking. In addition to some or all of the sites included in this study, EDC could also look towards introducing additional formal taxi ranks at Bishopbriggs railway station and within key shopping/retail areas within the authority.

Taxi Driver Forum - It is considered that the proposed Taxi Driver Forum would provide a good focal point for collaboration between EDC and the taxi trade in this respect. A key focus of the strategy should be the development and implementation of systems and procedures to support the application of consistent quality standards across the authority and the continual improvement in services provided by the operators and drivers. Specific emphasis would be placed on the continued monitoring, review and improvement of taxi services with respect to providing for disabled and mobility impaired groups.

I. INTRODUCTION

I.1 General

- 1.1.1 This study has been undertaken by Local Transport Projects Ltd (LTP) on behalf of East Dunbartonshire Council (EDC). The overall objective is to provide a full survey of unmet demand for taxi services by the travelling public in East Dunbartonshire and to identify any unmet demand for wheelchair accessible taxis.
- 1.1.2 The Final Report for the study was issued in October 2017 and this update has been provided following a request from EDC of 18th January 2019 to undertake further consultation and reporting work to refresh the 2017 report with respect to:
- **Wheelchair Accessible Vehicles/Accessible Vehicles** - additional consultation work has been undertaken with community councils and disability advocacy groups to obtain views and opinions in relation to the adequacy of provision for disabled and mobility impaired people in East Dunbartonshire with particular reference to Wheelchair Accessible Vehicles and Accessible Vehicles;
 - **Taxi Licensing Zones** – further assessment and reporting on the impacts of merging the two taxi zones in East Dunbartonshire with reference to national guidance on zoning together with additional recommendations on how this change may be implemented; and,
 - **Taxi Ranks** – further information on the potential formalisation of taxi ranks within East Dunbartonshire and the activities and processes that need to be undertaken achieve this.
- 1.1.3 Within this report, unless otherwise stated, all data and information is considered current as of March 2019.
- 1.1.4 EDC as the Licensing Authority under the Civic Government (Scotland) Act 1982, currently licenses taxi operations in two separate zones within the Council area;
- Zone 1: Kirkintilloch and Bishopbriggs
 - Zone 2: Bearsden and Milngavie
- 1.1.5 The number of taxis which the Council licenses to operate in Zone 1 is limited to 71. No limit is applied in Zone 2. As part of this study the implications of ending the sub-division of the area by combining the two zones into one Council-wide licensing area is also considered. Regardless of whether the zoning is to be changed, the Council is required to assess demand for taxis throughout its area, to determine whether to disapply, alter or extend the existing limit.
- 1.1.6 The Council, under Section 10(3) of the Civic Government (Scotland) Act 1982, only has the power to refuse the granting of licences in order to limit the number of taxis when it is clear that there is no significant unmet demand for taxi services in its area.
- 1.1.7 The key outputs of this study include the investigation of and recommendations on the following:

- Whether or not a limit of taxi numbers can be applied and if so, the level that could be set without exceeding the demand of the travelling public (i.e. unmet demand),
- Any unmet demand in relation to the availability of accessible taxis and the quality of taxi provision for wheelchair users;
- Public perception of taxis services and operations in East Dunbartonshire; and
- Provision of taxi ranks within East Dunbartonshire, recommendations on how the Council may address this.

1.1.8 The study is intended to fulfil the requirements set out in the Civic Government (Scotland) Act 1982 (CGSA) and Taxi and Private Hire Car Licensing: Best Practice Guidance (BPG) issued by the Scottish Government.

1.2 Taxi Market in East Dunbartonshire

1.2.1 East Dunbartonshire is located to the north of the city of Glasgow and comprises a number of commuter towns and villages. Data obtained from the Office for National Statistics (ONS) indicates that the 2016 mid-year population estimate for the overall resident population of East Dunbartonshire is 109,030. Zone 1 represents approximately 62% (67,590) and Zone 2 represents approximately 38% (41,440).

1.2.2 Table 1 provides details of the licensed taxi and PHV drivers and vehicles in East Dunbartonshire.

Table 1: Number of Licensed Drivers & Vehicles in East Dunbartonshire

	Zone 1	Zone 2	Total (EDC)
Taxi Drivers	374	271	645
PHV Drivers	98	0	98
Total Drivers	472	271	743
Taxis	70	239	309
PHVs	348	0	348
Total Vehicles	418	239	657

Source: EDC 2019

1.2.3 From this information, although there is a clear disparity between the number of taxis and PHVs in each zone this is considered to be largely attributable to the different licensing arrangements across the two zones that are a legacy of previous Local Government (and licensing authority) boundaries. Considering the overall availability of licensed vehicles across East Dunbartonshire this works out to be broadly the same for both zones as follows:

- Zone 1: 1 taxi/PHV per 162 resident population;
- Zone 2: 1 taxi/PHV per 173 resident population; and,
- East Dunbartonshire Total: 1 taxi/PHV per 166 resident population.

1.2.4 In terms of the availability of taxis only across East Dunbartonshire (both zones) this works out as 1 in 353 resident population or 2.8 taxis per 1,000 people and relation to the proportion of licensed vehicles per head of population.

1.2.5 Table 2 provides a further comparison with other Local Authorities in relation to the proportion of licensed vehicles per head of population.

Table 2: Comparison with Local Authorities in Scotland

District	Population	Taxi Vehicles	Private Hire Cars	Total Licensed Vehicles	Taxis per 1,000 population	PHCs per 1,000 population	Total Licensed Veh. per 1,000 people
Glasgow	623,366	1,420	3,759	5,179	2.3	6.0	8.3
Edinburgh	513,210	1,316	1,800	3116	2.6	3.5	6.1
Shetland	23,080	87	54	141	3.8	2.3	6.1
East Dunbartonshire	109,030	309	348	657	2.8	3.2	6.0
Renfrewshire	176,830	235	817	1052	1.3	4.6	5.9
East Renfrewshire	94,760	65	487	552	0.7	5.1	5.8
Dundee	148,710	586	196	782	3.9	1.3	5.3
Western Isles	26,950	86	16	102	3.2	0.6	3.8
Falkirk	160,130	427	142	569	2.7	0.9	3.6
Highlands	235,180	583	187	770	2.5	0.8	3.3
Aberdeenshire	261,800	483	309	792	1.8	1.2	3
Argyll & Bute	86,810	191	63	254	2.2	0.7	2.9
West Lothian	181,310	121	402	523	0.7	2.2	2.9
Scottish Borders	115,020	226	74	300	2	0.6	2.6
East Lothian	104,840	130	128	258	1.2	1.2	2.5
Dumfries & Galloway	149,200	210	117	327	1.4	0.8	2.2
Fife	371,410	481	343	824	1.3	0.9	2.2
Orkney	22,000	31	18	49	1.4	0.8	2.2
Stirling	94,000	75	128	203	0.8	1.4	2.2
Clackmannan	51,450	57	51	108	1.1	1	2.1
North Ayrshire	135,790	217	64	281	1.6	0.5	2.1
Mid Lothian	90,090	50	128	178	0.6	1.4	2
Perth & Kinross	151,100	109	177	286	0.7	1.2	1.9
East Ayrshire	121,940	125	87	212	1	0.7	1.7
Angus	116,280	119	61	180	1	0.5	1.5

1.2.6 The results indicate that when compared with other taxi and PHC licensing authorities in Scotland East Dunbartonshire has a comparable higher number of licensed taxis per 1,000 population (2.8) to other authorities that average some 1.8 taxis per 1,000 population. For both PHCs and total vehicles the figures are also among the highest in Scotland at 3.2 per 1,000 and 6.0 per 1,000 population respectively.

- 1.2.7 It is difficult to draw direct conclusions regarding licensed vehicle numbers from these types of comparisons due to the different markets, local policies and operational regimes in which the taxi and PHC organisations operate. Notwithstanding the comparison does indicate that when aggregated across the whole authority access to both taxis and PHCs in East Dunbartonshire for the local population is potentially one of the best in Scotland.

1.3 Wheelchair Accessible Vehicles

- 1.3.1 Table 3 provides details of the number of licensed wheelchair accessible vehicles available for hire in East Dunbartonshire.

Table 3: Number of Wheelchair Accessible Vehicles in East Dunbartonshire

	Zone 1	Zone 2	Total (EDC)
Taxis	25	2	27
PHVs	1	-	1
Total	26	2	28

Source: EDC 2019

- 1.3.2 From this information there is clearly an imbalance in the availability of wheelchair accessible vehicles (WAVs) across the two zones with the number of vehicles available per head of population being:
- Zone 1: 1 WAV per 2,600 resident population;
 - Zone 2: 1 WAV per 20,720 resident population; and,
 - East Dunbartonshire Total: 1 WAV per 3,894 resident population.
- 1.3.3 National Records of Scotland 2011 Census statistics identify the proportion of residents of East Dunbartonshire who have a limiting health problem or disability as 17.3% of the population. By comparison the proportion of wheelchair accessible vehicles available in the East Dunbartonshire fleets are 6.6% for Zone 1 and 0.8% for Zone 2. This comparison provides a further indication that disabled and mobility impaired users are significantly under provided for within East Dunbartonshire and that in Zone 2 the availability of services is negligible.
- 1.3.4 It should be also noted that East Dunbartonshire has a higher proportion of residents aged 65 or over (19.5%) than Scotland as a whole (16.8%) and that forecasts for population growth over the next 10 years indicate that this cohort of the population is likely to increase by 21.6% against an overall population increase for East Dunbartonshire of 4.7% over the same period. This suggests that there is likely to be an increase in the number of people within East Dunbartonshire with limiting health problems or disabilities resulting from older age who may have a need and/or place a reliance on accessible taxi and PHV services.


1.4 Taxi Fares

- 1.4.1 The Local Authority regulates taxi fares in the district. There are four tariffs across the following periods:
- Tariff 1: Between 6.00am and midnight

- Tariff 2: Between midnight and 6.00am
- Tariff 3: Between 6.00pm and midnight on 24 December and 31 December
Between 6.00am and midnight on 25 and 26 and 1 and 2 January
- Tariff 4: Between midnight and 6.00am on 25/26 December and 1/2 January

1.4.2 Each of the tariffs comprise an initial charge or minimum fare based on a distance not exceeding 880 yards or for a time not exceeding 3 minutes and 3 seconds. A fixed charge of 20p is added for each additional distance of 186 yards. Additional charges are also applied for each completed waiting period of 44 seconds, taxis called by telephone but not used, luggage exceeding 56lbs in weight and soiling.

Figure 1: EDC Taxi Fare Card



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TAXI FARE CARD – ZONES 1 & 2

TAXI

LICENCE NO

LICENSEE NAME

TARIFF (1) Applicable between the hours of 6.00 am and midnight

MINIMUM FARE for a distance not exceeding 880 yards or for time not exceeding 3 minutes 3 seconds (or a combination of parts of such distance and such time) £2.50

For each additional distance of 186 yards £0.20

Fares for waiting:-

For each completed period of 44 seconds £0.20

Note: The above rates include for engagement of the taxi at any point within Zone 1 of East Dunbartonshire. Waiting begins from the time of arrival of the taxi at the place of engagement. Engagement of the taxi at a point outwith Zone 1 of East Dunbartonshire shall be the subject of special agreement.

Fares by time:-

Fares by time must be the subject of special agreement with the hirer.

TARIFF (2) Applicable between the hours of midnight and 6.00am

MINIMUM FARE for a distance not exceeding 880 yards or for time not exceeding 3 minutes 3 seconds (or a combination of parts of such distance and such time) £4.30

For each additional distance of 186 yards £0.20

Fares for waiting:- For each completed period of 44 seconds £0.20

TARIFF (3) Applicable between the hours of 6.00pm and midnight on 24 December and 31 December and the hours of 6.00am and midnight on 25 and 26 December and 1 and 2 January.

MINIMUM FARE for a distance not exceeding 880 yards or for time not exceeding 3 minutes 3 seconds (or a combination of parts of such distance and such time) £4.50

For each additional distance of 186 yards £0.20

Fares for waiting:-

For each completed period of 44 seconds £0.20

TARIFF (4) Applicable between the hours of midnight and 6.00am on 25 and 26 December and 1 and 2 January

MINIMUM FARE for a distance not exceeding 880 yards or for time not exceeding 3 minutes 3 seconds (or a combination of parts of such distance and such time) £6.30

For each additional distance of 186 yards £0.20

Fares for waiting:- For each completed period of 44 seconds £0.20

EXTRA CHARGES:-

A charge of £1.00 shall be payable for a taxi called by telephone but not used

- Luggage not exceeding 56lbs in weight shall be carried free
- A charge of 20p shall be payable for luggage exceeding 56lbs in weight

Soiling Charge: £25.00

1.5 Public Transport Services in East Dunbartonshire

- 1.5.1 All seven locations surveyed across East Dunbartonshire were deemed to have good bus services providing frequent connectivity within and between settlements within the authority and also to the wider region. (see Appendix 1).
- 1.5.2 In addition to this, there are railway stations located within Lenzie, Bishopbriggs, Bearsden, Milngavie, Hillfoot and Westerton, all having frequent services running from early morning to late evening.

- 1.5.3 Public transport services operating within East Dunbartonshire appear to adhere to the requirements of the Equality Act 2010 with respect to accessibility for disabled and mobility impaired passengers (see Appendix 2).

1.6 Previous Studies/Reports

- 1.6.1 A similar Unmet Taxi Demand Study was undertaken for EDC by Transport Planning International Ltd (TPI), now part of Amey, in 2008. Although a copy of the 2008 study report has not been available for this study the EDC committee report of 11th June 2009 identifies the following conclusions and recommendations:

- there was no evidence of un-met demand in either Zone 1 or Zone 2;
- there was potential latent demand for accessible taxis;
- additional taxi stances should be implemented as a priority within East Dunbartonshire;
- numerical limitations may be removed over time in conjunction with modifications of quality standards to provide consistent service provision across East Dunbartonshire;
- the study makes cautious recommendations regarding the merging of Zone 1 and Zone 2 and managing this and other transitions in a fair and efficient manner as part of a medium/long term strategy in order to avoid putting financial strain on operators.

2. TAXI RANK SURVEYS

2.1 Rank Survey Locations

2.1.1 There were seven locations surveyed across the two licencing zones, as follows;

Zone 1:

- Kirkintilloch – Regent Centre (pick up area at the rear of Tesco Supermarket)
- Kirkintilloch – Cowgate/West High Street (Outside Bar Bliss and Club Bliss)
- Bishopbriggs – Triangle Centre taxi rank
- Lenzie Railway Station

Zone 2:

- Bearsden Cross parade of shops between Kirk Street and Roman Road
- Bearsden Railway Station
- Milngavie Railway Station

2.1.2 To note, none of the survey locations in either Zone 1 or Zone 2 are formal taxi ranks. There are no formal taxi ranks within the district of East Dunbartonshire. However, these sites were surveyed as they were considered to be locations where taxi/PHV activity was likely to be highest and enable assessment of the level of any demand satisfied through informal ranking.

2.2 Rank Survey Results

2.2.1 The observational rank surveys were undertaken for a continuous period of 168 hours from midnight on Monday 11 September 2017 to midnight Monday 18 September 2017. The surveys were carried out using digital video cameras to record both vehicular and passenger activity at each of the seven survey sites. The results and observations of activity at each of the sites are discussed in the following section.

2.2.2 Summary tables are provided for each site for the total weekdays (Monday to Friday), Saturday and Sunday, where the day period was determined to be 7am to 7pm and the night period 7pm to 7am. The summary tables also refer to the following:

- **Total Passengers Departing:** The total number of individual passengers observed leaving by taxi or PHV. Where there was more than one or a group taking a taxi/PHV, the number of people in the group was recorded.
- **Total Taxis Departing:** This is the total number of taxis recorded leaving each site. This includes taxis who left either with or without a passenger e.g. taxis that stopped at a site but gave up waiting for a fare after a length of time and left.
- **Total PHVs Departing:** This is the total number of PHVs recorded leaving each site. This includes PHVs who left either with or without a passenger e.g. PHVs that stopped at a site but gave up waiting for a fare after a length of time and left.

- **Average Passenger Delays:** This is the total number of minutes delay experienced by passengers, divided by the total number of passengers (e.g. 0.6 minutes equals 36 seconds).
- **Average Taxi Waiting Time:** This is the total number of minutes delay experienced by taxis, divided by the total number of taxis. (e.g. 0.6 minutes equals 36 seconds).

Kirkintilloch – Regent Centre (Rear of Tesco Supermarket)

- 2.2.3 This survey location is used primarily as a pick-up/drop-off area for shoppers at the Regent Centre. The area is capable of accommodating approximately three vehicles at any one time. During the weekday period, passenger activity was generally highest between the hours of 10am and 1pm. A total of 384 passengers were observed using the location during the daytime weekday period from Monday to Friday.
- 2.2.4 The number of passengers observed using the pick-up/drop-off area at the weekend was slightly lower than on the weekday, with 53 passengers during the daytime on Saturday and 36 passengers observed during the Sunday daytime. This site was served almost entirely by PHVs across the whole survey period.
- 2.2.5 To note, the average taxi waiting time is zero in most periods given the fact that it was almost all PHVs recorded departing the site.

Regent Centre		Total Passengers Departing	Total Taxis Departing	Total PHVs Departing	Ave. Passenger Delays (mins)	Ave. Taxi Waiting Time (mins)
Weekdays	Day	384	2	388	3.0	0.1
	Night	6	0	6	0.1	0.0
Saturday	Day	53	0	48	4.2	0.0
	Night	3	0	3	0.5	0.0
Sunday	Day	36	0	25	3.1	0.0
	Night	2	0	1	0.3	0.0

Kirkintilloch – Outside Bar Bliss and Club Bliss

- 2.2.6 This survey location is situated outside the Club Bliss nightclub in Kirkintilloch. It is unused during the day, but during the Friday and Saturday night-time hours was quite well used. From the survey footage, it appears that most stops are to pick up people at the nearby bar/club, and then when the bar closes there are a high number of pick-ups.
- 2.2.7 On the Friday night between 9pm and 4am, there were a total of 29 passenger departures. While on the Saturday night during the same time period there were also a total of 29 passenger departures.
- 2.2.8 It was unclear from the observational footage whether the drivers were stopped there for an opportunistic fare, or had been called for a pick-up and asked to wait there. It appeared to be a popular pick-up point due to its convenience.

- 2.2.9 To note, the average taxi waiting time is low in most periods due to the fact that it was almost all PHVs recorded departing the site. A large proportion of PHV use at this site corresponds with the activity observed at the second Kirkintilloch site (Regent Centre) which also experienced a high proportion of PHV use. This may indicate that residents within the Kirkintilloch are more reliant on PHVs than taxis for their travel needs.

Kirkintilloch (Bar Bliss)		Total Passengers Departing	Total Taxis Departing	Total PHVs Departing	Ave. Passenger Delays (mins)	Ave. Taxi Waiting Time (mins)
Weekday	Day	9	0	9	0.1	0.0
	Night	35	1	36	0.1	0.0
Saturday	Day	11	0	12	0.0	0.0
	Night	29	0	33	0.5	0.0
Sunday	Day	3	0	4	0.1	0.0
	Night	26	0	24	0.4	0.0

Bishopbriggs – Triangle Centre taxi rank

- 2.2.10 The taxi rank at this location is capable of accommodating approximately six vehicles at any one time. All vehicles observed using this rank were licensed taxis. During analysis of the observational footage it was noted that once a taxi is in the rank, they will find it difficult to exit if there are other queued taxis in front or behind them. On occasions drivers were observed to drive over the footway/waiting area to exit if they did not want to wait any longer for a fare.
- 2.2.11 At approximately 11pm the street lighting at this rank is switched off, and drivers cease using it. Instead drivers park on the access road into the Triangle Centre and wait here to pick-up fares.
- 2.2.12 The rank was observed to be well used throughout the weekday, but was particularly busy during the Friday night period, where 74 passengers were recorded between 9pm and midnight.
- 2.2.13 The rank was also consistently busy during the Saturday from 4pm through to 1am, with between 12 and 30 passengers using it every hour. Average passenger delays during the weekday period were very low (9 seconds) and during the weekend were also low (8 – 19 seconds).

Triangle Centre		Total Passengers Departing	Total Taxis Departing	Total PHVs Departing	Ave. Passenger Delays (mins)	Ave. Taxi Waiting Time (mins)
Weekday	Day	278	408	0	0.8	24.9
	Night	176	230	0	0.3	10.9
Saturday	Day	80	85	0	0.1	14.8
	Night	151	136	0	0.2	8.6
Sunday	Day	32	46	0	0.4	20.5
	Night	41	75	0	0.2	8.5

Lenzie Railway Station (station forecourt rank)

- 2.2.14 This rank is capable of accommodating approximately three vehicles at any one time, although there does not appear to be any formal marking of taxi spaces at the rank. During the analysis of the survey footage, a large number of taxis were observed to leave without a passenger. Parking demand by members of the public appears to be high at this location and it is understood that many people at this station tend to use their cars and have no need for a taxi.
- 2.2.15 It was also noted that the areas where taxis can wait for a fare here are often blocked by other cars that could not find a parking space.
- 2.2.16 Passenger activity at this location during the weekday (Friday) was busiest between the hours of 8pm and midnight when a total of 20 passengers were observed to hire taxis. Average passenger delays were very low, with average waiting times of no more than 36 seconds. During the weekend, no passengers were observed to use taxis at this location.

Lenzie Railway Station		Total Passengers Departing	Total Taxis Departing	Total PHVs Departing	Ave. Passenger Delays (mins)	Ave. Taxi Waiting Time (mins)
Weekday	Day	31	0	157	0.0	0.0
	Night	43	0	69	0.2	0.0
Saturday	Day	0	0	0	0.0	0.0
	Night	0	0	0	0.0	0.0
Sunday	Day	0	0	0	0.0	0.0
	Night	0	0	0	0.0	0.0

Bearsden Cross parade of shops between Kirk Road and Roman Road

- 2.2.17 This location is not a formal taxi rank and there are existing parking restrictions in operation between 8am and 5pm Monday to Saturday. There are four disabled car park spaces marked in this location.
- 2.2.18 The survey footage indicated that this location was relatively well used on the Friday and Saturday between the hours of 5pm and 1pm for the informal hailing of taxis.

Bearsden Shops		Total Passengers Departing	Total Taxis Departing	Total PHVs Departing	Ave. Passenger Delays (mins)	Ave. Taxi Waiting Time (mins)
Weekday	Day	5	6	0	0.2	0.4
	Night	20	49	0	0.0	5.0
Saturday	Day	1	2	0	0.0	0.8
	Night	20	29	0	1.0	6.4
Sunday	Day	3	4	0	0.0	0.2
	Night	0	6	0	0.0	3.1

Bearsden Railway Station

- 2.2.19 This formal taxi rank at Bearsden Station is capable of accommodating approximately six vehicles at any one time. As there are no PHV licences in Zone 2, all activity at this location is by taxis.

2.2.20 The rank was particular busy on Friday and Saturday night-time between 7pm and 1am, when there were 39 passenger departures. Average passenger delays at this rank are negligible as there are taxis waiting to be hired here most of the time. During the daytime, both on weekdays and the weekend passenger activity was very low.

2.2.21 Across the whole survey period, the average time a taxi driver has to wait for a passenger is 18.26 minutes, while the average time a passenger has to wait for a taxi is 0.10 minutes.

Bearsden Railway Station		Total Passengers Departing	Total Taxis Departing	Total PHVs Departing	Ave. Passenger Delays (mins)	Ave. Taxi Waiting Time (mins)
Weekday	Day	52	359	0	0.5	29.7
	Night	71	258	0	0.1	23.5
Saturday	Day	19	73	0	0.4	23.1
	Night	78	118	0	0.2	15.1
Sunday	Day	4	60	0	0.0	25.3
	Night	22	69	0	0.0	17.0

Milngavie Railway Station (station forecourt rank)

2.2.22 This rank is capable of accommodating approximately six vehicles at any one time. While there are no formal taxi rank spaces marked out, the area in front of the station entrance is well used by waiting taxi drivers.

2.2.23 This location was well used throughout the survey period. It was observed to be particularly busy on the Friday evening/night between the hours of 5pm and midnight, when there were 38 passenger departures. Delays for passengers were negligible during this time as there was nearly always a taxi waiting for hire.

2.2.24 Similarly, during the Saturday it was consistently busy from 3pm to midnight, when there were 49 passenger departures and average passenger delays were once again negligible.

2.2.25 Activity at the site on the Sunday was significantly quieter than the Friday and Saturday.

Milngavie Railway Station		Total Passengers Departing	Total Taxis Departing	Total PHVs Departing	Ave. Passenger Delays (mins)	Ave. Taxi Waiting Time (mins)
Weekday	Day	106	353	0	0.1	23.4
	Night	60	136	0	0.1	14.8
Saturday	Day	35	89	0	0.1	12.7
	Night	29	59	0	0.1	3.6
Sunday	Day	19	49	0	1.1	21.5
	Night	6	31	0	0.0	10.5

Whole Study Area

2.2.26 The observation surveys indicate that approximately 1,472 passenger departures from Zone 1 and 553 passenger departures from Zone 2. There were approximately 983 taxi departures from Zone 1 and 1750 taxi departures from Zone 2 during the surveyed week.

- 2.2.27 Within Zone 1, activity was observed to be highest at the Bishopbriggs Triangle Centre taxi rank. This rank accounted for 54% of all recorded passenger activity within the surveyed locations in Zone 1. Taxis wait an average of 16.53 minutes for a passenger, while passengers wait on average 0.45 minutes (27 seconds) for a taxi.
- 2.2.28 The pick-up / drop-off zone at the Regent Centre in Kirkintilloch represented 33% of all recorded passenger activity within the surveyed locations in Zone 1, where almost all activity at this location was by PHVs.
- 2.2.29 Within Zone 2, both Bearsden Railway Station and Milngavie Railway Station experienced similar levels of activity, with 246 and 258 passenger departures respectively. Activity at the train stations was much quieter on the Sundays in comparison to the weekday and Saturday.
- 2.2.30 A summary of the average delays and departures across all surveyed sites is provided in Table 4.

Table 4: Average Delays and Departures

Location	Total Passengers Departing	Total Taxis Departing	Total PHVs Departing	Ave. Passenger Delay (Mins)	Ave. Taxi Waiting Time (mins)
Site 1: Kirkintilloch (Regent Centre)	484	2	471	1.73	0.02
Site 4: Kirkintilloch (Bar Bliss)	113	1	118	0.15	0.00
Site 5: Bishopbriggs Triangle Centre	801	980	0	0.45	16.53
Site 7: Lenzie Station	74	0	226	0.09	0.0
Zone 1: Total	1472	983	815	0.61	4.14
Site 2: Bearsden Station	246	937	0	0.29	24.74
Site 3: Bearsden Shops	49	96	0	0.13	2.65
Site 6: Milngavie Station	258	717	0	0.17	17.10
Zone 2: Total	553	1750	0	0.20	14.83

2.3 Commentary on Results

Balance of supply and demand

- 2.3.1 The overall results in terms of the balance of supply and demand are provided in Table 5.
- 2.3.2 This indicates that the state of the market in East Dunbartonshire is one of equilibrium. The excess demand is defined as maximum passenger queues being greater than three and excess supply is when the taxi queue is greater than three.
- 2.3.3 Within Zone 1 the excess supply (taxi queues) was found to be 2.6% of the hours observed while the excess demand (passenger queues) was found to be 0.1% of the hours observed.
- 2.3.4 Within Zone 2, the excess supply (taxi queues) was found to be 7.5% of the hours observed while the excess demand (passenger queues) was found to be 0.1% of the hours observed.

2.3.5 Table 5 indicates the balance of supply and demand within Zone 1 and Zone 2, expressed as a percentage of the hours observed during the weekday and weekend periods.

Table 5: The Balance of Supply & Demand in East Dunbartonshire

		Period	Excess Demand (%)	Equilibrium (%)	Excess Supply (%)
Zone 1	Weekday	Day	0.2	94.1	5.7
		Night	0.0	98.9	1.1
	Saturday	Day	0.1	99.7	0.2
		Night	0.0	97.9	2.1
	Sunday	Day	0.0	95.8	4.2
	Total		0.1	97.3	2.6
		Period	Excess Demand (%)	Equilibrium (%)	Excess Supply (%)
Zone 2	Weekday	Day	0.0	84.3	15.7
		Night	0.0	97.0	3.0
	Saturday	Day	0.1	91.0	8.9
		Night	0.2	93.5	6.3
	Sunday	Day	0.2	96.2	3.6
	Total		0.1	92.4	7.5

3. PUBLIC ATTITUDE SURVEY RESULTS

3.1 Introduction

- 3.1.1 To assist in determining the level of latent demand and consequently the Latent Demand Factor (LDF), a public attitude survey was undertaken from the 11 September 2017 to 18 September 2017. The survey also supported the understanding of public opinion and perceptions regarding East Dunbartonshire taxi operations within the authority.
- 3.1.2 A total of 405 survey responses were collated from across East Dunbartonshire. This number of surveys is considered sufficient to provide a 95% degree of confidence in results with a +/- 5% confidence level. It is important that the survey results are representative of all potential East Dunbartonshire taxi users.
- 3.1.3 Therefore, to capture a wide sample of the population, surveys were undertaken at the following locations to ensure a wide cross section of the public and both regular and infrequent taxi/PHV users were captured:
- Bishopbriggs (96) – retail area adjacent to Kirkintilloch Road including the rail station;
 - Kirkintilloch (82) – retail area along Cowgate and Townhead;
 - Lenzie (55) – retail area adjacent to Kirkintilloch Road/Garngaber Avenue including the rail station;
 - Milngavie (55) – town centre area around Mains Street/Douglas Street;
 - Bearsden (117) – retail area around Bearsden Cross area and Drymen Road between Roman Road and Station Road.
- 3.1.4 In addition to the foregoing an additional survey focussed on capturing additional views from disabled and mobility impaired users was undertaken in March 2019. The results of this survey are assessed and discussed in a separate sub-section below.
- 3.1.5 To note, some of the totals do not add up to 100% where respondents have ticked more than one answer, have not responded to a question, was not applicable or due to rounding of percentages.

3.2 2017 Survey Results

- 3.2.1 (Q7) In the last three months have you made one or more trips by taxi in East Dunbartonshire and was this a Hackney Carriage or Private Hire Vehicle?

Possible Answer	Response	
	Zone 1	Zone 2
Yes – Private Hire	45% (104)	44% (75)
Yes – Hackney Carriage	39% (92)	41% (71)
Yes – Both	3% (8)	4% (7)
No	12% (29)	11% (19)

3.2.2 (Q8) What was the purpose of your last trip by Hackney Carriage or Private Hire Vehicle?

Possible Answer
Work including commuting
Shopping
Education
Leisure
Hospital/medical
Link to other transport mode
Personal business
Other

3.2.3 (Q9) Where in East Dunbartonshire was your last trip taken from (town and street/rank)?

The main locations within Zone 1 included the following:

- 83% had taken it from the Regent Centre,
- 30% from the Triangle Centre,
- 14% from Lenzie Station, and
- the remainder took it from elsewhere in the zone/district or did not recall and only 1% of respondents hailing a taxi from on-street.

The main locations within Zone 2 included the following:

- 80% from the train stations;
- 3% from the Hub Centre,
- the remainder took it from elsewhere in the zone/district or did not recall.

3.2.4 (Q10) Regarding this last trip, not including the driver, how many people travelled in your party, including yourself?

Number of Passengers	Response	
	Zone 1	Zone 2
1	67%	68%
2	28%	28%
3	5%	4%

3.2.5 (Q12) On your last trip, how did you obtain your taxi?

Possible Answer	Response	
	Zone 1	Zone 2
At a rank	58%	60%
Hailed in the street	10%	9%
By telephone	32%	31%

3.2.6 (Q13/Q14) If hired from a rank/street how long did you have to wait for it or did it take you to hail?

Wait time	Wait at a taxi rank		Waiting to hail on street	
	Zone 1	Zone 2	Zone 1	Zone 2
0 minutes	99%	99%	45%	46%
Up to 5 minutes	1%	1%	55%	54%

3.2.7 (Q16) Did you require the Hackney Carriage or Private Hire Vehicle immediately, or did you pre-book it for another time?

Within Zone 1:

- 83% of respondents who hired by telephone required the taxi/PHV immediately and 17% pre-booked for another time.

Within Zone 2:

- 84% of respondents who hired by telephone required the taxi/PHV immediately and 16% pre-booked for another time.

3.2.8 (Q17) If you telephoned for an immediate booking, how long did it take for the taxi to arrive?

Within zone 1:

- The majority of respondents (54%) had no delay, while 17% waited for up to 5 minutes and 24% waited for up to 10 minutes for the vehicle to arrive (5% did not remember).

Within zone 2:

- The majority of respondents (54%) had no delay, while 15% waited for up to 5 minutes and 27% waited for up to 10 minutes for the vehicle to arrive (4% did not remember).

3.2.9 (Q18) If you used a booking office for an immediate booking, how long did it take for the taxi to arrive?

For both Zone 1 and Zone 2, all respondents said that there was no delay when waiting for the taxi to arrive.

3.2.10 (Q19) If pre-booked for another time, how close to the booked time did the taxi arrive?

Within both Zone 1 and Zone 2, all respondents said that vehicles arrived on time.

3.2.11 (Q20) Have you had any difficulty getting in or out of a Hackney Carriage/PHV?

All respondents, within both Zone 1 and Zone 2, said no.

3.2.12 (Q23) Have you experienced difficulties in obtaining a Hackney Carriage in East Dunbartonshire?

Within zone 1:

- 7% (16) of respondents said they had experienced difficulty in obtaining a taxi.

Within zone 2:

- 6% (10) of respondents said they had experienced difficulty in obtaining a taxi.

3.2.13 (Q24) If yes, when was this?

Within zone 1:

- 6% (1) occurred within the last six months and 94% (15) occurred within the last year.

Within zone 2:

- 33% (1) occurred within the last six months and 66% (2) within the last year.

3.2.14 (Q25) If yes, how did you attempt to obtain the Hackney Carriage?

Within zone 1:

- 38% (6) were hailed on the street, with 63% (10) ordered by telephone.

Within zone 2:

- 33% (1) was hailed on the street, with 66% (2) ordered by telephone.

3.2.15 (Q26) If yes, what was the nature of the difficulty?

Within zone 1:

- 63% (10) said that they had issues with the vehicle not turning up, with the other 38% (6) stating that the vehicle was not available within a reasonable time.

Within zone 2:

- 66% (2) respondents said that they had issues with the vehicle not turning up, with the other 33% (1) respondent stating that the vehicle was not available within a reasonable time.

3.2.16 (Q27) If yes, where did this problem occur (town and street/rank)?

For Zone 1 and Zone 2, all respondents said that these issues occurred within the town centre.

3.2.17 (Q28) If yes, approximately what time of day and day of the week did this occur?

Within zone 1:

- 50% (8) stated the issue occurred Thursday midday, 13% (2) on a Friday night and 37% (6) stated that they could not recall the time/date of the incident.

Within zone 2:

- 66% (2) stated that the incident occurred on a Friday night and 33% (1) stated that they could not recall the time/date of the incident.

3.2.18 (Q29) If yes, what was the purpose of the trip you were making?

All respondents, in both Zones, stated that the trip purpose was for leisure.

3.2.19 (Q30) If the difficulty was that the Hackney Carriage did not turn up what did you do?

All respondents made a new booking with the same company when the issue occurred.

3.2.20 (Q32) What method do you use most often to obtain a Hackney Carriage or PHV?

Possible Answer – Hackney Carriage	Response	
	Zone 1	Zone 2
At a rank	32%	34%
Hailed in the street	7%	8%
By telephone	61%	59%

Possible Answer – PHVs	Response	
	Zone 1	Zone 2
At a rank	62%	60%
Hailed in the street	-	-
By telephone	38%	40%

3.2.21 (Q33) How would you assess the availability of Hackney Carriages in East Dunbartonshire?

Possible Answer	Response	
	Zone 1	Zone 2
Very good	43% (101)	47% (81)
Good	44% (102)	38% (66)
Average	4% (10)	4% (7)
Poor	6% (13)	6% (11)
Very poor	0	0
Don't know	3% (7)	4% (7)

3.2.22 (Q34) Are there any locations where you would like a new Hackney Carriage rank? If yes where?

All respondents across both zones said there was not any locations that they would like to see a new Hackney Carriage rank.

3.2.23 (Q36) Are there any existing Hackney Carriage ranks that you would use more often if taxis were more reliably found there?

All respondents across both zones said that there were no existing Hackney Carriage ranks that they would use more often if taxis were more reliably found there.

3.2.24 (Q38) Are you aware that there are two Licensing Zones for Hackney Carriages in East Dunbartonshire?

All respondents across both zones said they were aware that there are two licensing zones for Hackney Carriages within East Dunbartonshire.

3.2.25 (Q39) If yes then what was your experience as a result of zoning?

Possible Answer	Response	
	Zone 1	Zone 2
I have encountered difficulty obtaining a taxi in East Dunbartonshire due to the 2 zones	5% (12)	4% (7)
I have found the 2 zone operation beneficial	13% (30)	14% (24)
I have found the 2 zone system neither beneficial or non-beneficial	82% (191)	82% (141)

3.2.26 (Q40) With respect to the standard of Hackney Carriages, would you consider Hackney Carriages in East Dunbartonshire to usually be:

Possible Answer	Response	
	Zone 1	Zone 2
Clean and in good repair	58% (134)	60% (103)
Good repair but not always clean	30% (69)	30% (48)
Not always in good repair but clean	5% (11)	4% (7)
Not always in good repair or clean	7% (16)	6% (11)
Usually not clean	0.4% (1)	0.6% (1)
Usually not in good repair	0%	0%
Usually not clean or in good repair	0%	0%
Vehicles are generally too old or worn	0.4% (1)	0.6% (1)
Don't know/no opinion	0.4% (1)	0.6% (1)

3.2.27 (Q43) Are you a permanent resident in East Dunbartonshire?

All respondents stated that they were permanent residents of the East Dunbartonshire area.

3.3 Commentary on 2017 Results

- 3.3.1 The responses from those surveyed across the two zones were generally very similar in terms of their experiences and satisfaction with taxi operations and service in East Dunbartonshire.

- 3.3.2 Respondents in both zones were just as likely to make a trip using a Private Hire Vehicle as they were a Hackney Carriage. Therefore, the fact that there are no licensed PHVs in Zone 2, does not appear to prevent or deter residents from booking or hiring PHVs.
- 3.3.3 Respondents in both zones, during their last trip, were most likely to have hired a taxi from a rank (two-thirds of respondents), although almost a third booked by telephone. However, when asked solely about Hackney Carriages, two-thirds booked by telephone with a third doing so at a rank.
- 3.3.4 Across both zones, most respondents had very little waiting time for a vehicle, with the maximum delay for those booking by telephone 10 minutes and all respondents stating there was no wait time for a vehicle when using a booking office. When waiting for a taxi at a rank or hailing on the street, all respondents stated there was no wait at a rank and a maximum of a 5 minutes wait for hailing on the street. This corresponds with the findings of the observational surveys whereby average wait times at all locations for passengers was generally very low.
- 3.3.5 A small percentage of respondents did have issues obtaining a Hackney Carriage, these all occurred within the town centre with the issue either being that the vehicle did not turn up within a reasonable time or did not turn up at all.
- 3.3.6 The majority of respondents thought that the availability of Hackney Carriages within East Dunbartonshire was either very good or good. This suggests that the current supply of Hackney Carriages within the area is sufficient to cater for present demands.
- 3.3.7 The majority of respondents indicated that Hackney Carriages within East Dunbartonshire were either clean and in good repair or in good repair but not always clean.
- 3.3.8 The majority of respondents replied that they did not think that the zoning system within East Dunbartonshire had either a beneficial or non-beneficial impact on the provision of taxi services within the area. This suggests that, at least for taxi users, the zoning system has little to no impact on the perceived quality or availability of services within East Dunbartonshire.

3.4 2019 Survey Results

- 3.4.1 An additional survey focussed on capturing additional views from disabled and mobility impaired users was undertaken in March 2019. In total, 5 responses to the survey were received.
- 3.4.2 The key trends and issues raised from this survey are summarised below:
 - All respondents stated that they used taxi or PHV services at least once a week, with a range of reasons for travel given, including leisure, shopping and hospital/medical appointments;
 - three of the respondents were registered disabled, with one of these reliant on a wheelchair accessible/accessible vehicles;
 - four of the respondents expressed a preference to using PHVs over taxis;

- four of the respondents stated that they had obtained their last vehicle via telephone and that they had pre-booked their journey. Three respondents stated their vehicle arrived on time. One respondent booked via a booking office for another time and stated that the vehicle arrived on time.
- Four respondents stated they had encountered difficulties with their taxi or PHV booking in the last 12 months the nature of these difficulties including:
 - vehicle was 5 minutes late in arriving;
 - driver was rude;
 - vehicle broke down, with no other vehicle available;
 - driver experienced illness and no other vehicle was available; and
 - driver had no idea where he was going.
- There was no particular day or time stated on which these difficulties were recorded to have happened.
- The main reasons given for this preference were vehicle availability at the time of travel and driver appearance, knowledge and helpfulness.
- Respondents were also asked to rate the standard of taxis and PHVs within East Dunbartonshire, with the average of the result provided in Table 6 below:

Table 6: Standard of Taxis and PHVs in East Dunbartonshire

	Taxis	PHVs
Cleanliness of vehicle	7.25	6.75
State of repair of vehicle	7.25	6.25
Knowledge of driver	6.67	6.25
Appearance of driver	6.75	7
Wheelchair/accessible vehicle availability	3.5	3

- As outlined in Table 6, the standard of taxis was generally perceived as slightly higher than that of PHVs within East Dunbartonshire. It is also noted that wheelchair/accessible vehicle availability was rated quite poorly for both taxis and PHVs.
- 3.4.3 The general consensus amongst respondents appeared to be that there was a lack of wheelchair/accessible vehicle availability.
- 3.4.4 Whilst it should again be heavily emphasised that the low response rate means that the above views represent a very small minority opinion on PHV and taxi services within East Dunbartonshire, they do suggest at least a perception amongst the public that there is a limited number of accessible and wheelchair accessible vehicles within the area.
- 3.4.5 It is also noted that the majority of reasons given for their vehicle preference were related to the driver of the vehicle (appearance, knowledge and helpfulness), suggesting that the respondents may place reliance on their driver.

4. STAKEHOLDER CONSULTATION

4.1 Introduction

4.1.1 Stakeholder consultation was undertaken between 21 September and 25 October 2017 with organisations/groups identified within the '*Scottish Government Taxi and Private hire Car Licensing: Best Practice guidance for Licensing Authorities 2nd Edition*' amongst those contacted. Private hire and taxi operators within both zones were contacted along with the following organisations/groups:

- East Dunbartonshire Health and Social Care Partnership
- East Dunbartonshire Voluntary Action
- East Dunbartonshire Youth Council
- Kirkintilloch & District Seniors Forum
- East Dunbartonshire Taxi Owners Association
- Dunbartonshire Chamber of Commerce
- East Dunbartonshire Access Panel
- East Dunbartonshire Ethnic Minority Forum
- East Dunbartonshire Women's Aid
- East Dunbartonshire Association for Mental Health
- East Dunbartonshire Community Council's Liaison Committee
- East Dunbartonshire Council
- McGills
- ScotRail
- Ceartas Advocacy Service
- Carer's Link
- LGBT Youth Scotland
- New College Lanarkshire
- Police Scotland
- Citizen's Advice Bureau
- First Greater Glasgow

4.1.2 Consultation was undertaken via letter/email and a web-based questionnaire also made available to encourage participation.

4.1.3 In addition to the foregoing additional stakeholder consultation focussed on capturing additional views from community councils and disability advocacy groups was undertaken in March 2019. The results of this survey are assessed and discussed in a separate sub-section below.

4.2 Taxi Trade Consultation

4.2.1 One response was received from the taxi trade. Locations suggested by this respondent for possible taxi ranks included Bishopbriggs Cross close to the Railway Station and Auchinairn Road close to the local shops. It was noted that between 11pm and 2am on a Saturday night/early Sunday morning, was likely to be the most difficult time during the week for passengers to book a taxi.

4.2.2 This respondent considered the operation of two zones to be beneficial for customers using taxis in East Dunbartonshire. Specifically, with regards to Zone 1, it was felt that the inclusion of Zone 2 would only confuse customers. Other points raised included the issue of PHVs making illegal pick-ups, PHVs from Zone 2 touting in local supermarkets and then taking a hire and not having the local knowledge of where they are going. Bus and taxi lanes were also suggested.

4.3 Non-Trade Consultation

- 4.3.1 Five responses from non-trade stakeholders were received. In terms of existing informal ranks that respondents were aware of or would like to see formal ranks created, locations included Lenzie, Kirkintilloch, Bishopbriggs (Triangle Centre). Opinions were fairly evenly split regarding whether or not formal taxi ranks were required in East Dunbartonshire.
- 4.3.2 With regards to whether or not there are suitable taxi services or accessible taxis currently available within East Dunbartonshire, again opinions were split with three respondents who think there are suitable taxis services and two who thought current services are not adequate. One respondent felt there could be more information provided to people regarding accessible taxis available in the different areas and in general more awareness of Hackney Carriage services in the Kirkintilloch area.
- 4.3.3 It was noted by two respondents that it can be difficult to obtain taxis before and after school start/finish times. Generally existing taxi services were considered to integrate well with public transport services and taxi services were considered to be good with helpful drivers.
- 4.3.4 Also noted *“Most hackneys come from Bishopbriggs which adds to the cost if phoning from Kirkintilloch or other towns and villages”*. Another comment included a suggestion that services *“should be discounted for continuous use for charities and transporting children”*. Other suggestions for improving taxi/PHV services in East Dunbartonshire included *“better controls in place”* and *“greater levels of scrutiny”*.
- 4.3.5 In terms of the current zoning arrangements, one respondent stated that *“the Council is quite a small discreet geographical area and the two zones seem quite unnecessary to me and suggests a divide in the area rather than the communities being linked and related”* and felt it would be *“beneficial to drivers/licence holders to not be restricted to these arbitrary zones but able to operate throughout the area. I think there might be a perception from drivers previously licensed for one of the zones concerned that drivers from the other zones might affect their trade – but the one zone opens up all areas to all drivers (so it works both ways) and they can still choose to be based in their current locality within that zone”*. The respondent also felt that *“two zones are unnecessary in such a small area and presumably is more resource intensive to administer? I don’t think in a small area like this that residents should have to consider what zone they might be in and by having just one zone, it makes it more convenient and increases choice for the residents who are the taxi customers”*.

4.4 2019 Consultation: Community Councils and Disabled Advocacy Groups

- 4.4.1 As part of the additional consultation, the following organisations/groups were contacted via email and invited to complete a questionnaire related to taxi and PHV services in East Dunbartonshire:
- Ceartas
 - Carers Links
 - EDAMH

- East Dunbartonshire Voluntary Action
 - Equality Engagement Group
 - East Dunbartonshire Access Panel
 - Bearsden North Community Council
 - Milngavie Community Council
- 4.4.2 From those contacted responses were received from East Dunbartonshire Access Panel, Bearsden North Community Council, East Dunbartonshire Visually Impaired Peoples Forum and East Dunbartonshire Voluntary Action. These organisations collectively represent a larger number of third sector and voluntary groups within East Dunbartonshire and importantly provide access to the views and opinions of disabled and mobility impaired users that was the key focus of this additional consultation exercise.
- 4.4.3 The responses indicated a general preference for PHVs over taxis, primarily due to availability and ease of hire that was predominately undertaken over the phone. Responses to whether there were suitable/adequate taxi and PHV services were mixed, with some organisations considering there to be an adequate supply whilst others considered there was not sufficient availability in particular during peak times. Responding stakeholders generally placed a high rating on both drivers and vehicle quality with taxis being rated slightly higher than PHVs.
- 4.4.4 The following provides a summary of the key comments made by the four stakeholder organisations that responded.

East Dunbartonshire Access Panel (EDAP)

- 4.4.5 EDAP stated that they/their member's preference to use taxi or PHV services depended on their mobility problems and whether they were a wheelchair user, with members most likely to obtain a taxi and PHV via telephone. Members were considered 'somewhat dependant' on taxi services. EDAP also stated there was 'somewhat' suitable/adequate taxi and PHV services for members, further elaborating that locally, PHVs of any type could be booked, however wheelchair accessible taxis had to be booked from the next town over, though these services were still within East Dunbartonshire. EDAP stated that wheelchair accessible vehicles were never ordered outside of East Dunbartonshire, though there was a perception that there was not an adequate number of wheelchair accessible or generally accessible taxis and PHVs. It was also perceived that it was harder to book PHVs on weekdays between 08:00 – 09:15.
- 4.4.6 In terms of taxi and PHV quality, the cleanliness of vehicle, knowledge of driver, appearance of driver and helpfulness of driver were all rated highly (scoring 9, on a scale of 1-10, where 1 is extremely poor and 10 is excellent). The state of repair of vehicle was also rated highly for taxis (scoring 9 out of 10), however was not considered as good for PHVs (scoring 5 out of 10).

Bearsden North Community Council (BNCC)

- 4.4.7 BNCC considered that they/their members would be most likely to book a PHV over a taxi, citing ease of hiring and availability at the time of travel, with both taxis and PHVs most likely to be booked via telephone. Members were considered 'not dependant' on taxi services. BNCC also stated that there was 'generally not' suitable taxi and PHV services for members, stating there were very few taxis, and virtually no hackney cabs with wheelchair access, within their area and that there were very few wheelchair friendly PHVs available. Generally, PHVs and taxis were occasionally ordered from outside East Dunbartonshire, though BNCC stated that wheelchair accessible vehicles were ordered from outside of East Dunbartonshire 'all the time', with a perception that there was not an adequate number of wheelchair accessible taxis and PHVs. It was also considered harder to book taxis and PHVs during rush hour periods, as well as late at night.
- 4.4.8 In terms of taxi and PHV quality, cleanliness of vehicle and state of repair of vehicle were both rated highly (scoring 9 out of 10). The knowledge of drivers and appearance of drivers were also rated relatively well (scoring 7 out of 10), with the helpfulness of drivers also rated relatively well for taxis (scoring 7 out of 10) and slightly lower for PHVs (6 out of 10).

East Dunbartonshire Visually Impaired Peoples Forum (EDVIP)

- 4.4.9 EDVIP considered that they/their members would be most likely to book a PHV over a taxi, citing the lower cost, ease of hire and the availability at time of travel, with both taxis and PHVs most likely to be booked via telephone. Members were considered 'very dependent' of taxi services. EDVIP generally believed there was suitable/adequate taxi and PHV services available, with no days/times when it is considered harder to book a taxi or PHV. However, EDVIP did state that they order PHVs and taxis from outside of East Dunbartonshire on occasion and that they believed there was not an adequate number of wheelchair accessible and generally access taxis/PHVs available within East Dunbartonshire.
- 4.4.10 In terms of PHV and taxi quality, cleanliness of vehicle, state of repair of vehicle, knowledge of driver, appearance of driver and helpfulness of driver were all rated quite highly (scoring 8 out of 10).

East Dunbartonshire Voluntary Action (EDVA)

- 4.4.11 EDVA considered they/their members would be most likely to book a PHV over a taxi, citing a contract they have arranged with a local PHV provider. EDVA considered that there was 'mostly' suitable/adequate PHV services for their members, stating that they have taxis arrive on time and no days/times when it is considered harder to book a PHV. It was also stated that PHVs were never ordered from outside of East Dunbartonshire and that they consider an adequate number of accessible vehicles for mobility impaired/disabled members were available but they did not know if that was also the case for wheelchair accessible vehicles.

- 4.4.12 In terms of PHV quality, cleanliness of vehicle, state of repair of vehicle, knowledge of driver, appearance of driver and helpfulness of driver were all rated quite highly (scoring 8 out of 10).

5. EVALUATION OF UNMET DEMAND

5.1 Calculation of ISUD Variables

5.1.1 This section evaluates the level of unmet demand for taxi services in East Dunbartonshire, which essentially relates to passengers having to wait at a taxi rank due to no vehicles being available for hire. The level of unmet demand is measured using the Incidence of Significant Unmet Demand (ISUD), which relates to a number of factors as discussed in the following sections. The ISUD has been calculated using the following industry recognised formula:

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

5.1.2 Where:

- **ISUD** = Incidence of Significant Unmet Demand
- **APD** = Average passenger delay across the entire week, in minutes
- **PF** = whether the demand is highly peaked. This will equal 1 if there is no peaking and 0.5 if peaking is present
- **SSP** = Steady State Performance – Percentage of weekday daytime hours in which passenger queues are observed
- **GID** = General Incidence of Delay – Proportion of Taxi users travelling in hours where average passenger delay exceeds one minute
- **SF** = Seasonality Factor
- **LDF** = latent Demand Factor. Takes into account trips not made owing to perceived poor quality of service.

5.1.3 An ISUD value of 80 or higher is generally taken as indicating there is significant unmet demand. The values used in calculating the ISUD for both zones are as follows:

5.1.4 **APD:** The average delay is determined by calculating the total passenger delay as aggregate passenger delay minutes, then dividing the total number of passengers, including those who did not suffer any delay.

For Zone 1, the aggregate delay in passenger minutes was 2,397 minutes. When divided by the total weekly passengers of 1,472 the Average Passenger Delay was **1.6 minutes** (approximately 96 seconds).

For Zone 2, the aggregate delay in passenger minutes was 341 minutes. When divided by the total weekly passengers of 553, the Average Passenger Delay was **0.62 minutes** (approximately 37 seconds).

5.1.5 **PF:** Whilst demand across most of the survey locations was observed to be slightly higher on Friday and Saturday nights than at other times, the increase in demand was not considered sufficient to constitute a significant peak. Therefore, the **PF value for both zones is 1.0.**

- 5.1.6 **SSP:** Weekday daytime hours were deemed to be between 7.00am and 7.00pm from the Monday to Friday surveyed. Within this twelve hour period, there were a relatively small number of instances when passengers were delayed by more than a minute, resulting in them having to wait for a taxi to arrive at the rank. The SSP is the proportion of hours during the weekday daytime when there are excess demand conditions.

SSP for Zone 1 =0.15

SSP for Zone 2 = 0.0

- 5.1.7 **GID:** The percentage of taxi users travelling in hours where the average passenger delay is greater than one minute across the whole.

For Zone 1, the total number of passengers travelling during hours when the average passenger delay exceeded 1 minute was 459. The total number of weekly passengers were 1,472. The GID percentage was calculated as follows:

Zone 1: 459/1472 = 31.2%

For Zone 2, the total number of passengers travelling during hours when the average passenger delay exceeded 1 minute was 106. The total number of weekly passengers were 553. The GID percentage was calculated as follows:

Zone 2: 106/553 =19.2%

- 5.1.8 **SF:** 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 Hackney 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 typically 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 during school holidays and a value of 0.8 for surveys conducted in December during the pre-Christmas rush of activity. For this study, a factor of **1.0** has been used.

- 5.1.9 **LDF:** The level of latent demand was derived from the interview survey results and the proportion of the public who have given up trying to obtain a taxi at a rank or hailing on street. It is measured as 1+ proportion giving up waiting. The inclusion of this factor is a response to the DfT guidance requiring an estimate of latent demand. The interview survey results indicate that no respondents had given up trying to hire a taxi by hailing or at a rank. Therefore, the **LDF factor for both zones is 1.0.**

- 5.1.10 The ISUD value was calculated as follows, using the variables derived for this study:

APD x PF x SSP x GID x SF x LDF = ISUD

Zone 1: 1.6 x 1.0 x 0.15 x 31.2 x 1.0 x 1.0 = 7.64

Zone 2: 0.62 x 1.0 x 0 x 19.2 x 1.0 x 1.0 = 0

- 5.1.11 The commonly accepted cut off level for a significant unmet demand is 80. The results indicate that both zones in East Dunbartonshire are well below this cut off point as the ISUD in Zone 1 is 7.64 and in Zone 2 is 0.

6. TAXI LICENSING ZONES

6.1 Background

- 6.1.1 This section has been provided as part of the 2019 update to the study report and provides further assessment, information and recommendations on the operation of the two-zone system in East Dunbartonshire and the potential implementation of a merged single zone.
- 6.1.2 EDC, as the Licensing Authority under the Civic Government (Scotland) Act 1982, currently licenses taxi operations in two separate zones as follows:
- Zone 1: Kirkintilloch and Bishopbriggs.
 - Zone 2: Bearsden and Milngavie.
- 6.1.3 Taxi numbers are currently limited in Zone 1 to 71 vehicles and there are currently 70 licensed taxi vehicles operating. There is no limit on taxi numbers in Zone 2 where there are currently 239 licensed taxis operating. The total number of taxi licences in East Dunbartonshire is therefore 309.
- 6.1.4 The existing taxi zoning arrangements in East Dunbartonshire exist as a historic legacy from the previous jurisdictional boundaries of parts of the former Bearsden and Milngavie and Strathkelvin districts within the wider Strathclyde region.

6.2 Effects of taxi licence zone changes

Impact on availability

- 6.2.1 Looking at the potential reasons for maintaining a two-zone system, in some locations zoning systems have sometimes been implemented to help ensure that demand for taxi services in rural areas is met by operators who may wish to focus on serving more profitable urban areas. It is considered that this is not the case for East Dunbartonshire for the following reasons:
- the zoning system in place is as a result of Local Government reorganisation in 1996 and, so far as LTP have been advised, has not, in the 23 years following the formation of EDC, ever formed part of any cogent plan on behalf of Authority to provide or deliver improved transport services within its area;
 - East Dunbartonshire covers a relatively small geographic area and although settlements such as Lennoxton, Milton of Campsie and Twechar are located in the more rural northern part of the authority area they are still within a short driving distance (2-4 miles) and time (5-10 minutes) from the more major settlement of Kirkintilloch. This proximity is unlikely to have a significant impact on the availability of taxi services that within East Dunbartonshire are predominately hired either from ranks (where they exist) or by telephone. Further, the availability of additional taxis across the whole of East Dunbartonshire as a result of merging the zones would benefit these slightly outlying areas; and,

- Irrespective of the availability of current taxi operators to service demands in these areas the demand would still exist and, under normal market conditions, an operator would emerge to address the opportunity.

Assessment against Department of Transport (DfT) Guidance

- 6.2.2 Guidance on taxi zones is available through the DfT document '*Taxi and Private Hire Car Licensing: Best Practice Guidance: 2010*'. It should be noted that neither the Scottish Government '*Taxi and Private Hire Car Licensing: Best Practice for Licensing Authorities: Second Edition: 2012*' or Circular 25/1986: '*Licensing of Taxis and Private Hire Cars*' contain any advice or references on this matter.
- 6.2.3 The DfT guidance is clear in its recommendations regarding taxi licence zones stating at Paragraph 90 "*The Department recommends the abolition of zones.*" A key reason for DfT's recommendation is the negative impact that zoning can have on the supply of taxis and scope for customer choice within a licensing authority. Table 7 provides a summary of the impact of the existing zoning system in East Dunbartonshire in terms of the availability of taxis, including wheelchair accessible vehicles (WAVs) across the two zones.

Table 7 – Impact of zoning on taxi availability

Zone	Population (Est.)	Licensed taxis	Licensed WAV taxis (Est.)	Taxis per resident population	WAV taxis per resident population
Zone 1	67,590	70	26	966	2600
Zone 2	41,440	239	1	173	41,440
Total (EDC)	109,030	309	27	353	4,038

- 6.2.4 The results indicate a clear difference between taxi availability across the two zones where there are 1 per 966 resident population in Zone 1 in comparison to 1 per 173 resident population for Zone 2.
- 6.2.5 For wheelchair accessible vehicles, National Records of Scotland 2011 Census statistics identify the proportion of residents of East Dunbartonshire who have a limiting health problem or disability as 17.3% of the population. By comparison the proportion of wheelchair accessible vehicles available in the East Dunbartonshire fleets are 6.6% for Zone 1 and 0.8% for Zone 2. This comparison provides a further indication that disabled and mobility impaired users are significantly under provided for within East Dunbartonshire and that in Zone 2 the availability of services is negligible.
- 6.2.6 These differences in availability and choice would be remedied by allowing taxis to operate across East Dunbartonshire as a single licensing area. The increased availability of wheelchair accessible vehicles across the authority resulting from this action would also support EDC's Public Sector Equality Duty obligations under the Equality Act 2010.

6.3 Effects of taxi licence limit changes

Licensing regime options

- 6.3.1 Whereas DfT guidance considers the removal of licensing quantity controls as representing best practice, Scottish Government guidance provides a view that quantity controls *“remain a matter for licensing authorities in the light of local circumstances”*. However, both organisations state *“that the matter should be approached in terms of the interests of taxi users”* and this needs to be the critical factor when considering the removal of or amendments to quantity controls.
- 6.3.2 In terms of potential quantity control on PHV licences there is only limited guidance and examples on how these may be applied in reality. The DfT 2017 report *‘Taxi and Private Hire Vehicle Licensing – Steps towards a safer and more robust system’* suggests a public interest approach to assessing PHV licence numbers is potentially required that takes account of the interests of both taxi/PHV users and licensees together with congestion, environmental and network management considerations. The document also reflects on how the taxi and PHV industry has seen, and will continue to see, rapid and lasting change in service provision and operations resulting from technological advances in mobile communications and digital/app-based booking systems.
- 6.3.3 If the zones were merged EDC would need to operate the combined area as either a capped or un-capped taxi licensing area. In addition, the introduction of Sections 10(3A, 3B & 3C) of the Civic Government (Scotland) Act 1982 in 2017 provides an opportunity for EDC to also consider capping PHV numbers and as a result the potential options for licensing regimes available to EDC following the combination of the two zones are as follows:
- Taxis capped/PHVs capped – the total taxi numbers would be capped at 309 vehicles being the total number of taxis currently operating in East Dunbartonshire. PHVs would be capped pursuant to the provisions of Sections 10 (3A, 3B & 3C) of the Civic Government (Scotland) Act 1982 to the level at which an overprovision of PHVs in the authority would exist. This level would need to be identified with reference to both the number and demand for PHVs operating in the East Dunbartonshire ‘locality’ and for planning purposes this level has been assumed to be 322 vehicles being the number of PHVs operating in East Dunbartonshire at present. It is considered that this is a reasonable assumption based on the results of the assessment of unmet demand for taxi services undertaken in 2017. However, EDC would need to confirm if an overprovision would exist above this level prior to adoption of a limit on the number of PHV licences it issues.
 - Taxis capped/PHVs uncapped – the total taxi numbers would be capped at 309 vehicles as above. PHVs would be uncapped and would be permitted to increase in numbers to reflect market opportunities within East Dunbartonshire.
 - Taxis uncapped/PHVs uncapped – both taxis and PHVs would be permitted to increase in numbers to reflect market opportunities within East Dunbartonshire.

Consultation feedback

- 6.3.4 With respect to the interest of taxi users in East Dunbartonshire the results of the public attitude interview surveys and non-trade stakeholder consultation do not indicate any key benefits or disadvantages associated with either the Zone 1 (capped) or Zone 2 (uncapped) regimes in East Dunbartonshire that suggests that both systems are providing equally adequate outcomes to users.
- 6.3.5 For disabled and mobility impaired users further consultation with both stakeholder groups and individuals has indicated a general preference to use PHVs over taxis across East Dunbartonshire irrespective of zone. Indeed, one stakeholder in Zone 2 said they had entered into a contract with a PHV operator (presumably in Zone 1) in order to meet their members requirements. Key reasons cited for using PHVs over taxis was the availability of vehicles and the quality of the drivers in terms of appearance, knowledge and helpfulness. Notwithstanding the preference stated, there was a general view that the quality and availability of wheelchair accessible and accessible vehicles in both the taxi and PHV fleets across East Dunbartonshire was poor.
- 6.3.6 Consistent with other taxi licensing regimes in Scotland and the wider UK, the removal of licensing limits and the merging of zones would be likely to raise concerns with taxi operators with respect to the future and economic viability of their businesses. Feedback from the trade stakeholder consultation as part of the 2017 survey was limited and amounted to a single response from a taxi operator who considered that the operation of two zones was beneficial to customers. Subsequent consultation regarding potential future zoning arrangements conducted by EDC with operators has indicated divergent views across the trade with drivers and operators in Zone 2 being broadly supportive of proposals and those in Zone 1 being largely opposed.

Effect on users

- 6.3.7 The effect of the licensing regime options on taxi users are largely linked to the future availability and choice of taxi and/or PHV services provided. Where quantity controls are applied to either taxis or PHVs there is a risk that in subsequent years, if demands for services increase as a result of increasing population and/or travel behaviour, there is insufficient supply in the market to service demands. This is considered to be quite a low risk in East Dunbartonshire as there is currently no unmet demand for taxis (and in all likelihood PHVs) for the majority of users. There is also adequate opportunity for the balance of supply and demand to be routinely monitored to determine if an increase in licensed vehicles is appropriate and amend the licence caps accordingly.
- 6.3.8 Where quantity controls are not applied the need for monitoring by EDC to balance taxi and PHV supply with passenger demands is removed with the taxi and PHV operations in the authority being scaled in accordance with prevailing market conditions. This approach is consistent with the UK Government Competition and Markets Authority report *'Regulation of taxis and private hire vehicles: understanding the impact on competition: April 2017'* that considers that quantity controls "...can harm passengers by reducing availability, increasing waiting times, and reducing the scope for downward competitive pressure on fares".

- 6.3.9 In terms of disabled and mobility impaired users the consultation exercises undertaken with these groups in both 2017 and 2019 indicates issues with the availability of both taxis and PHVs within East Dunbartonshire with a generally low-quality rating provided against the wheelchair accessible and accessible vehicles that are available. It is considered that limiting the number of licensed vehicles would maintain and exacerbate this situation and that these groups would clearly benefit from increased choice and quality of provision within the taxi and PHV market in East Dunbartonshire where the quantity of taxis and PHVs available were not restricted.

Effect on operators

- 6.3.10 For taxi operators the merging of the two zones in East Dunbartonshire and removal of licensing limits would likely result in new entrants to the taxi market particularly in Zone 1 where licences are currently capped. These new entrants would be mainly from Zone 2 operators who would be able to operate in Zone 1 (and vice-versa). There is also some potential that Zone 1 PHV operators may seek to become licensed taxis and new entrants to the East Dunbartonshire market although this is unlikely to be a large number due to the more onerous requirements associated with operating taxis.
- 6.3.11 The removal of the licence cap in Zone 1 will likely affect any unofficial 'premium' the Zone 1 taxi operators may hold on their licences that can be considerable sums of money and are likely to be considered as a financial asset by the licence holder. The matter of taxi licence premiums was considered in depth within the Office of Fair Trading (OFT) report *'The regulation of licensed taxi and PHV services in the UK: November 2003'* that concludes: *"...that protection of taxi vehicle licence shortage premiums does not justify retaining quantity controls. In economic terms the premium value attached to vehicle licences in quantity restricted areas is an artificial one, created by the constraints on the market caused by regulation. The premium value does not relate to any effort of the licence holder to improve service levels and quality, and therefore the licence holder has not 'earned' it."*
- 6.3.12 The net effect of this conclusion is that the commercial operation of the taxi operators in East Dunbartonshire should not be a material consideration in relation to either the combination of the two zones or the removal of licence caps that should be considered wholly from an end user perspective.

Effect on EDC

- 6.3.13 It is likely that the combination of the two zones and the removal of the licence cap would also support a modest Value for Money saving over time for EDC. This saving would come from two main sources, namely:

- Reduced administration costs and streamlining of processes for EDC as a result of operating a single taxi zone. Under the current arrangements the taxi licensing system will need to differentiate between the two licensing zones with all reporting and administration of the licensing system needing to take account of this system. Additionally, EDC will currently need to supply different forms of 'back flash' to reflect the different zones and this would be reduced to the provision of a single 'back flash' type. It is recognised that the foregoing activities do not represent a significant burden on EDC resources but, nevertheless, the rationalisation of the separate administrative elements to a single zone would offer a margin of cost saving over time.
- The removal of the licence cap would remove the need for EDC to undertake unmet demand surveys for taxis pursuant to their legal obligations under Section 10 of the Civic Government (Scotland) Act 1982. As a budgetary estimate this would likely represent a £10,000 to £15,000 saving every four years.

6.4 Potential transitional period

- 6.4.1 Notwithstanding the foregoing comments regarding the effects on operators, EDC may wish to offer taxi operators a transitional period to allow some adjustment to the taxi market changes. It is important that this is not done at the risk of reducing services to users and so should take place over a relatively short timescale of 24 months. This is considered to be sufficient time to allow operators to monitor the effect of change on their business, develop an appropriate business plan and implement any necessary changes in their service and operations.
- 6.4.2 In terms of licensing arrangements over this time the following is recommended as a suitable phased plan to facilitate the proposed changes:
- **Implement combined zone** – it is considered important that this is undertaken as soon as possible to increase the availability of licensed vehicles across East Dunbartonshire which, from earlier assessment, would provide benefits to disabled and mobility impaired users in particular those who are reliant on wheelchair accessible and accessible vehicles.
 - **Apply a limit on taxi licence numbers across East Dunbartonshire** – it is considered that this limit should be set as 309 taxi licences being the total number of taxis currently licensed within East Dunbartonshire. There is a risk that this cap will restrict new entries to the taxi market and therefore limit user choice but it is considered that this would be minimal given the short (24 month) timescale for the application of the limit, the fact that there is currently no unmet demand in East Dunbartonshire and the increased availability of taxis across the authority resulting from the zoning change.

- **Remove taxi licence limit** – towards the end of the 24-month transitional period it is recommended that EDC undertake a monitoring exercise of taxi and PHV demand, supply and service quality to review the effect of the changes on the services provided. On the basis that the result of this review indicates satisfactory results it is recommended that the limit on taxi licences in East Dunbartonshire be removed.

6.4.3 It is considered that the foregoing phased implementation plan provides an appropriate period of adjustment for taxi operators in East Dunbartonshire whilst achieving some service quality improvements for users.

7. TAXI RANKS

7.1 Benefits of formal taxi ranks

- 7.1.1 While there are currently no formal taxi ranks within East Dunbartonshire, there are ‘informal’ ranks and pick-up points provided at Bearsden, Lenzie and Milngavie Stations located at or near to the exit point for the railway station making them convenient to users.
- 7.1.2 A further unofficial taxi rank is provided at The Triangle Centre in Bishopbriggs which is well used and located conveniently for users of both the adjacent supermarket and the local shops/businesses in Kirkintilloch.
- 7.1.3 Although there is an element of mis-use and illegal/indiscriminate parking at these taxi ranks/pick-up areas resulting from high car usage, there does not appear to be any adverse impacts on passenger delays. Notwithstanding, it is considered that formalising these ‘unofficial’ taxi ranks through Traffic Regulation Orders (TROs) or similar would provide the following benefits to both users and operators:
- The formal marking out and signing of the ranks (see below) would provide a clearer indication of the existence and operation of the rank thereby helping to remove any confusion or uncertainty regarding the existence and/or use of the rank with both new or less frequent users and operators;
 - The provision of additional official ranks within town centre areas would increase the visibility of taxis that may in turn support increased attractiveness and use of taxi services by wheelchair users and other disabled/mobility impaired groups;
 - Formal ranks would also provide a form of consistent “branding” of taxi ranks across East Dunbartonshire that would help frame taxi services within East Dunbartonshire’s wider public transport service offering; and
 - The formal implementation of ranks through a legal order would allow EDC and/or the Police to undertake enforcement of illegal parking or waiting activity within the designated rank areas. This would provide a benefit to operators in terms of allowing them to provide viable, safe and efficient services.

7.2 Implementation of formal taxi ranks

- 7.2.1 There are two items of legislation that allow the implementation of taxi ranks either on or off the highway in Scotland, namely:
- **Civic Government (Scotland) Act 1982** – Section 19 of this Act grants powers to the licensing authority to appoint a taxi rank (referred to in the Act as a stance) on either the highway, authority owned land or private land (e.g. railway car parks) subject to the landowner’s agreement. The resultant taxi rank order is enforceable under the criminal justice system and is therefore only enforceable by a Police Officer or Traffic Warden through a Fixed Penalty Notice (FPN).

- **Roads (Scotland) Act 1984** – this Act grants powers to the highway authority to make a Traffic Regulation Order (TRO) to designate an area of ‘No stopping except taxis’ either on the highway or a private road to which the public have access with the consent of the landowner. This TRO is then enforceable either by the Police and/or Traffic Wardens as an FPN where the enforcement of TROs is under the criminal justice system or via civil Parking Attendants appointed by the authority where the enforcement of TROs in the authority has been decriminalised pursuant to the Road Traffic Act 1991.

- 7.2.2 Both methods may be used in the same authority and the choice of method used will largely depend on the internal policies in place relating to the promotion of Taxi Rank orders, the enforcement options available and, in the case of ranks on private land, whether it is appropriate and possible to designate the proposed rank area as private road.
- 7.2.3 The following provides further information regarding the processes and statutory consultation to be followed in implementing taxi ranks using both methods.

Civic Government (Scotland) Act 1982

- 7.2.4 Under Section 19 of the Civic Government (Scotland) Act 1982 (the “Act”) the licensing authority can appoint taxi stances on any road within the authority’s area. The stances are indicated by suitable road markings and signs indicating the limits as to the number of taxis and the time limits under which the stances operate. Under the Act the authority can introduce stances on land owned by it and land in private ownership but only with the consent of the landowners.
- 7.2.5 The appointment of taxi ranks requires consultation with persons or organisations representing the taxi operators. Before their introduction the authority must also give notice to the Chief Constable, publish notification of any proposals in at least one local newspaper in order to invite any persons or organisations to make representations or object to any or all of the proposals and consider them accordingly. Any person has 28 days from the date of the publication of the notice to make representations in writing to the authority.

Roads (Scotland) Act 1984

- 7.2.6 Under the Roads (Scotland) Act 1984 and The Local Authorities’ Traffic Orders (Procedure) (Scotland) Regulations 1999 a taxi stance can also be implemented on the highway by means of a TRO. Before making such an order the authority must consult with:
- the Chief Constable;
 - the Freight Transport Association; and
 - the Road Haulage Association.

- 7.2.7 In addition, depending on the location, the authority can consult with other agencies if there is a likelihood they will be affected by the proposals, such as the NHS, Fire Authority, the Passenger Transport Authority and bus companies and any neighbouring authority or Crown authority. It is clear that consultation with the relevant taxi operators is paramount in order to establish the requirement for taxi stances in certain areas in the first instance.
- 7.2.8 After consultation the authority needs to publish a notice in a local newspaper outlining the proposals and also publish a notice in the Edinburgh Gazette, display notices in affected locations and deliver notices to premises which may also be affected by the proposals if it considers this to be appropriate. A copy of the notice must be supplied to the consultees and must also make the relevant documents available for inspection by interested parties including a plan indicating the location of the stances. Anyone who wished to make representations or object to all or any of the proposals has 21 days from the publication of the notice to formally object in writing to the authority.
- 7.2.9 The authority may also hold a public hearing relating to the proposals before making the order, in which case all objectors to the proposals will be informed of this. The hearing will be held no less than 21 days from the end of the objection period or from the date of publication of details in a local newspaper. The hearing is conducted by a 'reporter' appointed by the authority from a list supplied by the Secretary of State. There are certain cases where a hearing must take place, for instance the prohibition of loading and unloading at all times and the requirement for vehicles to travel in a certain direction only which are unlikely to be relevant to taxi stances.
- 7.2.10 Before finally making the order all objections and any recommendations made by the hearing reporter, if any, are considered. If any substantial changes are made to the proposals then the order making process must be started again with the revised proposals.
- 7.2.11 Once the order has been made the Chief Constable is notified as well as all objectors and a notice published in a local newspaper within 14 days of the making of the order. If considered necessary the notice can also be published in the Edinburgh Gazette. All relevant documents and plans should be made available for inspection by any interested parties.
- 7.2.12 Following making of the TRO the necessary road markings and signs should be installed. These should comply with the Traffic Signs Regulations and General Direction 2016.

8. STUDY SUMMARY AND CONCLUSIONS

8.1 Introduction

- 8.1.1 The summary of findings and conclusions of the study are set out below against the key study requirements as stated in the brief.

Provide an assessment of unmet demand for taxi services by the travelling public in East Dunbartonshire including any occurrence of Latent Demand.

- 8.1.2 An assessment of unmet demand for taxi services has been undertaken for both Zone 1 and Zone 2 through the calculation of the Index of Significant Unmet Demand (ISUD) for both zones and review of wider observation data, interview survey results and feedback from both trade and non-trade stakeholders.
- 8.1.3 The results for ISUD are 7.64 for Zone 1 and 0.0 for Zone 2. Both these ISUD values are significantly below the generally accepted ISUD value of 80 at which significant unmet demand is said to occur.
- 8.1.4 Observation surveys at key areas of taxi activity within the taxi zones indicate that:
- the balance of supply and demand for taxis in both zones is at equilibrium across both weekdays and weekends;
 - average taxi passenger delays across East Dunbartonshire are low, being generally less than one minute; and
 - average taxi waiting time is 4.14 minutes in Zone 1 and 14.83 minutes in Zone 2 suggesting that taxis are waiting at ranks, where they exist, and generally available for taxi passengers;
- 8.1.5 Results from the public attitude interview survey conducted across East Dunbartonshire indicate:
- low levels of delay experienced by passengers using both taxis and PHVs across both zones;
 - generally high approval ratings for users of taxi and PHV services across both zones who are not disabled and/or mobility impaired; and
 - some dissatisfaction with the quality and availability of wheelchair accessible and accessible vehicles from disabled and mobility impaired users within both zones.
- 8.1.6 Stakeholder consultation responses generally support the indications that there is good availability of taxi services across both zones in East Dunbartonshire.
- 8.1.7 The results from the interview surveys recorded no instances where prospective passengers were selecting to not make trips or make trips by a different mode as a result of unavailability of taxi services. Respondents to the interview survey also indicated a general satisfaction with the availability of taxis.
- 8.1.8 From the foregoing information and evidence, it is considered that, in general, there is no unmet demand, including Latent Demand, for taxis from the travelling public in East Dunbartonshire.

Identify the availability of wheelchair accessible taxis and if there is any unmet demand for wheelchair accessible taxis. The assessment should evaluate the number of wheelchair accessible vehicles currently in operation.

- 8.1.9 Details of the number of licensed wheelchair accessible vehicles (WAVs) for hire in East Dunbartonshire are provided in Table 3 and indicate the following availability per head of population:
- Zone 1: 1 WAV per 2,600 resident population;
 - Zone 2: 1 WAV per 20,720 resident population; and,
 - East Dunbartonshire Total: 1 WAV per 3,894 resident population.
- 8.1.10 This clearly represents a significant imbalance in the availability of wheelchair accessible vehicles across the two zones and, from comparison to statistics on residents with limiting health problems or disability, indicates an overall under provision of suitable vehicles for disabled and mobility impaired users across East Dunbartonshire.
- 8.1.11 The interview survey identified only one wheelchair user wishing to use taxis and this was also indicated through the observation surveys where no wheelchair users were observed wishing to use either taxis or PHVs. Whilst this may be an indication of no demand by wheelchair users it might equally reflect a latent demand by wheelchair users who, whilst small in number, are selecting not to use taxi services. Additional survey work provided an indication that the availability and quality of wheelchair accessible and accessible vehicles in East Dunbartonshire was poor.
- 8.1.12 On the basis of these findings it is considered that efforts need to be made to improve the availability and attractiveness of taxis to wheelchair users and other disabled and mobility impaired groups across East Dunbartonshire.

Whether or not the current level of taxis in East Dunbartonshire is adequate to serve the general public in its area.

- 8.1.13 From the assessment of unmet demand for taxi services reported above it is considered that the current level of taxis in East Dunbartonshire is adequate to serve the general public although efforts should be made to increase the number of wheelchair accessible vehicles (taxis and PHVs) across East Dunbartonshire.
- 8.1.14 It is considered that the adoption of a single licensing zone would provide immediate benefits in terms of the quantity of wheelchair accessible vehicles available to users across East Dunbartonshire. Further improvements over the medium to longer term could be delivered through amendments to the EDC Car Operator application process for taxis to introduce a specific requirement to provide a wheelchair accessible vehicle. This approach is adopted by many Local Authorities including Glasgow City Council who require their taxis to be '....only an FX4 metropolitan type vehicle or any other vehicle of a type which has received the prior approval of the Licensing Authority'.

- 8.1.15 This approach could be further supported through a programme of measures aimed at providing additional information to the public regarding wheelchair accessible/accessible vehicle services in East Dunbartonshire, improving the quality of drivers through opportunities/incentives to improve skills and undertake training in relation to disability/equality awareness and routine monitoring of service quality. A nationally recognised good practice example of this approach is Stockport Metropolitan Borough Council who have successfully developed and introduced measures to promote equality awareness within the Local Authorities taxi/PHV trade.
- 8.1.16 In terms of monitoring, routine consultation through focus groups, interview surveys and on-line questionnaires would help identify changing perceptions of availability and quality. In addition, other methods such as 'mystery shopping' undertaken by disabled/mobility impaired individuals have been successfully used to test service provision and quality (e.g. Kirklees Council).

Determining the maximum number of taxis that the Council can license without exceeding the number, for the services of which, there is a demand.

- 8.1.17 The observation surveys did not identify any traffic capacity or delay issues related to taxi operations at either the formal ranks or informal pick-up areas included within the survey. Additionally, there was no indication from stakeholders that the number of taxis in operation in East Dunbartonshire were causing traffic problems or nuisance within the authority.
- 8.1.18 Determination of maximum taxi number licences relates to those situations where the authority has applied a limit on the number of taxi licences issued pursuant to Section 10(3) of the Civic Government (Scotland) Act 1982. For East Dunbartonshire this relates to Zone 1 where taxi licences have been historically limited to 71 vehicles. Notwithstanding the potential wider benefits of removing the existing limit on taxi licences in Zone 1 it is considered that the current maximum limit on taxi licences applied is sufficient and the assessment of unmet demand provides no indication that this maximum number needs to be increased.

The current level of service available to consumers (including by other public transport modes) including at peak and trough times, weekdays and weekends.

- 8.1.19 The observation surveys and interview survey results indicate that, in general, the current level of taxi services is sufficient and commensurate with other public transport modes within East Dunbartonshire. Interview surveys also indicate a high approval rating for taxi services throughout East Dunbartonshire.
- 8.1.20 East Dunbartonshire is well served by both rail and bus services that provide good connectivity between settlements within the authority and to Glasgow throughout the day.

- 8.1.21 Observation surveys indicate that the maximum delays to consumers occur on weekend nights between 11pm and 3am where delay time of 5-10 minutes were recorded. However, these occurrences of high delay relate to a small number of trips either from rail stations or the Kirkintilloch nightclub and are not indicative of underlying issues in taxi supply to these locations.
- 8.1.22 Observation surveys also indicate that delays to passengers at the Regent Centre are in the order of 3-4 minutes and waiting times are consistent throughout the day. However, it should be noted that this location is not served by an official taxi rank and that the observations were undertaken at a general pick-up point used predominantly by PHVs. In this circumstance, passengers appear to be calling for taxi/PHV services and that waiting times are related to taxis/PHVs responding to these calls.

The length of waiting-time that prospective customers experience at ranks, for street hailings and bookings by telephone and otherwise.

- 8.1.23 The methods of obtaining taxi services is largely similar in both zones with 60% being obtained at ranks, 10% from street hailing and 30% by telephone.
- 8.1.24 Where taxis were obtained from official ranks the average delay to passengers was largely negligible with taxis being available on-rank at the time of hire.
- 8.1.25 Where hailed on street average waiting times were in the order of 2.5 minutes across both zones.
- 8.1.26 Where taxis were obtained by telephone the average waiting time was in the order of 4.25 minutes across both zones.
- 8.1.27 In general, waiting times for taxis is considered reasonable for all methods of hire across both zones.

Number, location and convenience of taxi ranks and their impact on demand by the travelling public

- 8.1.28 While there are currently no formal taxi ranks within East Dunbartonshire, there are 'informal' ranks and pick-up points provided at Bearsden, Lenzie and Milngavie Stations located at or near to the exit point for the railway station making them convenient to users. Although there is an element of mis-use and illegal/indiscriminate parking at these taxi ranks/pick-up areas resulting from high car usage, there does not appear to be any adverse impacts on passenger's delays.
- 8.1.29 A further unofficial taxi rank is provided at The Triangle Centre in Bishopbriggs which is well used and located conveniently for users of both the adjacent supermarket and the local shops/businesses in Kirkintilloch.
- 8.1.30 Formalising these 'unofficial' taxi ranks through Traffic Regulation Orders (TROs) would provide EDC with the power to enforce the ranks if required, in order to deter mis-use or illegal parking within these areas. In terms of suitable locations for these formalised taxi ranks, it is considered that some, if not all, of the locations surveyed as part of this study would be appropriate and convenient locations.

8.1.31 Respondents to the interview survey indicated that:

- there were not any locations that they would like to see a new Hackney Carriage rank; and
- there were no existing Hackney Carriage ranks that they would use more often if taxis were more reliably found there.

8.1.32 Both trade and non-trade stakeholders have indicated that more taxi ranks should be provided in East Dunbartonshire with suggestions including: Auchinairn Road, Bishopbriggs; and adjacent to Bishopbriggs Railway Station. The provision of an official taxi rank adjacent to the Regent Centre, Kirkintilloch may also be of benefit in reducing wait times for passengers.

8.1.33 It is noted that the 2008 Unmet Taxi Demand Study identified a potential need for additional taxi ranks within East Dunbartonshire and that no additional provision has been made since that report.

8.1.34 The provision of additional official ranks within town centre areas would increase the visibility of taxis that may in turn support increased attractiveness and use of taxi services by wheelchair users and other disabled/mobility impaired groups.

Comment on the existence of the two zones and whether this impacts on the "trade" within East Dunbartonshire.

8.1.35 The existing taxi licence zoning arrangements in East Dunbartonshire exist as a historic legacy from the previous jurisdictional boundaries of parts of the former Bearsden and Milngavie and Strathkelvin districts within the wider Strathclyde region. As such, and so far as LTP have been advised, the zoning arrangements have not, in the 23 years following the formation of EDC, ever formed part of any cogent plan on behalf of Authority to provide or deliver improved transport services within its area.

8.1.36 Guidance generally considers taxi zoning systems to have a negative effect on the service quality provided to users and unless there are good reasons from a user perspective for providing them the guidance recommends they are not used. From the review of the zones undertaken within this study it is considered that the zones offer no user benefit and their existence is potentially restricting availability and choices for users, in particular disabled and mobility impaired individuals.

8.1.37 From an assessment of the potential effects of changing the zoning arrangements it is concluded that combining the two taxi zones would provide a benefit to all users in terms of availability of vehicles and choice in relation to operator and therefore cost and quality.

- 8.1.38 If the zones were merged the authority would need to operate the combined area as either a capped or un-capped taxi licensing area. Again, the evidence from the surveys does not indicate any key benefits or disadvantages associated with either regime. Best practice guidance again suggests that an uncapped regime is more likely to provide greater customer benefits, provided quality controls are imposed and maintained. Similarly, guidance from the UK Government Competition and Markets Authority recommends that, unless customer requirements dictate otherwise, taxi services should be uncapped and subject to market competition.
- 8.1.39 Given the prevailing advice to operate taxi licensing in an uncapped environment then it is considered that the proposed way forward would be to operate any future merged zone without a limit on licences.
- 8.1.40 It is recognised that combination of the two zones may have some impact on the commercial performance of some operators but, in line with guidance on this matter, this is not considered to be a material consideration in terms of the proposed changes to the licensing zones. Notwithstanding, EDC may wish to offer taxi operators a transitional period to allow some adjustment to the taxi market changes. It is important that this is not done at the risk of reducing services to users and it is therefore recommended that a relatively short timescale of 24 months is adopted during which time operators may monitor the effect of change on their business, develop an appropriate business plan and implement any necessary changes in their service and operations.
- 8.1.41 In terms of licensing arrangements over this time it is considered that a phased plan in which the combined zone is introduced together with a 309 limit on taxi licences numbers is applied across East Dunbartonshire for the proposed 24-month period. Following this EDC should review the taxi and PHV services in respect to quality, supply and demand and if satisfied that the service provided to end users has been maintained or improved look to remove the limit on taxi licence numbers across East Dunbartonshire.

8.2 Recommendations

- 8.2.1 Based on the above summary and conclusions the key recommendations of the study are:

Single Zone Strategy - EDC should develop a strategy for the merging of the two taxi zones within the authority. The strategy should be introduced as a phased programme over a 24-month period during which time the zones should be combined and a cap on taxi licences of 309 vehicles applied across East Dunbartonshire. Following this 24-month period and pending the results of a review of taxi and PHV service quality, supply and demand, the taxi licence cap should be removed across the authority. The development and implementation of the strategy should be undertaken in consultation with, and full participation of, both taxi and PHV operators and drivers licensed by the authority.

Quality Standards - quality standards and requirements for taxi operators and drivers should continue to be monitored and revised in order to maintain and improve the high levels of customer satisfaction and approval with taxi services in East Dunbartonshire. Special focus should be made with respect to supporting the attractiveness and use of taxi services by wheelchair users and other disabled/mobility impaired groups.

Accessible Taxis – EDC should seek to improve both the quantity of wheelchair accessible/accessible vehicles (both taxi and PHV) and the quality of services provided to disabled and mobility impaired users in the authority area. Short term improvements can be achieved through the adoption of the proposed single zone strategy with longer-term quantity improved by ensuring new entrants to the market utilise wheelchair accessible/accessible vehicles with similar standards being adopted for replacement vehicles. In terms of quality, EDC should consider introducing a wider programme of activity to inform disabled and mobility impaired users of the taxi and PHV services available within the authority and providing training and advice to operators and drivers in relation to disability awareness and assisting disabled users. This should be supported through continued engagement with operators and disability action groups in the district to help identify specific accessibility issues or gaps in the market relating to accessible taxis/PHVs and measures to address and monitor these.

Taxi Ranks – EDC should look to formalise taxi ranks in the district. Locations surveyed as part of this study, such as the Triangle Centre and Bearsden railway station, are already well established ‘informal’ ranks. The formalisation of these ranks, through the introduction of TROs, would provide EDC with the power to enforce and deter mis-use or illegal parking. In addition to some or all of the sites included in this study, EDC could also look towards introducing additional formal taxi ranks at Bishopbriggs railway station and within key shopping/retail areas within the authority.

Taxi Driver Forum - It is considered that the proposed Taxi Driver Forum would provide a good focal point for collaboration between EDC and the taxi trade in this respect. A key focus of the strategy should be the development and implementation of systems and procedures to support the application of consistent quality standards across the authority and the continual improvement in services provided by the operators and drivers. Specific emphasis would be placed on the continued monitoring, review and improvement of taxi services with respect to providing for disabled and mobility impaired groups.

9. REFERENCES

- (DfT 2010): DfT: Taxi and Private Hire Vehicle Licensing - Best Practice Guidance: 2010
- (SG 2012): The Scottish Government Taxi and Private Hire Car Licensing: Best Practice Guidance for Licensing Authorities: 2012
- (OFT 2003): Office of Fair Trading: The regulation of licensed taxi and PHV services in the UK: November 2003
- (CMA 2017): Competition and Markets Authority: Regulation of taxis and private hire vehicles - understanding the impact on competition: April 2017
- (LGA 2017): Local Government Association: Taxi and PHV licensing – Councillors handbook (England and Wales): August 2017
- (DfT 2017): DfT: Taxi and Private Hire Vehicle Licensing – Steps towards a safer and more robust system: 2017
- (CGSA 1982): The Civic Government (Scotland) Act 1982
- (RSA 1984): The Roads (Scotland) Act 1984
- (LATOPSR 1999): The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999
- (TSRGD 2016): Traffic Signs Regulations and General Directions 2016

Appendix I – Public Transport Services

Before Catherine Street Bus Stop – Kirkintilloch		
Bus Number	Route	Frequency (8:00am-6:00pm Weekdays)
27	Kilsyth – Glasgow	Once Daily
47	Milngavie – Kirkintilloch	Every two hours
47A	Milngavie – Kirkintilloch	Every two hours
72	Glasgow- Kirkintilloch or Torrance	Hourly
84	Twechar – Kirkintilloch	Hourly
88	Glasgow – Kirkintilloch Harestanes or Campsite Glen	Every 15 minutes
88A	Glasgow - Kirkintilloch	Once daily (each way)
89	Glasgow – Kilsyth Northfield	Every 30 minutes
89B	Glasgow – Cadder or Torrance or Lennoxton	Hourly
178	Moodiesburn – Kirkintilloch	Every hour
247	Monklands Hospital – Kirkintilloch	Every 30 minutes

After The Triangle – Bishopbriggs		
Bus Number	Route	Frequency (8:00am-6:00pm Weekdays)
27	Kilsyth – Glasgow	Once daily (each way)
71	Torrance – Glasgow	Once daily (each way)
88	Glasgow – Kirkintilloch Harestanes or Campsie Glen	Every 15 minutes
89	Glasgow – Kilsyth Northfield	Every 30 minutes
147		
89A	Glasgow- Torrance	Every hour
89B	Glasgow – Cadder or Torrance or Lennoxton	Hourly

Before Glenburn Road/Before Railway Station – Bearsden		
Bus Number	Route	Frequency (8:00am-6:00pm Weekdays)
15	Milngavie – Glasgow via Anniesland	Every 40 minutes
16	Drumchapel – Queen Elizabeth University Hospital	Every 30 minutes
17	Duntocher – Glasgow via Maryhill Road	Every 15 minutes
118	Duntocher or Hardgate – Gartnavel Hospital	Hourly

Opposite Millersneuk Road – Lenzie		
Bus Number	Route	Approximate Frequency (8:00am-6:00pm Weekdays)
72	Glasgow- Kirkintilloch or Torrance	Hourly
178	Moodiesburn – Kirkintilloch	Hourly
X85	Campsie Glen – Glasgow	Every 30 minutes
X87	Waterside – Glasgow via M80	Every 30 minutes

After Main Street – Milngavie		
Bus Number	Route	Approximate Frequency (8:00am-5:00pm Weekdays)
10A	Glasgow – Balfron	Once daily (each way)
15	Milngavie – Glasgow via Anniesland	Every 40 minutes
47	Milngavie – Kirkintilloch	Every 2 hours
47A	Milngavie – Kirkintilloch	Every 2 hours
512	Balfron High school – Milngavie	Once Daily
B10	Glasgow – Balfron	Once per hour

Appendix 2 - Railway Station Accessibility Services

Railway Station Accessibility Services

Station: Lenzie	
Staff help available:	Yes
Staff help times:	Monday – Saturday: 06:45 -22:00
Ramp for train access:	Yes
Step free access coverage:	No
Wheelchairs available:	No

Station: Bishopbriggs	
Staff help available:	Yes
Staff help times:	Monday – Saturday: 06:36 -20:30
Ramp for train access:	No
Step free access coverage:	No
Wheelchairs available:	No

Station: Bearsden	
Staff help available:	Yes
Staff help times:	Monday – Saturday: 07:20 -14:04
Ramp for train access:	No
Step free access coverage:	Yes
Wheelchairs available:	No

Station: Milngavie	
Staff help available:	Yes
Staff help times:	Monday – Saturday: 06:40 -23:40 Sunday: 08:15 -23:00
Ramp for train access:	Yes
Step free access coverage:	Yes
Wheelchairs available:	No

POLICY DEVELOPMENT CHECKLIST

1. Title of Policy, Plan, Programme or Strategy	Taxi and Private Hire Driver's and Operator's Licence Conditions Review
2. Accountable Directorate	Education, People and Business
3. Designated Officer (Name and Job Title)	Karen Donnelly – Clerk to the Civic Government Appeals Board and Chief Solicitor & Monitoring Officer
4. Partner organisations involved in developing the policy and their function	Police Scotland, the Council's Licensing Standards Officers and Counter Fraud Team, East Dunbartonshire Taxi Owners Association and East Dunbartonshire Taxi Owner/Driver Association, groups representing people with physical and sensory impairments and the general public.
5. Purpose of the Policy, Plan, Programme or Strategy	A review of taxi and private hire operators and drivers licence conditions.
6. What are the objectives of the Policy, Plan, Programme or Strategy?	A review is being undertaken with the aim of modernising the conditions that attach to licences to help support a modern mixed vehicle fleet.
7. What prompted the development of the Policy, Plan, Programme or Strategy? (e.g. new legislation)	Update to an existing policy and inclusion of new policies on vehicle specification, testing and driver fitness.
8. Subject (e.g. transport)	Transport
9. Intended outcomes and function of the Policy, Plan, Programme or Strategy	Aim of improving the standard of taxi and private hire vehicles which provide an important service to the public of East Dunbartonshire. The new conditions will help contribute to the provision of a modern and appropriately mixed taxi and private hire fleet.
10. Period covered	Ongoing
11. Frequency of updates (e.g. annual- include dates if possible)	Updated as and when required. There is no statutory period within which the conditions require to be refreshed.
12. Target geographical area	East Dunbartonshire wide
13. Identify which Single Outcome Agreement/Local Outcomes are most relevant	<input type="checkbox"/> We have reduced inequality and disadvantage across East Dunbartonshire <input checked="" type="checkbox"/> Our communities are more engaged in the design and delivery of services

	<input type="checkbox"/> East Dunbartonshire has an expanding economy with competitive and diverse business and retail base <input type="checkbox"/> Our people are equipped with knowledge, skills and training to enable them to progress to employment <input checked="" type="checkbox"/> Our children and young people are safe, healthy and ready to learn <input checked="" type="checkbox"/> East Dunbartonshire is a safe and sustainable environment in which to live, work and visit <input type="checkbox"/> Our people and communities enjoy increased physical and mental wellbeing and health inequalities are reduced <input type="checkbox"/> Our older population are supported to enjoy a high quality of life and our more vulnerable citizens, their families and carers benefit from effective care and support services
14. Strategic Environmental Assessment (SEA)	<p>a) Has the SEA Technical Officer been provided with information on the development of the PPS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If NO contact must be made BEFORE answering part b) in order to determine whether SEA will be required.</p> <p>b) Is the PPS likely to have significant environmental effects? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES a full SEA may be required. If NO Pre-screening or Screening will be required under SEA legislation (<i>contact SEA Technical Officer before commencing with the drafting of the PPS</i>).</p>
15. Risk Management	<input checked="" type="checkbox"/> Risk Assessment completed <input type="checkbox"/> Risks identified <input type="checkbox"/> Risks assessed <input type="checkbox"/> Risks recorded <input type="checkbox"/> Controls identified and recorded <input type="checkbox"/> Risk Management Actions Recorded
16. Equality Impact assessment - Target group <i>(If any boxes are ticked please refer to Equality Impact Assessment Toolkit)</i>	<input type="checkbox"/> Children and young people <input type="checkbox"/> Adults <input type="checkbox"/> Older people <input type="checkbox"/> Black or Minority Ethnic Groups (BME) <input type="checkbox"/> Gypsy/Travellers <input type="checkbox"/> People with disabilities or limiting long-term illnesses <input type="checkbox"/> Lesbian, Gay, Bisexual or Transgender groups <input type="checkbox"/> People from religious/faith groups <input type="checkbox"/> Pregnant women OR <input checked="" type="checkbox"/> All East Dunbartonshire residents
17. Accessibility and Availability	Accessible Information Policy referred to <input type="checkbox"/> Details of where policy will be made available included <input checked="" type="checkbox"/>
18. Register	Has the PPS been entered into the Council Policy Register? <input type="checkbox"/> Yes <input type="checkbox"/> No
19. Date of completion of Checklist	22 /03 /2019



East Dunbartonshire Council

www.eastdunbarton.gov.uk

Date: 22nd March 2019

**PLACE, NEIGHBOURHOOD AND
CORPORATE ASSETS**
Land Planning and Development
Southbank House
Strathkelvin Place
Kirkintilloch
G66 1XQ

Telephone 0141 578 8600

Fax No: 0141 578 8575

Karen Donnelly,

SEA Determination Letter

**East Dunbartonshire Council's Taxi and Private Hire Driver's and Operator's Licence
Conditions Review**

After reviewing the draft Policy Development Framework Checklist, including the proposed aims and nature of the proposed Taxi and Private Hire Driver's and Operator's Licence Conditions Review, the Sustainability Policy Team has determined that the Policy is unlikely to have significant environment effects and, due to its operational nature, it is not subject to Strategic Environmental Assessment (SEA). However, it should be noted that future iterations of this review should still be considered for SEA through the Policy Development Checklist process.

If you have any further queries, please do not hesitate to contact the Strategic Environmental Assessment Technical Officer on 0141 578 8615.

Yours faithfully,

Lauren Hollas

Strategic Environmental Assessment Technical Officer

EAST DUNBARTONSHIRE COUNCIL

EQUALITY IMPACT ASSESSMENT (EqIA) FORM

This form is to be used in conjunction with the **Equality Impact Assessment Guidance**. Please refer to this before starting. If you require further support you can contact equality@eastdunbarton.gov.uk.

Section 1 Details		
1.1	Name of Service	Legal and Democratic Services
1.2	Title of PPPS	Taxi and Private Hire Vehicle Driver's and Operator's Licence Conditions Review
1.3	Is this a new PPPS or an update to an existing one?	Update to an existing policy and inclusion of new policies on vehicle specification, testing and driver fitness.
1.4	Officers involved in the EqIA	<div>Name Charlie Haggerty</div> <div>Job Title Team Leader – Litigation and Licensing</div> <div></div> <div>Name Jennifer Livingston</div> <div>Job Title Solicitor</div> <div></div> <div></div>
1.5	Lead Officer carrying out the EqIA	Charlie Haggerty

1.6	Date EqIA started	19 March 2019
1.7	Date EqIA completed	22 March 2019.
1.8	What is the purpose and aims of the PPPS?	The review of taxi and private hire operators and drive's licence conditions is intended to modernise the conditions that attach to licences to help support a modern mixed vehicle fleet.
1.9	Who does the PPPS intend to affect as a service user?	Taxi and private hire vehicle operators and drivers and the public.
1.10	Are there any aspects of the PPPS which explicitly address discrimination, victimisation or harassment? Please detail	There is a prohibition on drivers using abusive, sexist, offensive or racist language, either in front of and/or addressed to a passenger
1.11	Are there any aspects of the PPPS which explicitly promote equal opportunities? Please detail	The conditions incorporate driver and operators obligations under the Equality Act 2010 to carry passengers with assistance dogs, passengers in wheelchairs (where the vehicle is wheelchair accessible) or with other mobility issues and passengers with visual or other sensory impairments.
1.12	Are there any aspects of the PPPS which explicitly foster good relations? Please detail	. n/a

Section 2 Evidence			
Please outline what is known currently about the experiences of people under each characteristic, in relation to the services and/or activities which this PPPS addresses			Source
2.1	Age	None	
2.2	Disability	A demand survey was undertaken with bespoke questions for disability advocacy groups. Responses have been taken in to consideration when compiling the finalised conditions.	
2.3	Ethnicity	None	
2.4	Gender	None	
2.5	Gender Reassignment	None	
2.6	Marriage and Civil Partnership	None	
2.7	Pregnancy / Maternity		

		None	
2.8	Religion / Belief	None	
2.9	Sexual Orientation	None	
2.10	Other marginalised groups	None	
2.11	Have people who identify with any of the characteristics been involved in the development of the PPPS?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
2.12	Please outline any involvement or consultation relevant to the PPPS which has been carried out or is planned	Details	Date
		Unmet Demand Survey	March 2019 There is no latent unmet demand but amongst users who require wheelchair accessible vehicles, there is a possible issue regarding availability of accessible vehicles in Bearsden and Milngavie. The merging of the zones has been identified as the first step towards increasing the availability of accessible vehicles in the Bearsden and Milngavie area. This will be kept under review, and further steps taken if required.

Section 3 Impact				
Based on what is known in Section 2, please outline the impact you expect the PPPS to have		Possible positive (+) impact	Possible adverse (-) impact	Neutral impact likely (✓)
3.1	Age			✓

3.2	Disability	It is intended that the removal of the zones will open up the taxi market to more competition leading to an increase in accessible vehicles in Bearsden and Milngavie where there is a perceived lack of such vehicles.		
3.3	Ethnicity			✓
3.4	Gender			✓

3.5	Gender Reassignment			✓
3.6	Marriage / Civil Partnership			✓
3.7	Pregnancy / Maternity			✓

3.8	Religion / Belief			✓
3.9	Sexual orientation			✓
3.10	Other marginalised groups			✓

3.11	Cross Cutting			✓
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Section 4 Assessment				
4.1	Select the assessment result, from 1-4, which applies and give a brief justification	1. No major change	<input checked="" type="checkbox"/>	Justification:
		2. Continue the PPPS	<input type="checkbox"/>	Justification:
		3. Adjust the PPPS	<input type="checkbox"/>	Justification:
		4. Stop and remove the PPPS	<input type="checkbox"/>	Justification:

Section 5 Actions

5.1	Please outline how you will monitor the impact of the PPPS	This change will be monitored through a newly established taxi forum and through continual engagement with the advocacy groups representing the vulnerable groups.		
5.2	Please outline action to be taken in order to: <ul style="list-style-type: none"> • Mitigate possible adverse negative impact (listed under section 3); • Promote possible positive impacts and; • Gather further information or evidence 	Action	Lead	Timescale
		None. None required.		
		None. None required.		
		Monitored at the regular forum meetings	Legal and Democratic Services.	The forum will be established over the summer and is forecast to meet up to 4 times per year.
5.3	When is the PPPS due to be reviewed?	No renewal date, but the Council as licensing authority has the ability to review conditions as deemed necessary.		

Section 6 Approval

6.1	Senior Officer who this PPPS will be reported by (Name and Job Title)	Karen Donnelly, Chief Solicitor and Monitoring Officer
6.2	Signature	
6.3	Date	

RISK ASSESSMENT FOR POLICIES / STRATEGIES

The risk assessment should be completed by the Responsible Policy Officer and should be used as part of the decision making process in determining if the policy is viable for the Council.

What are the risks to the Council in implementing this new policy? *(The tables below should be used to identify and assess ALL risks to the Council in implementing the strategy / policy).*

Name of Policy / Strategy	Taxi and Private Hire Driver's and Operator's Licence Conditions Review
Lead Officer (Name and Position)	Karen Donnelly – Clerk to the Civic Government Appeals Board and Chief Solicitor & Monitoring Officer

Risk	Likelihood Score (L)*	Impact Score (I)*	Risk Rank = (L x I)	Acceptable Risk Yes/ No
1. Lack of effective communication and implementation of new conditions.	2	3	6	Yes
2. Lack of understanding of new standard conditions.	2	3	6	Yes
3. Vehicle suitability insufficient to meet demand of the public.	2	3	6	Yes

* See Risk Assessment Criteria on following page for scores.

Risk Ranking Key:

HIGH= Unacceptable level of risk to the Council. Either additional controls are adopted to reduce the risk or policy should not be approved	Score =12 & above	MEDIUM = Acceptable , policy should be approved but with frequent monitoring of the risks to ensure no negative impact to the Council.	Score = 4-11	LOW = Acceptable level of risk for the Council	Score =4 or below
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What are the potential impacts to the Council and its objectives if the above risks occur?	There could be a potential impact to the Council in terms of community safety.
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Identify and list Controls in place to manage risks associated with the implementation of the new policy.

CONTROL NAME	DESCRIPTION	OWNER
1. Effective Communication/ Implementation	Communication strategy in place whereby if the new policy is accepted, the details will be publicised on the Council's website, via online social media streams and letters will be issued to every licence holder directly. This will ensure the details are communicated widely throughout East Dunbartonshire.	Licensing Board
2. Understanding	Strategy in place to ensure licence holders fully understand the new policy. Strategy also includes on-going engagement between the Council, Licensing Standards Officers and the Taxi and Private Hire Vehicle trade.	Licensing Board
3. East Dunbartonshire Vehicle Suitability	Engagement with East Dunbartonshire TOA and others voluntary and community groups to ensure sufficient level of suitable vehicles are available for the public.	Licensing Board/Taxi Forum

If the risk score is 12 or above and the decision is made to implement the policy, list the additional measures required to reduce the risk to an acceptable level?

ACTION	OWNER	TARGET DATE
1.		
2.		
3.		
4.		
5.		

RISK ASSESSMENT CRITERIA

		IMPACT				
		Catastrophic	Significant	Serious	Marginal	Insignificant
		5	4	3	2	1
Likelihood	Almost Certain	5 Review Risk in Great Detail. Amend Strategy to Reduce / Avoid	4	3	2	1
	Very Likely					
	Likely	3	Develop Contingency Plans. Monitor Risk Development	2	1	0
	Unlikely					
	Rare	1	0	Maintain record of Risk, consider adequacy of control measures.	0	0

Likelihood			Impact	Score
Level	Descriptor	Descriptions		
5	Almost Certain	The event is expected to occur in most circumstances	Catastrophic	5
4	Very Likely	The event will probably occur in most circumstances	Significant	4
3	Likely	The event might occur at some time	Serious	3
2	Unlikely	The event is not expected to occur	Marginal	2
1	Rare	The event may occur only in exceptional circumstances	Minor	1

Impact Scores & Descriptors	1	2	3	4	5
LIFE	Minor injury to employee, service user, public.	Lost time due to employee injury, small compensation claim from service user or public.	Serious injury to employee, service user, public, council liable	Number of significant injuries to employees, service users or public	Single or multiply Fatality within council control, fatal accident inquiry.
PROPERTY	Minor disruption to building, alternative arrangements already in place. Below insurance claim threshold	Marginal damage, covered by insurance.	Loss of use of building for medium period of time, no alternative arrangements in place.	Significant part of building out of action for prolonged period of time, alternative Accommodation required.	Complete loss of building, rebuilding required, prolonged temporary accommodation needed
BUSINESS CONTINUITY	No operational difficulties, back up support in place, security level acceptable.	Reasonable back up arrangements in place. Minor downtime of service / system	Security, support and performance of service / system deemed to be borderline. Some downtime realised.	Significant impact on service provision / loss of service. Frequent service / system interruption	Complete inability to provide system / service prolonged downtime no backup in place
REPUTATION	Minor impact to council reputation no interest to press	Some public embarrassment no damage to reputation or to service users.	Local adverse public embarrassment leading to limited damage, elected members become involved.	Regional / National adverse publicity, loss of confidence in the organisation	Highly damaging adverse publicity, loss of confidence, Scottish Government and / or Audit Scotland involvement.
FINANCE	0.5% Budget	0.5-2% Budget	2-3% Budget	3-5% Budget	>5% budget



**EAST DUNBARTONSHIRE
COUNCIL**

6 JUNE 2019

EPB/121/19/IB

**DEPUTE CHIEF EXECUTIVE - EDUCATION,
PEOPLE & BUSINESS**

CONTACT OFFICER:

**IAIN BRODIE, TEAM LEADER – HOUSING
STRATEGY & DEVELOPMENT**

SUBJECT TITLE:

SHARED EQUITY PURCHASE, TORRANCE

1.0 PURPOSE

- 1.1** The purpose of this Report is to seek retrospective approval of a recently completed acquisition of four terraced homes from Dawn Homes Limited (the “Developer”) for the purposes of sale under the Council’s shared equity for sale scheme.

2.0	<u>RECOMMENDATIONS</u>
2.1	It is recommended that the Council:- a) approves, retrospectively, the acquisition of the four shared equity properties at Montrose Gardens, Torrance, as outlined in this Report, for onward sale under the Council’s shared equity for sale scheme.

**ANN DAVIE
DEPUTE CHIEF EXECUTIVE
EDUCATION, PEOPLE & BUSINESS**

3.0 BACKGROUND/MAIN ISSUES

- 3.1** Shared equity is an affordable housing option which assists lower income households into home ownership. The Council's shared equity for sale scheme (the "Scheme") has helped over 25 qualifying households into home ownership to date. The Scheme is intended to be part of the delivery of the Council's Local Housing Strategy 2017 – 2022 and Strategic Housing Investment Plan 2018 – 2023.
- 3.2** Report PNCA/052/18/GM was approved by the Place, Neighbourhood and Corporate Assets Committee on 3 May 2018 and made provision for the purchase of up to 20 properties for sale under the Scheme during financial year 2018/2019. The Place, Neighbourhood & Corporate Assets Committee also authorised the then Strategic Lead – Housing, in conjunction with the Chief Finance Officer and Chief Solicitor & Monitoring Officer, to progress these purchases within the approved budget.
- 3.3** Reference was made in that Report to properties at West Carlson Gate or Garden Centre, Torrance. At the time that Report was considered and approved, it was envisaged that the purchase of these four properties (shown outlined on the plan contained within Appendix 1) would be completed during financial year 2018/2019. These properties, constructed as affordable housing properties, comprise 2 x 2 bedroom houses and 2 x 3 bedroom houses and form part of a wider open market development of 20 homes in total. The Council had agreed in-principle, as part of the planning application for the development that these four properties be purchased at a reduced price of £120k each, the reduction in the price payable for these properties being part of the planning contribution due in terms of a Section 75 Agreement entered into for the development. The Developer also made an additional contribution to ensure its overall contribution was equivalent to the 25% requirement for affordable housing.
- 3.4** The Housing Service has been actively marketing the four terraced houses for sale to potential purchasers under the Scheme. Purchasers have been secured for three of the four properties and officers are in discussions with a potential fourth purchaser. For the period between the completion of the purchase and the completion of the sale under the Scheme, the Council has responsibility for the four properties. Officers intend to complete the sales to purchasers under the Scheme as quickly as possible following which responsibility for the properties will sit with the relevant purchaser (as legal owner of the property). Officers in Legal Services have been instructed to negotiate the terms of the onwards sale under the Scheme, however, it is anticipated that there will be a short period where the fourth property is empty while the purchaser arranges mortgage finance. The financial information relating to these proposed sales under the Scheme is included in Appendix 2.
- 3.5** It was originally scheduled that the purchase of these four properties by the Council would complete in January 2019, however, the construction programme for the development was delayed. The Developer was, as a result of this delay, unable to make the four properties available to Council until 24 May 2019. Although the purchase in principle of the four properties was agreed in financial year 2018/2019, the purchase contract (missives) and completion of the purchase did not take place until May in financial year 2019/2020. This is outwith the period specified in the previous Report.
- 3.6** The Council's current Scheme of Delegations to Officers empowers the Executive Officer – Housing, in conjunction with the Chief Finance Officer and Chief Solicitor & Monitoring Officer, to negotiate and conclude purchases under the Shared Equity Scheme within the approved budget. Whilst specific budget was identified in 2018/19 to cover these purchases, no separate budget line was included for this current financial year. However, the purchase of shared equity properties is contained within a larger overarching budget for new build housing amounting to £7.5m, with additional sums available within the approved shadow budget.

- 3.7** As a result of: (i) the purchase contract with the Developer; (ii) the expectations of the three purchasers identified under the Scheme (some of whom had arranged mortgage finance for their purchase) who had been in discussions with officers for some time in connection with the proposed purchases; (iii) the impact on the Developer in terms of its obligations under the Section 75 Agreement for the development, and (iv) the ever present need for mixed tenure affordable housing within East Dunbartonshire, the Executive Officer – Housing, in conjunction with the Chief Solicitor and Monitoring Officer and Chief Finance Officer, considered that it was necessary for the Council to proceed with the purchase of the four properties to prevent the Council being exposed to financial penalties under the purchase contract, to secure further additional affordable housing and to ensure that the Council was not exposed to unnecessary reputational risk.
- 3.8** At present, it is not anticipated that there will be any additional purchases of properties for sale under the Scheme during the remainder of financial year 2019/2020. The Housing Service does, however, anticipate that circa 21 properties may be purchased during financial year 2020/2021 and circa 16 properties during financial year 2021/2022. Funding for these purchases will be identified as part of the relevant budgets and/or a report will be submitted to a future meeting of the Place, Neighbourhood & Corporate Assets Committee, as required, in advance of any such purchases.

4.0 IMPLICATIONS

The implications for the Council are as undernoted.

- 4.1** Frontline Service to Customers – none.
- 4.2** Workforce (including any significant resource implications) – none.
- 4.3** Legal Implications – it is considered that there is a low risk of challenge by a third party in respect of the Council's purchase of the four properties. Had the purchases not completed officers consider the Council would have been exposed to financial penalties and reputational risk.
- 4.4** Financial Implications – It is anticipated that the investment to be met from the HRA for the Council's share of the equity in the properties will be £480k initially, reducing to £97k by the end of Period 3. The budget for new build housing development is £7.5m for 2019/2020, with an additional shadow budget of £11.73m, bringing the total available budget to £19.23m from which to fund this.
- 4.5** Procurement - none.
- 4.6** ICT – none.
- 4.7** Corporate Assets – until the shared equity sales to purchasers under the Scheme are completed the Council will be legal owner of the properties and will be responsible for them. Once the shared equity sales are completed the purchasers will be the legal owners, with the Council's equity stake being secured by a standard security over the relevant property. Responsibility for the properties will rest with the shared equity owner.
- 4.8** Equalities – none.
- 4.9** Other – none.

5.0 MANAGEMENT OF RISK

The risks and control measures relating to this Report are as follows:-

- 5.1** It is considered that there is a low risk of challenge by a third party in respect of the Council's purchase of the four properties. Had the purchases not completed officers consider the Council would have been exposed to financial penalties and reputational risk.
- 5.2** The Council has responsibility for the properties until such time as they are sold to purchasers under the Scheme. Should any of the three proposed sales fall through or a fourth purchaser not be identified timeously, the Council will have responsibility for these properties until sold. This will be mitigated by further marketing and supporting purchasers where appropriate through the process. If a purchaser is not found after a reasonable period of time then the Housing Service will consider utilising the property for social rented accommodation as an alternative form of tenure, thereby securing a return on the investment.

6.0 IMPACT

- 6.1 ECONOMIC GROWTH & RECOVERY** – none.
- 6.2 EMPLOYMENT & SKILLS** – none.
- 6.3 CHILDREN & YOUNG PEOPLE** – the provision of shared equity properties as an alternative affordable housing option helps lower income households, which may include children and young people, into home ownership.
- 6.4 SAFER & STRONGER COMMUNITIES** – the provision of additional affordable housing supports and enables people to maintain local connections.
- 6.5 ADULT HEALTH & WELLBEING** – none.
- 6.6 OLDER ADULTS, VULNERABLE PEOPLE & CARERS** – shared equity is aimed towards people with particular needs such as those experiencing relationship breakdown, homeless families, single parents and armed forces leavers.
- 6.7 STATUTORY DUTY** – none.

7.0 POLICY CHECKLIST

- 7.1** This Report has been assessed against the Policy Development Checklist and has been classified as being an operational report and not a new policy or change to an existing policy document.

8.0 APPENDICES

- 8.1 Appendix 1** – Plan showing the location of the four properties.
- 8.2 Appendix 2** – Financial information relating to the proposed sales under the Scheme. (This Appendix is not for publication because it contains exempt information or there is a likelihood of disclosures during the meeting of the exempt information as defined in Paragraphs 6, 8 and 9 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973, as amended, and the press and public are likely to be excluded from the meeting.)

Appendix 1 – Site Plan



Location of Shared Equity Properties within the Development



**EAST DUNBARTONSHIRE
COUNCIL**

6 JUNE 2019

PNCA/044/19/HH

**DEPUTE CHIEF EXECUTIVE - PLACE,
NEIGHBOURHOOD & CORPORATE ASSETS**

CONTACT OFFICER:

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SUBJECT TITLE:

IMPACT ASSESSMENT GUIDE AND CHECKLIST

1.0 PURPOSE

- 1.1** The purpose of this Report is to seek Committee approval and ongoing support for the appended Impact Assessment Guide and Checklist (**Appendix 1**).
- 1.2** The Draft Impact Assessment Guide and Checklist (IAG) has been developed in response to the legislative, regulatory and administrative requirements placed on local authorities by the Equality Act (2010) (Equality Impact Assessment), Environmental Assessment (Scotland) Act 2005 (Strategic Environmental Assessment), East Dunbartonshire Corporate Risk Management Strategy (Risk Assessment), General Data Protection Regulations (GDPR) and Data Protection Act 2018 (Data Protection Impact Assessment).
- 1.3** These assessment requirements are in place to ensure that the Council takes appropriate steps when developing new or updated proposals, including policies, plans, procedures, programmes, frameworks, strategies, strategic decisions, service changes and masterplans. The assessment process will provide elected members with information on the relevant implications of assessment impacts identified, and outline areas of risk for the Council to inform decisions at Committee or Council.

2.0	<u>RECOMMENDATIONS</u>
2.1	<p>It is recommended that Council:-</p> <ul style="list-style-type: none">a) Approves the content of Appendix 1 as the Council's Impact Assessment Guide and Checklist; andb) Instructs Officers to carry out promotion and implementation of the Impact Assessment Guide and Checklist.

THOMAS GLEN

DEPUTE CHIEF EXECUTIVE – PLACE, NEIGHBOURHOOD & CORPORATE ASSETS

3.0 BACKGROUND/MAIN ISSUES

- 3.1** The Council has had a Policy Development Framework (PDF), in various forms, since 2007. This has been used as a central source of information for policy and plan-makers to assess, identify and alter the policies, plans, programmes and strategies being developed within the Council. The PDF currently includes Strategic Environmental Assessment (SEA), Risk Assessment and Equalities Impact Assessment (EqIA). The PDF and related Checklist within it has been used as a proactive tool to ensure that plan-makers know the legislative, regulatory and administrative requirements of any policy document being produced ahead of its development. The Council's Annual SEA Audit has been showing a gradual increase in performance levels year-on-year with the PDF playing a role in that success.
- 3.2** The introduction of the General Data Protection Regulations (GDPR) and Data Protection Act 2018 outlines how the Council's use of personal information must be fair and lawful, and set out duties for public bodies to protect people's right to privacy. In addition to complying with the requirements of the Regulations and Acts, the Council must also be able to evidence compliance. The Data Protection Impact Assessment (DPIA) is a process which assists the Council in identifying and minimising the privacy risks of new projects or policy development. Under Article 35 of GDPR, a DPIA must be carried out where a development is likely to result in a high risk to the rights and freedoms of any individual.
- 3.3** In collaboration, the Project Team concluded that it would be more efficient and helpful for policy development practitioners to integrate the requirements for DPIA into a new policy development framework along with SEA, EqIA and Risk Assessment.
- 3.4** The purpose of the SEA legislation is to provide a high level of protection of the environment and to contribute to the integration of environmental considerations into the creation and adoption of all strategic actions (policies, plans, programmes, strategies and masterplans) by public bodies with a view to promoting sustainable development.
- 3.5** When a new proposal is being developed, it is essential that all risks to the Council in implementing and delivering the proposal are identified and assessed. The Council has developed a robust and proactive Corporate Risk Management Strategy to guide and support this approach. Risks can affect many aspects of the Council's performance and directly impact on service users and employees. There are many categories of risk with some of the more common ones being Financial, Compliance, Health & Safety and Reputational. Consequently, when implementing new proposals, we need a clear understanding of what associated risks the Council faces and how these risks will be managed and controlled.
- 3.6** The purpose of Equality legislation is to protect people from discrimination in the workplace, in the receipt of public services and in wider society. The Equality Impact Assessment process involves assessing the impact of new or revised policies, practices or services against the requirements of the public sector equality duty which requires public bodies have due regard to the need to eliminate discrimination; advance equality of opportunity; and foster good relations between different people when carrying out their activities.
- 3.7** The Council has adopted a privacy by design approach to the processing of personal information. DPIAs ensure that individuals' rights to privacy are a central consideration in the development of policies and procedures from the very earliest stage. DPIAs identify risks and enable the Council to put in place measures to ensure the fair, lawful and transparent processing of personal information required under GDPR.
- 3.8** The IAG (and superseded PDF) provide important information to inform elected members of the relevant implications of assessment impacts identified and proposed recommendations.

The assessments also provide evidence that full consideration has been given to potential relevant impacts during the preparation of proposals and that these impacts have been taken into account when decisions were made. The Guide also sets out details pertaining to the responsibility for ensuring that this is carried out appropriately; accountability for completing the required assessments lies with the Executive Officer for the service leading the proposal. Failure to take account of the legislative requirements at the policy planning stage can ultimately result in legal challenge, enforcement action and/or financial and reputational damage to the Council.

- 3.9** To support Council compliance, Assessment Officers are committed to continuing to undertake awareness sessions on a group or individual basis to give support to those leading on the development of new or updated proposals. Other support includes the preparation of a policy directory which contains details of all strategic policy actions across the Council to improve awareness for those preparing new policies, plans and strategies of the existing range of policy already in place and how improved policy synergies can be achieved. The directory will also be valuable in determining opportunities for joint working and combined consultation events, ensuring resources are utilised as efficiently as possible. The directory will be maintained by the assessment officers and will assist in ensuring that the Council is fully complying with its statutory duties in relation to strategic environmental assessment, data management and protection, risk and equalities.

4.0 IMPLICATIONS

The implications for the Council are as undernoted.

- 4.1 Frontline Service to Customers** – n/a
- 4.2 Workforce** (including any significant resource implications) – n/a
- 4.3 Legal Implications** – The approval of the IAG will help to ensure compliance with the statutory obligation placed on the Council by the Environmental Assessment (Scotland) Act 2005, Equality Act 2010, General Data Protection Regulation and Data Protection Act 2018
- 4.4 Financial Implications** – n/a
- 4.5 Procurement** – n/a
- 4.6 ICT** – n/a
- 4.7 Corporate Assets** – n/a
- 4.8 Equalities** – The IAG will ensure that the Council adheres to the relevant equalities duties.
- 4.9 Other** – n/a

5.0 MANAGEMENT OF RISK

The risks and control measures relating to this Report are as follows:-

- 5.1** Non-compliance with SEA, Equalities and Data Protection legislation and failure to fully assess and address risks in relation to report recommendations. The IAG provides the basis for assessing these risks and removing or mitigating them where possible.

6.0 IMPACT

6.1 ECONOMIC DEVELOPMENT – n/a

6.2 EMPLOYMENT & SKILLS – n/a

6.3 CHILDREN & YOUNG PEOPLE – n/a

6.4 SAFER & STRONGER COMMUNITIES – n/a

6.5 ADULT HEALTH & WELLBEING – n/a

6.6 OLDER ADULTS, VULNERABLE PEOPLE & CARERS – n/a

6.7 STATUTORY DUTY – The IAG will help to ensure compliance with the statutory obligation placed on the Council by the Environmental Assessment (Scotland) Act 2005, Equality Act 2010, General Data Protection Regulation and Data Protection Act 2018

7.0 POLICY CHECKLIST

7.1 Completed versions of the following are appended to the Report:-

n/a.

8.0 APPENDICES

8.1 Appendix 1 – Impact Assessment Guide and Checklist for East Dunbartonshire Council



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East Dunbartonshire Council

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IMPACT ASSESSMENT GUIDE AND CHECKLIST

2019

Contents

Section 1 Introduction	3
What are the impact assessments?	3
Why do we need to do them?	3
When do we do them?	5
Who is responsible?.....	5
How do we ensure accessibility of our information?	5
More Information and Support	5
Section 2 Impact Assessment Flowchart	7
Appendix 1 Equality Impact Assessment	8
Appendix 2 Strategic Environmental Assessment	10
Appendix 3 Risk Assessment.....	11
Appendix 4 Data Protection Impact Assessment.....	13
Appendix 5 – Impact Assessment Checklist.....	15

Section 1 Introduction

The Council is required to take steps to comply with a range of legislation when developing new or updated 'proposals'. This includes policies, plans, procedures, programmes, frameworks, strategies, strategic decisions, service changes, masterplans etc. Assessments are only required where relevant and the extent to which they are carried out should be proportionate to the scale and scope of the proposal. Not all proposals will require all assessments and some may need more significant assessment work than others. The Impact Assessment Checklist at **Appendix 5** should be completed early to determine relevance and proportionality.

What are the impact assessments?

- Equality Impact Assessment (**Appendix 1**)
- Strategic Environmental Assessment (**Appendix 2**)
- Corporate Risk Assessment (**Appendix 3**)
- Data Protection Impact Assessment (**Appendix 4**)

Why do we need to do them?

The assessments of these proposals provide important information to inform elected members of the relevant implications of assessment impacts identified and proposed recommendations. The assessments also provide evidence that full consideration has been given to potential relevant impacts during the preparation of proposals and that these impacts were taken into account when decisions were made.

Failure to take account of the legislative requirements at the policy planning stage can ultimately result in enforcement action and/or financial and reputational damage to the Council. It is also imperative that officers consider proposals within the context of the Council's strategic priorities, adopted in 2017. We have six local outcomes and seven guiding principles for working:

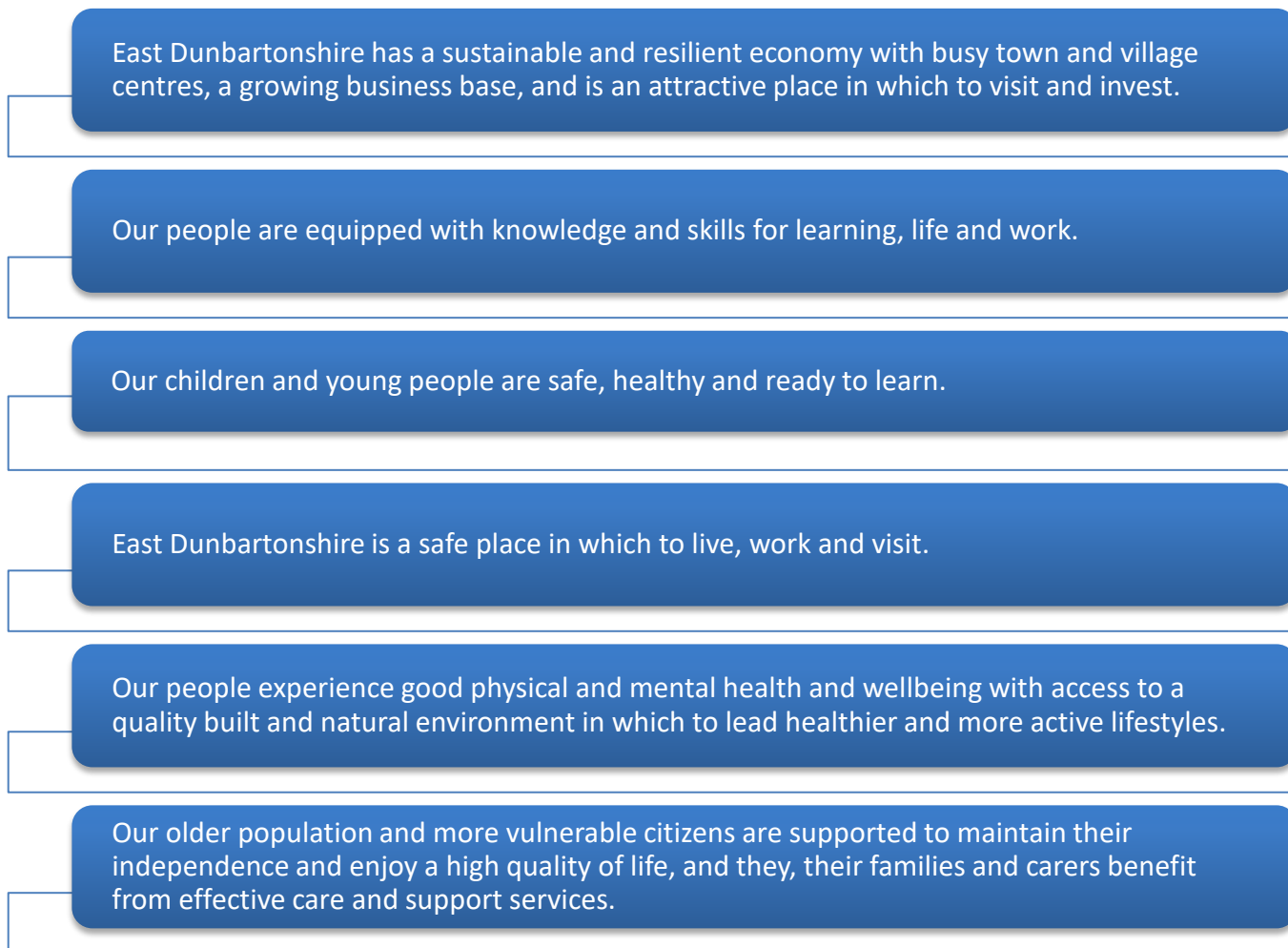


Figure 2: Local Outcomes



Figure 2: Guiding Principles

The Impact Assessment Checklist provides an opportunity to demonstrate links to these. You can read more about our strategic priorities on the Hub¹.

When do we do them?

It is crucial that the Impact Assessment Checklist (**Appendix 5**) is completed at the inception stage of the proposal in order to determine the assessment(s) required and programme in any support from the relevant officers. For example, a full Strategic Environmental Assessment (SEA) can require several weeks to complete prior to the development of a draft proposal. The other assessments will also require time to gather and consider information from relevant stakeholders. Once relevant assessments are identified, working times vary.

- The **Equality Impact Assessment (Appendix 1)**, **Risk Assessment (Appendix 3)** and **Data Protection Impact Assessment (Appendix 4)** should be treated as live documents that are drafted throughout the development and writing of the proposal. They should also be referred to after implementation in order to monitor the related impact.
- Strategic Environmental Assessments require various timescales– See **Appendix 2** for more information.

Who is responsible?

The officer responsible for the development of the proposal should complete the Impact Assessment Checklist and lead on their assessments. Different levels of support can be provided for each of the assessments, including determining eligibility for SEA specifically, but it is crucial that reasonable time is given to programme this in. Accountability for completion of the required assessments lies with the Executive Officer for the service leading the proposal.

How do we ensure accessibility of our information?

The Council's Accessible Information Policy ²states how information we provide should be presented to ensure it is clear and can be understood by everyone, from employees to contractors to local residents.

More Information and Support

Please email impactassessments@eastdunbarton.gov.uk for further information and support on the Impact Assessment Checklist and assessments requirements. Teams with responsibility for individual assessments can be contacted via the details below:

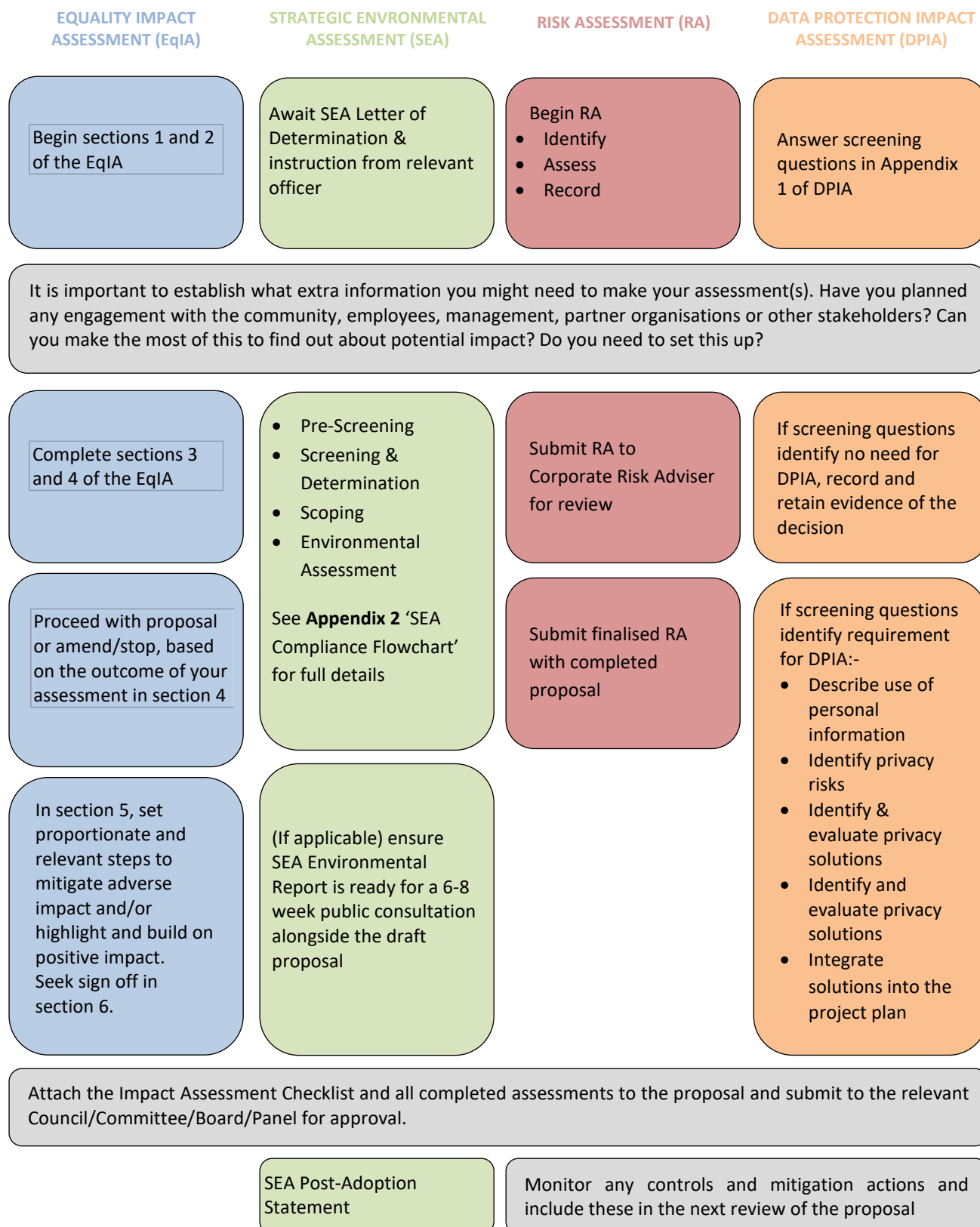
¹ The Hub > Home > Council > Plans, Policies And Strategies > Strategic Plans and Policies > Local Outcomes Improvement Plan 2017-2027

² The Hub > Council > Plans, policies and strategies > Communications > Accessible Information Policy 2016-19

Equality Impact Assessment	
Community Planning and Partnerships Team	equality@eastdunbarton.gov.uk 0300 123 4510
Strategic Environmental Assessment	
Sustainability Policy Team	sustainability@eastdunbarton.gov.uk
Lauren Hollas	Lauren.Hollas@eastdunbarton.gov.uk 0141 578 8532
Neil Samson	Neil.Samson@eastdunbarton.gov.uk 0141 578 8615
Risk Assessment	
David Pendreigh	David.Pendreigh@eastdunbarton.gov.uk 0141 574 5560
Data Protection Impact Assessment	
Stephen Armstrong	Stephen.Armstrong@eastdunbarton.gov.uk 0141 578 8057

Section 2 Impact Assessment Flowchart

Complete the Impact Assessment Checklist at the inception of the proposal. This should be sent to impactassessments@eastdunbarton.gov.uk so that along with the assessment officers the policy/proposal officer can be informed of next steps and any support can be programmed



Appendix 1 Equality Impact Assessment

Equality Impact Assessment Toolkit (inclusive of guidance and form) is available on the Hub³.

The Council is required by the Equality Act (2010) to actively consider and take steps to:

- **Remove unlawful discrimination** such as less favorable treatment. This is more commonly unintended and indirect.
- **Advance equality of opportunity** by minimizing disadvantages, working in ways to meet different needs and encouraging groups of people to participate in public life where their representation is low.
- **Foster good relations** between people who share a characteristic and those who do not share that characteristic such as people of different ethnicities or languages spoken.

The Council's Equality Impact Assessment (EqIA) form helps to identify and record what it will do in relation to one or more of these.

The key purpose of an EqIA is to identify any disproportionate impact on groups of people that could take place as a result of a proposal being implemented. It allows the Council to set proportionate and relevant steps to mitigate adverse impact and/or highlight and build on positive impact.

You should think about potential impact at two different levels:

1. The potential impact of **what** you are proposing to do e.g. the objectives of a strategy; and
2. The potential impact of **how** you are going to implement the proposal and communicate it with the relevant audience.

If what you are proposing⁴ is heavily prescribed by Scottish Government for example, that doesn't mean you can't consider the potential impact of how you implement and communicate it. For example, where, when, in what format, and using what methods. These all need to be considered once you know who the audience or service user group is.

³ The Hub > Home > Business > Business and Management Toolkits > Equality Impact Assessment

⁴ Proposals include policies, plans, procedures, programmes, frameworks, strategies, strategic decisions, service changes, masterplans etc.

The quality of an impact assessment comes from the knowledge and expertise of the team who is responsible for the proposal. It is essential for the Officers conducting the assessment to know who the audience is and have in-depth appreciation of what is being proposed. Only then will Officers be able to effectively assess whether the proposal and the way it is implemented could have disproportionate impact on a group(s) of people.

The Council's approved Equality Impact Assessment (EqIA) Toolkit should always be used. This ensures consistency of approach, clear record of potential impact and enables Elected Members to make informed decisions. The toolkit contains step by step guidance, a form for general proposals and a form for budget proposals. Once complete, the form should be appended to the relevant Council/Committee/Board/Panel report. If your proposal is being implemented without consideration at this level, you must keep a record of the EqIA.

Implications from a failure to do this include:

- Unintentional harm to communities or individuals due to lack of consideration.
- Legal challenge.
- Breakdown in trust and respect from communities towards the Council.
- Direct or indirect costs due to the need for corrective action.

Legislative requirements around equality and diversity have changed significantly. **The Equality Act 2010 supersedes and enhances over 100 separate pieces of previous legislation.** This includes:

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Relations (Amendment) Act 2000
- Disability Discrimination Act (DDA) 1995 & 2005
- Equality Act 2006

Appendix 2 Strategic Environmental Assessment

SEA is a statutory requirement for **all** Council 'policies', referred to as strategic actions for the purposes of SEA (including alterations and updates). The requirement for SEA is provided for in the Environmental Assessment (Scotland) Act 2005 (SEA Act) which came into force in February 2006 transposed from EU Directive 2001/42/EC on the Assessment of Certain Plans and Programmes on the Environment (EU SEA Directive).

The purpose of the SEA legislation is to provide a high level of protection of the environment and to contribute to the integration of environmental considerations into the creation and adoption of all strategic actions produced by public bodies with a view to promoting sustainable development.

The SEA legislation requires action to be taken on all strategic actions produced by the Council, except those specifically excluded from the legislation or to which the Act does not apply⁵. The main stages of SEA include:

1. Pre-Screening
2. Screening
3. Scoping
4. Environmental Assessment
5. Post-Adoption Statement

Figure 3 shows the stages and the inter-relationships between each and who is responsible.

The Sustainability Policy Team offers a range of proactive support to help the Council achieve compliance with SEA, including the undertaking of a SEA audit to forecast and programme future Council assessment needs. Awareness raising sessions are also carried out with individual teams, where required, and relevant information and documents relating to the SEA process and completed SEA can be found on the 'Assessment Officers Forum' on IBM Connections.

The Procedure Note⁶ and SEA Process – Timeline of Stages⁷ provide full details on East Dunbartonshire Council's SEA process and legislative requirements, including:

- a) Statutory context
- b) Why and when do we do SEA, and what happens if we don't?
- c) Overview of SEA procedure and responsibilities
- d) What are the mechanisms for monitoring the delivery of mitigation measures?
- e) Useful links and contact details

Further information is available from the Scottish Government⁸.

⁵ National defence or civil emergency plans; financial and budgetary plans; and, plans relating to individual schools

⁶ IBM Connections > Communities > Assessment Officers Forum > Library > SEA Procedure Note

⁷ IBM Connections > Communities > Assessment Officers Forum > Library > Policy Development Framework > 2.1 Strategic Environmental Assessment Process – Timeline of Stages

⁸ <http://www.gov.scot/Topics/Environment/environmental-assessment/sea>

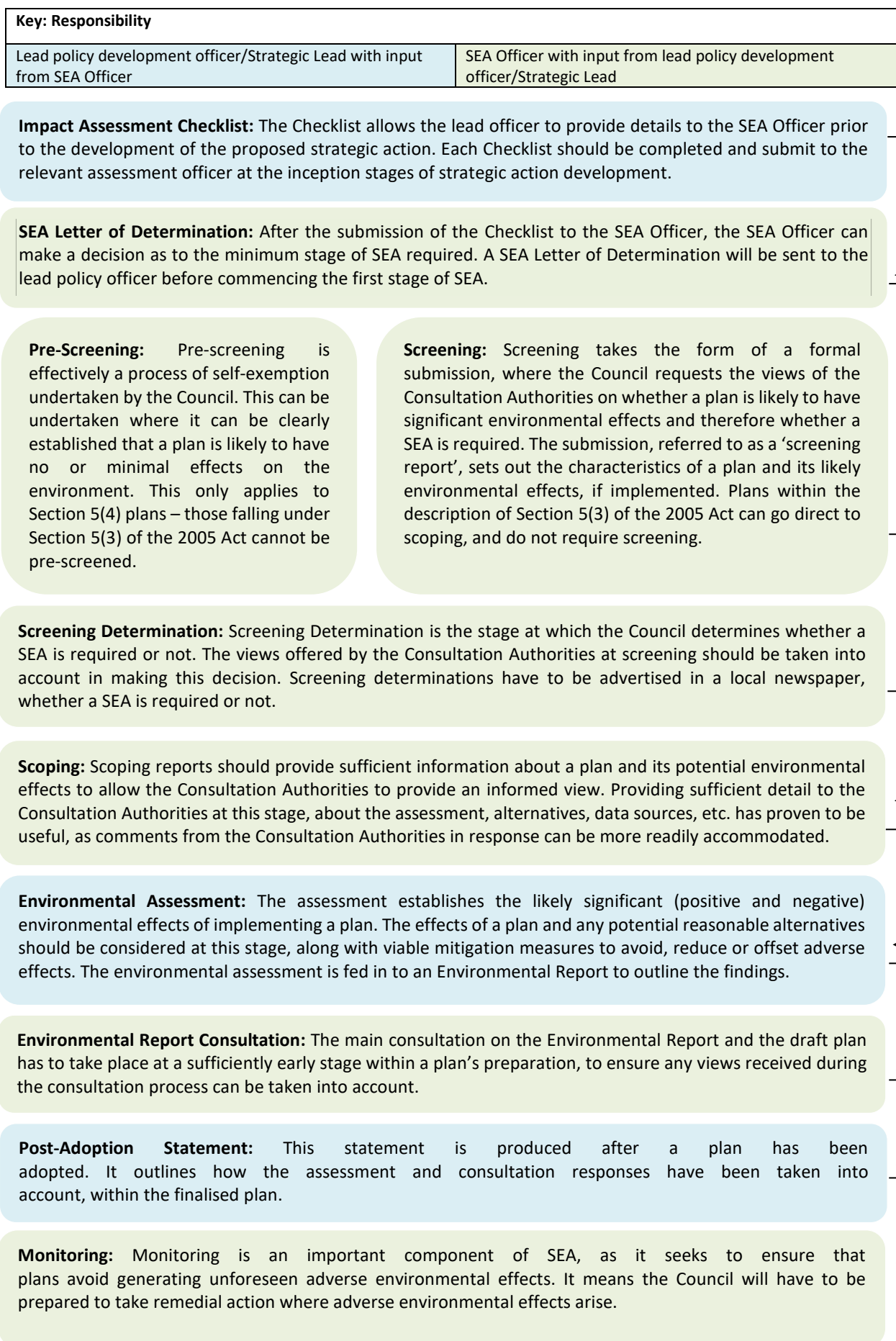


Figure 3: SEA Compliance Flowchart

Appendix 3 Corporate Risk Assessment

When a new proposal is being developed, it is essential that all risks to the Council in implementing and delivering the proposal are identified and assessed. The Council has developed a robust and proactive Corporate Risk Management Strategy⁹ to guide and support this approach. Risks can affect many aspects of the Council's performance and directly impact service users and staff. There are many categories of risk with some of the more common ones being Financial, Compliance, Health & Safety and Reputational. Consequently, when implementing new proposals, we need a clear understanding of what associated risks the Council faces and how these risks will be managed and controlled.

A Risk Assessment (RA) template has been created to assist in the identification and assessment of risks associated with a new or updated proposal. The officer responsible for the development of the proposal should complete the Impact Assessment Checklist prior to and alongside the development of the proposal and its associated RA.

The key component stages of the assessment document are:

1. Definition and assessment of risk based on likelihood of occurrence and severity of impact,
2. Identification of existing risk management controls, and
3. Recording of risk management improvement actions.

Depending on the level of risk identified (**Risk Rank**) a decision will be made on the most appropriate strategy to treat the risk. There are 3 levels of Risk Rank identified within the RA template:

1. **High** – Unacceptable level of risk to the Council
2. **Medium** – Acceptable level of risk to the Council with frequent monitoring of controls.
3. **Low** – Acceptable level of risk to Council

There are four major categories of **risk treatment**:

1. **Terminate** (Withdraw from the activity giving rise to the risk)
2. **Treat** (Reducing the likelihood or impact of the risk occurring)
3. **Transfer** (Transferring the risk to a third party (e.g. insurance or outsourcing)
4. **Tolerate** (Accepting the risk as it is)

The undernoted graphic illustrates the range of recommended treatment strategy(s) available for each Risk Rank.

Risk Rank	Treatment Strategy			
	Terminate	Treat	Transfer	Tolerate
High	✓	✓	✓	X
Medium	X	✓	✓	✓
Low	X	X	X	✓

Further help and advice on completing the Risk Assessment document can be obtained from the Audit and Risk Department.

⁹ The Hub > Council> Plans, policies and strategies > Corporate Risk Management

Appendix 4 Data Protection Impact Assessment

Under the General Data Protection Regulations (GDPR) and Data Protection Act 2018, the Council's use of personal information must be fair lawful and transparent. Not only does the Council have a duty to protect peoples' right to privacy but must also be able to evidence this.

GDPR has introduced a vastly increase system of financial penalties for breaches of the legislation. Organisations, such as the Council, can now be fined up to €20 million for failures to comply with GDPR.

The Council operates under the principle of 'privacy by design' under which there is a commitment to ensure that individual's rights to privacy form an integral part in the planning and operation of Council processes from the very earliest stage. A vital tool in meeting this commitment are Data Protection Impact Assessments (DPIAs).

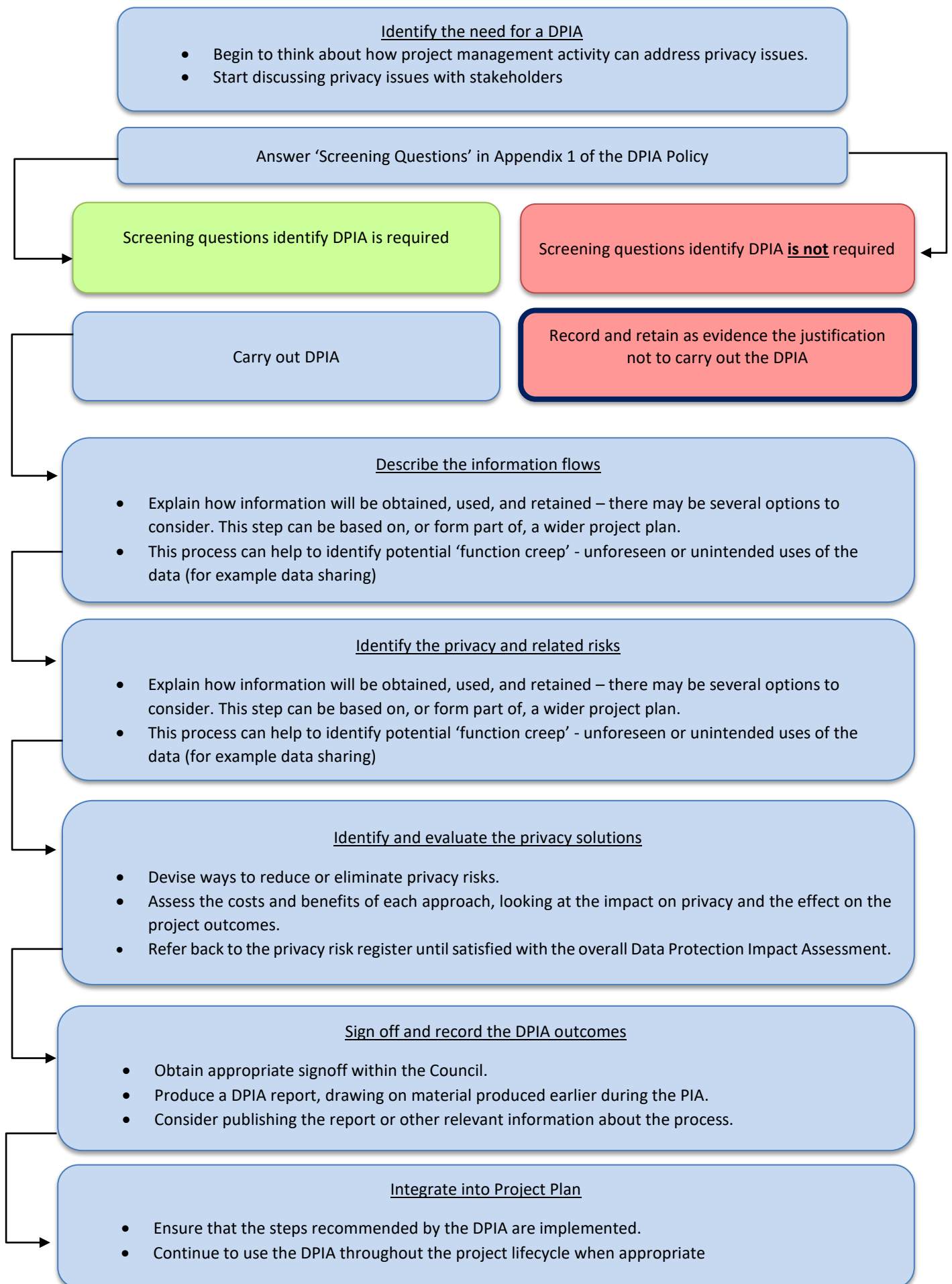
A DPIA is a process which assists organisations in identifying and minimising the privacy risks of new projects or policies.

A DPIA enables an organisation to systematically and thoroughly analyse how a particular project or system will affect the privacy of the individuals involved.

An effective DPIA will allow East Dunbartonshire Council ("the Council") to identify and fix problems at an early stage, reducing the associated costs and damage to reputation which might otherwise occur.

DPIAs are often applied to new projects, because this allows greater scope for influencing how the project will be implemented. A DPIA can also be useful when the Council is planning changes to an existing system though.

The DPIA Policy provides the practical steps required in order to carry out the process. A guide to this process is provided below. Further help and advice on completing the DPIA can be obtained from the Council's Data Protection Officer and Information Management Team.



Appendix 5 – Impact Assessment Checklist

1. Title of proposal¹⁰
2. Accountable Executive Officer
3. Designated Officers (Names and Job Titles) for developing proposal
4. What is the nature of the proposal?
<input type="checkbox"/> Update or introduction of a new policy, plan, strategy etc. <input type="checkbox"/> Review existing or introduction of new service or function <input type="checkbox"/> Reduction or removal of an existing service or function <input type="checkbox"/> Budget proposal <input type="checkbox"/> Other (e.g. technical note, decision). Please provide details:
5. What are the main implications from this proposal? Select all that apply
<input type="checkbox"/> Introduction/removal or increase/decrease of charging <input type="checkbox"/> Increase or addition of a service <input type="checkbox"/> Reduction or removal of a service <input type="checkbox"/> New ways of working or updates to procedures <input type="checkbox"/> Different location, format or time of a service <input type="checkbox"/> New/changed options or entitlements <input type="checkbox"/> New/changed priorities or criteria <input type="checkbox"/> Other. Please provide details:
6. What is the purpose of the proposal?
7. What are the proposed vision, aims and objectives, if applicable?
8. What prompted the development of the proposal? (e.g. new legislation, administrative)
9. What is the subject of the proposal (e.g. transport, land use, health)?
10. What are the intended outcomes and functions of the proposal?
11. Will the proposal be driven by, influence or be influenced by any other existing or emerging proposals?

¹⁰ This includes policies, plans, procedures, programmes, frameworks, strategies, strategic decisions, service changes, masterplans etc.

12. Has a previous version, or parts (e.g. objectives, actions) of this proposal been considered by any assessment before this?	
<input type="checkbox"/> Equality Impact Assessment <input type="checkbox"/> Risk Assessment <input type="checkbox"/> Strategic Environmental Assessment <input type="checkbox"/> Data Protection Impact Assessment	If yes for 1 or more assessment, please provide details:
13. What is the period covered by the proposal and/or implementation date	
14. What is the frequency of updates/reviews (e.g. annual)? Please include dates if possible	
15. Identify how the proposal supports the Local Outcomes Improvement Plan (LOIP)¹¹ select all that apply	<input type="checkbox"/> Outcome 1: East Dunbartonshire has a sustainable and resilient economy with busy town and village centers, a growing business base, and is an attractive place in which to visit and invest <input type="checkbox"/> Outcome 2: Our people are equipped with knowledge and skills for learning, life and work <input type="checkbox"/> Outcome 3: Our children and young people are safe, healthy and ready to learn <input type="checkbox"/> Outcome 4: East Dunbartonshire is a safe place in which to live, work and visit <input type="checkbox"/> Outcome 5: Our people experience good physical and mental health and wellbeing with access to a quality built and natural environment in which to lead healthier and more active lifestyles <input type="checkbox"/> Outcome 6: Our older population and more vulnerable citizens are supported to maintain their independence and enjoy a high quality of life, and they, their families and carers benefit from effect care and support services <input type="checkbox"/> Guiding Principle 1: Coproduction and engagement <input type="checkbox"/> Guiding Principle 2: Best Value <input type="checkbox"/> Guiding Principle 3: Evidence based planning <input type="checkbox"/> Guiding Principle 4: Fair and equitable services <input type="checkbox"/> Guiding Principle 5: Planning for place <input type="checkbox"/> Guiding Principle 6: Prevention and early intervention <input type="checkbox"/> Guiding Principle 7: Sustainability
16. Who is the main audience for this proposal? Select all that apply	<input type="checkbox"/> East Dunbartonshire Council employees <input type="checkbox"/> Contractors or organisations/individuals carrying out a service on behalf of the Council <input type="checkbox"/> Voluntary sector groups/organisations

¹¹ The Hub > Home > Council > Plans, Policies And Strategies > Strategic Plans and Policies > Local Outcomes Improvement Plan 2017-2027

	<input type="checkbox"/> People living in a specific area of East Dunbartonshire. Please detail: <input type="checkbox"/> Everyone living in East Dunbartonshire <input type="checkbox"/> People working, studying or volunteering in East Dunbartonshire <input type="checkbox"/> Visitors to East Dunbartonshire <input type="checkbox"/> Specific group(s) of people with a shared interest. <div style="margin-left: 20px;"> <input type="checkbox"/> Experiencing socioeconomic disadvantage (this includes low/no wealth, low income, area deprivation, material deprivation) <input type="checkbox"/> Being in a particular age category <input type="checkbox"/> Being from a black or ethnic minority group e.g. Gypsy/Travellers <input type="checkbox"/> Speaking a language other than English <input type="checkbox"/> Women or girls <input type="checkbox"/> Identifying as Lesbian, Gay Bisexual or Transgender <input type="checkbox"/> Belonging to a particular religion or faith <input type="checkbox"/> Pregnant women or those on maternity/paternity leave <input type="checkbox"/> Having a long term limiting health condition or disability <input type="checkbox"/> Another marginalised group e.g. those experiencing homelessness, offenders/ex-offenders. Please detail: <input type="checkbox"/> None of the above </div>
17. Strategic Environmental Assessment (SEA)	
<p>Stage 1: On completion and submission of the Impact Assessment Checklist to the relevant assessment officer(s) the level of SEA required will be determined.</p> <p>Stage 2: To be completed after Stage 1 and receipt of SEA Letter of Determination to identify relevant stages of SEA needed and completed.</p> <div style="margin-left: 20px;"> <input type="checkbox"/> SEA Letter of Determination <input type="checkbox"/> Pre-Screening Notification <input type="checkbox"/> Screening Report <input type="checkbox"/> Screening Determination <input type="checkbox"/> Scoping Report <input type="checkbox"/> Environmental Report OR <input type="checkbox"/> SEA Letter of Determination stated SEA not required </div>	
18. Risk Management	Please tick boxes to confirm completion of each stage. <input type="checkbox"/> Conduct Risk Assessment <input type="checkbox"/> Risks Assessment document reviewed by Corporate Risk Adviser <input type="checkbox"/> Risks Assessment document attached to Committee/Council papers along with Impact Assessment Checklist

**18. Data Protection
Impact Assessment**

Please tick boxes to confirm completion of each stage.

☐ DPIA Screening Questions

Is a full DPIA required?

If yes:

☐ Full DPIA carried out

If no:

DPIA Screening complete & no further DPIA required

Signed:

Date:



**EAST DUNBARTONSHIRE
COUNCIL**

6 JUNE 2019

PNCA/045/19/HH

**DEPUTE CHIEF EXECUTIVE - PLACE,
NEIGHBOURHOOD & CORPORATE ASSETS**

CONTACT OFFICER:

**HEATHER HOLLAND, EXECUTIVE OFFICER LAND
PLANNING & DEVELOPMENT
TEL: 0141 578 8524**

SUBJECT TITLE:

**INFRASTRUCTURE COMMISSION FOR SCOTLAND
CALL FOR EVIDENCE – COUNCIL RESPONSE**

1.0 PURPOSE

- 1.1** The purpose of this Report is to recommend a response for ratification by Council to the Infrastructure Commission for Scotland's Call for Evidence which closed on the 3 May 2019. This response will be submitted in support of and in addition to a response on behalf of the Glasgow City Region.

2.0	<u>RECOMMENDATIONS</u>
2.1	<p>It is recommended that Council:-</p> <ul style="list-style-type: none">a) Notes the response submitted on behalf of the Glasgow City Region; andb) Approves this Report as the Council's ratified response to the Infrastructure Commission for Scotland's Call for Evidence.

THOMAS GLEN

DEPUTE CHIEF EXECUTIVE – PLACE, NEIGHBOURHOOD & CORPORATE ASSETS

3.0 BACKGROUND/MAIN ISSUES

Context

- 3.1** The Infrastructure Commission for Scotland has been established by Scottish Government to provide independent, informed advice on the nation's vision, ambition and priorities to create a 30-year infrastructure strategy to meet the country's future economic growth and societal needs. It is provided that this will support the Scottish Government's delivery of its National Infrastructure Mission and development of the next Infrastructure Investment Plan for the five years ahead. The Commission will advise on the key strategic and early foundation investments to boost economic growth and support delivery of Scotland's low carbon objectives and achievement of climate change targets.
- 3.2** Following the completion of the report, the Commission will be asked to provide advice to ministers on the delivery of infrastructure in Scotland, including the possible creation of a Scottish National Infrastructure Company.
- 3.3** As a first stage of engagement, the Commission has invited written contributions on Scotland's future infrastructure priorities. These contributions will inform the Commission's initial evidence gathering and analysis, with further opportunities for engagement planned in the coming months.
- 3.4** As the closing date for responses was the 3rd May 2019, officers submitted a holding response which was highlighted as being subject to ratification by Council.

Glasgow City Region Response

- 3.5** The Glasgow City Region Chief Executives' Group agreed a regional response which is included in full in appendix 1.

Recommended Council Response

- 3.6** "East Dunbartonshire Council welcomes the opportunity to contribute to the Infrastructure Commission's Call for Evidence. In support of and in addition to the Glasgow City Region's response, the following comments are offered for consideration.

POLICY FRAMEWORK

- 3.7** There is a requirement to review the full myriad of policy frameworks in which infrastructure provision should be considered and how these interrelate. For example, in drawing up any Development Plan, transport, digital and utilities connections should all be considered at the same time as the land use proposal itself. There is a need to re-consider the statutory framework which underpins Development Planning and include a statutory duty to provide a legally binding infrastructure plan. It is vital that the policy landscape in Scotland (including that of key agencies) is mutually reinforcing.

PLACE AND REGIONAL AGENDAS

- 3.8** Infrastructure should be considered in the context of the Place Principle and the emerging regional agenda for public services. This should mean that investment planning will be focussed on inclusive growth across local areas, as much as it will be about improving national networks.

- 3.9** National plans and strategies should fully support the regional aspirations and needs agreed by the elected leadership of local regional partnerships. In our area, this regional direction is set out in the Regional Economic Strategy and Regional Spatial Framework, agreed by the Glasgow City Region.

SKILLS

- 3.10** There should be recognition of the skills that will be required in the workforce to deliver the infrastructure of the future. Workforce planning needs to be carried out in partnership with the public sector, private sector and the education sector to support the Commission's objectives.

TRANSPORT

- 3.11** All modes of transport should be considered at the same time. For example the issue of parking around stations cannot be separated from the growing number of rail users.
- 3.12** More consideration should be given to place making and economic prosperity as a driving factor in transport infrastructure planning. Areas such as the Glasgow City Region only work as economic power houses if the component areas are accessible. Prioritisation of end to end rail journey times can be to the detriment of local access and therefore can be a limiting factor to economic growth and a barrier to jobs. Ensuring there is a well-connected, skilled workforce within the City Region should be a driving factor when assessing transport infrastructure. This is applicable to all modes of transport including consideration of the capacity of the rail network locally, regionally and nationally.
- 3.13** Over the coming months, as the work of the Infrastructure Commission progresses consideration should also be given to the recently published Glasgow Connectivity Commission Report.

HOUSING

- 3.14** If the step change required in housing delivery in Scotland is to be achieved, consideration should be given to a direct funding model such as the Greater Manchester Housing Fund and engagement with regional partnerships to determine regional needs and development of appropriate infrastructure and housing funds which remove existing barriers to development.
- 3.15** In order to deliver of the Scottish Government's aspiration of more homes, increased investment in infrastructure delivery and improved alignment of public and private sector infrastructure programmes is essential to support a transformation in the rate of housing delivery. The National Infrastructure Investment Plan will need to tackle issues around deficit funding, derelict land and remediation as well as infrastructure investment.
- 3.16** It is also essential to ensure that this delivery occurs in the right locations to support economic and social regeneration objectives, including those embodied in the Glasgow City Region Economic Action Plan and the Development Plan for the city region, Clydeplan.

COMMUNITY NEEDS

- 3.17** The impact of new development on the wider community needs to be considered well in advance of new schemes and clearly communicated. This again would fit with a plan-led system such as detailed in paragraph 3.7. Recognition of demographics and planning for an aging population should filter through the policy framework detailed in the aforementioned paragraph.

The Council welcomes the recognition of the wide definition of infrastructure including that of education and cultural facilities and emphasises the importance of bringing together infrastructure investment programmes to promote an infrastructure first approach rather than allowing development to proceed where it cannot be absorbed by existing infrastructure.

DECARBONISATION, CLIMATE CHANGE AND THE ENVIRONMENT

- 3.18** The Commission needs to consider the impact of climate change and plans should take into account regional priorities and supports regional initiatives on carbon reduction and adaptation.
- 3.19** There needs to be further thought around investing where infrastructure can sustain development, accepting that this needs to be balanced with other issues regarding rurality, areas of deprivation etc. Recognition should be given to the fact that land is a finite resource and the Council would question if Housing Land Supply targets are really the best way to stimulate sustainable development?

FUNDING AND DELIVERY

- 3.20** There needs to be a significant and enduring revenue funding to maintain existing and new infrastructure. Government should work with regional partnerships to develop and help fund existing and new infrastructure delivery models, which should include expansion of government funding on initiatives such as the Building Scotland Fund and the Scottish National Investment Bank.
- 3.21** The role of regional partnerships in respect of infrastructure and delivery, along with the required duties, powers and resources, must be clearly prescribed in order to establish an effective and empowered regional partnership.
- 3.22** Strong, well-co-ordinated regional infrastructure delivery programmes are an essential basis for infrastructure delivery across Scotland. The process of collaboration to secure infrastructure delivery and development is well-advanced in the Glasgow city region and provides a model which may be appropriate for other areas of Scotland to emulate. We consider that land-use planning which includes comprehensive infrastructure planning needs to be central to our aspirations for accelerating economic growth in the City Region.”

4.0 IMPLICATIONS

The implications for the Council are as undernoted.

- 4.1 Frontline Service to Customers** – n/a
- 4.2 Workforce** (including any significant resource implications) – n/a
- 4.3 Legal Implications** – n/a
- 4.4 Financial Implications** – n/a
- 4.5 Procurement** – n/a
- 4.6 ICT** – n/a
- 4.7 Corporate Assets** – n/a

4.8 Equalities – n/a

4.9 Other – n/a

5.0 MANAGEMENT OF RISK

The risks and control measures relating to this Report are as follows:-

5.1 None

6.0 IMPACT

6.1 ECONOMIC GROWTH & RECOVERY – n/a

6.2 EMPLOYMENT & SKILLS – n/a

6.3 CHILDREN & YOUNG PEOPLE – n/a

6.4 SAFER & STRONGER COMMUNITIES – n/a

6.5 ADULT HEALTH & WELLBEING – n/a

6.6 OLDER ADULTS, VULNERABLE PEOPLE & CARERS – n/a

6.7 STATUTORY DUTY – n/a

7.0 POLICY CHECKLIST

7.1 This report has been assessed against the Policy Development Checklist and has been classified as being an operational report and not a new policy or change to an existing policy document.

8.0 APPENDICES

8.1 Appendix 1 – Glasgow City Region Response



Glasgow City Region

Response to Infrastructure Commission for Scotland's Call for Evidence

Glasgow City Region Response

Glasgow City Region welcomes the opportunity to contribute to the Infrastructure Commission for Scotland's Call for Evidence. The Glasgow City Region response is noted below highlighting the main issues from a regional perspective and responses to the questionnaire can be found in Appendix 1. Appendix 2 comprises a summary of the work undertaken by the Glasgow City Region Infrastructure and Assets Portfolio chaired by Lorraine McMillan, Chief Executive of East Renfrewshire Council.

GCR Approach to infrastructure

Improved alignment of strategic investment is critical for achieving a more resource efficient low carbon economy and sustainable inclusive economic growth and this can be achieved through improved co-ordination across organisations. Glasgow City Region is working to refine co-ordination of strategic infrastructure investment through collaboration with utility and transport providers.

To illustrate this, the Infrastructure and Assets Portfolio has instigated a work programme that ensures member authorities are in the best position to maximise investment in digital infrastructure and, with the participation of our digital utility partners, has prepared a Digital Connectivity Strategy. Ongoing partnership with utilities providers will ensure the proliferation of digital infrastructure across the city region.

An Operational Infrastructure Group was established to:

- further develop working relationships
- provide a platform for managing issues on the ground
- to map existing assets and future investment priorities
- identify existing and potential future issues, and
- propose appropriate actions that will drive progress towards improved alignment of strategic investments.

The Group has focused on two specific sites within the city region as pilot and both areas contain significant elements of City Deal funded projects alongside strategic land release allocated in the local development plan. This approach has been successful and is now being rolled out across the city region and we will continue to work together to align our infrastructure investments to focus on progressing our collaborative operational work on a local authority by local authority basis

With regard to transport issues, the Transport and Connectivity Portfolio, with SPT, is working closely with Transport Scotland to identify transport priorities across the city region.

Strategic infrastructure investment ultimately delivers the success of place.

Place-making and people must therefore be core elements of infrastructure planning. Successful place-making requires collaboration that has not been present for decades. So-called soft infrastructure that contributes to green networks is of equal importance to hard or grey infrastructure. The transition to low carbon economy is also essential if Scotland and Glasgow City Region is to thrive in the global economy. It is anticipated that a framework to identify future infrastructure investment priorities across the city region will emerge in due course.

The Glasgow City Regional Strategic Assessment sets out the current state of the city region economy and highlights progress towards achieving the aims and targets contained within the Regional Economic Strategy and associated Action Plan (2017). This robust evidence base provides a baseline for the review of the Economic Strategy and Action Plan as well as providing a strong indication of where further investment is required in relation to inclusive growth and the low carbon economy.

Further studies such as the recent Glasgow Connectivity Commission report, Scotland's Urban AGE and Towards a Business Story for Glasgow by Professor Greg Clark will also inform how the city region identifies priority investments. In addition, Glasgow City Region is establishing an Intelligence Hub that will provide data and analytical support to the city region.

The degree of existing collaboration around infrastructure, the extensive evidence gathered and the establishment of a regional Intelligence Hub enables Glasgow City Region to develop a framework to significantly improve co-ordination of strategic infrastructure investment between the member authorities and utilities and transport partners.

The emerging approach to devise a method that identifies a programme of priority investments within Glasgow City Region coupled with the Scottish and UK Governments non-prescriptive approach to Regional Partnerships suggests that a proportionate regional allocation of resources for infrastructure investment should be administered by the city region. Such a proportionate regional allocation would enable the delivery of locally strategic inclusive growth areas that will be identified in the revised Regional Economic Strategy as well as improving links to national infrastructure networks.

Conclusion

Glasgow City Region would welcome the opportunity to collaborate with the Commission and the Scottish and UK Governments to devise a framework that identifies nationally and locally strategic infrastructure investment priorities to deliver sustainable inclusive economic growth, manages the transition to a more resource efficient, lower carbon economy and supports the delivery of efficient high quality, modern public services.

Submitted on behalf of Glasgow City Region on Friday 10 May 2019

APPENDIX 1: INFRASTRUCTURE COMMISSION FOR SCOTLAND CALL FOR EVIDENCE

GLASGOW CITY REGION RESPONSE TO ISSUES AND KEY QUESTIONS WITHIN THE SCOPE OF THE COMMISSION: DRAFT

Glasgow City Region welcomes the opportunity to contribute to the Infrastructure Commission's Call for Evidence. In line with the Glasgow City Region Economic Strategy 2017, and the emerging refresh of this strategy, the following comments are offered in response to the issues and key questions raised within the scope of the Commission.

General Points:

1. Glasgow City Region is the largest city region in Scotland and one of the largest in the United Kingdom. As such it is a key engine of economic growth for both the Scottish and UK economies, generating around 32% of Scotland's Gross Value Added (£43.184bn) and 33% of Scottish jobs. It is also home to over 29% of all businesses in Scotland. The continued economic success of the Glasgow City Region is vital to the economy of Scotland.
2. The Commission should consider the drive for collaboration around place, and the emerging regional agenda for public services. This should mean that investment planning will be focussed on inclusive growth across local areas, as much as it will be about improving national networks.
3. The role and remit of the commission does not make any mention of the policy framework that infrastructure is controlled within. Specifically there is no mention of the Programme for Government, Climate Change Act, National Transport Strategy Review, the Strategic Projects Review, the new Planning Bill, National Planning Framework 4, Scottish Government's Digital Strategy, Route Development Plan, as well as the existing regional policy context etc. These should inform the Commission's views. Specifically, the relationship between the work of the Commission and STPR2 should also be taken in to account.
4. Any infrastructure programme must be future proofed and look across the broad sector and a long time horizon. For instance, digital and SMART infrastructure will not only be key to transport going forward, it will be key to reducing the reliance on transport.
5. Existing major infrastructure projects have time lines from 60 up to 120 years. The timelines used in the Commission's document are therefore considered too short to be truly meaningful. A longer term horizon should be considered.
6. Investment in maintaining transport, buildings and utilities networks has declined significantly over the decades but new technologies will require a sound base infrastructure to function on. There needs to be a significant and enduring increase in revenue funding to maintain existing infrastructure. There also needs to be a recognition that not all existing infrastructure is going to prove useful in the future and ensure that we account for the costs of removing redundant infrastructure as technologies progress.

7. In approaching new projects, we must ensure that all aspects of infrastructure are considered, for example, in drawing up any Development Plan, transport, digital and utilities connections should all be considered at the same time as the land use proposal itself. There is a need to re-consider the statutory framework which underpins Development Planning and the potential role of an infrastructure strategy.
8. Utilities should take a holistic look at development planning to ensure that there is sufficient capacity across a network rather than considering issues on a site by site basis. Infrastructure providers may have a common interest in showing what effect that uncertainty has on their investment programmes. Glasgow City Region Infrastructure Portfolio is working with our utility partners to better align our strategic infrastructure investment plans and accommodate planned growth.
9. Further thought should be given to investing where infrastructure can sustain development, accepting that this needs to be balanced with other issues regarding, areas of deprivation, etc. Glasgow City Region is developing a process to identify investment priorities that will secure its international competitiveness, contribute to place-making, drive technological change and innovation, and address drivers such as inclusive growth and climate change by using a place-based approach.
10. People and communities must be at the heart of any significant decisions on infrastructure. Strategic infrastructure investment ultimately delivers the success of place. Place-making and people must therefore be core elements of infrastructure planning. Successful place-making requires collaboration that has not been present for decades. So-called soft infrastructure that contributes to green networks is of equal importance to hard or grey infrastructure. A framework for identifying infrastructure priorities based on sound evidence would therefore be welcomed and Glasgow City Region would welcome the opportunity to contribute to the development of such a framework
11. In relation to climate change mitigation and adaptation, the resilience of new and existing infrastructure across all agencies is a significant consideration in future decision-making on investment.
12. We need to secure a skilled and flexible workforce with an understanding not only of the technological advances but also with a sound grounding in basic technical skills to be able to construct sustainable infrastructure. We need to ensure that we have the right training programmes in place to deal with the many challenges we face.
13. We need to ensure the best digital coverage we can have to allow SMART technologies to flourish across Scotland. This digital expansion needs to be coupled to an open data ethos to allow innovation to flourish.
14. The link between health and active travel needs to be promoted through strategic infrastructure investment and the necessary investment made to ensure people have travel and lifestyle choices with reduced detriment to public health.

15. We need a different approach to active travel to allow working across administrative boundaries. Multi modal infrastructure needs to be tied to a change in culture and behaviours and it needs to be acknowledged that such changes might take a considerable time without either incentives or penalties for change.

16. Safety and the safe operation of any services it enables must always take precedence in prioritising infrastructure investment. The Commission should acknowledge that technology will provide new solutions and challenges to infrastructure provision e.g. autonomous vehicles, digital speed control, etc.

17. There is a need to reconsider some of our existing planning tools. STAG emphasis is on generating significant economic growth rather than on social inclusion, environmental impacts, place making, inclusive growth and scenario planning.

18. Revenue funding is just as important as capital and a more balanced and fair approach to this is essential in future.

19. There should be greater recognition of the importance of transport services, bus and train and the role they play in inclusive growth, social cohesion and environmental impacts.

Collated Responses to Questionnaire from the Infrastructure Commission for Scotland

1. The remit and in particular the Commission objectives provide an illustration of some key strategic drivers to an inclusive growth and low carbon economy:

- The remit and objectives a wide ranging and accommodate the ability to tailor specific arrangements to locations, particularly where these locations have regional and national influence. Adopting a place-based approach would enable a Glasgow City Region perspective to emerge which would inform future planning including addressing inter and intra-regional disparities.

a. What are your views on these drivers and are there any others that should be considered by the Commission?

Glasgow City Region agrees with the wide ranging strategic drivers identified by the Commission and would add the following further specific drivers from a city region perspective:

- Glasgow City Region welcomes the inclusion of place-making particularly given the breadth of the infrastructure definition which incorporate many of the services and facilities that enable communities, towns and cities to function effectively.
- transport plays a vital role in the continued sustainable and inclusive economic growth agenda for the City Region. There is considerable research evidence that demonstrates the role of transport in enhancing productivity and agglomeration effects

- enhanced transport connectivity within the Glasgow City Region (regional, inter-regional and extra-regional) will be essential to continue to drive economic growth ensuring that businesses have access to labour market, business to business access (including supply chain), business access to markets, etc. Continued inclusive and sustainable growth of the Glasgow City Region economy, assisted by appropriate strategic and regional transport interventions, will (particularly with fiscal devolution issues) help grow the Scottish economy and this should be recognised as a key driver for transport investment at a national level
- Glasgow airport currently has limited flights to European destinations therefore growing scheduled flights from Glasgow airport to European destinations is considered a key catalyst for growth and a potential outcome of the airport link.
- the driver “technological change” could widen to include “exploiting existing technology, change and innovation” to explicitly take account of the many existing and mature technologies that need to be considered
- the multi-beneficial role of green networks as part of Scotland's infrastructure should be explicitly recognised as a central tenet of place-making. Investment in Scotland's infrastructure provides opportunities to ensure that green infrastructure is designed as a component part of these investments. Integration of the Green Network into new infrastructure projects will not only deliver economic value, it will deliver additional environmental and social benefits.
- improved alignment of strategic investment in infrastructure including transport, utilities and digital connectivity to support a supply of developable, accessible, sustainable, climate-ready land for, housing, industrial/business and the green network is considered paramount to delivering the Commission objectives
- address disparities across Glasgow City Region and disparities across Scotland by targeting regionally identified priority investment locations which blend communities and marketability to maximise benefits realisation of infrastructure investment
- minimise disruption and maximise economic benefits to all by improving business processes
- flood risk reduction could also be an overarching objective since flood risk is increasing and has the potential to impact successful delivery of all other objectives.
- critical to this process is how to measure consistently across the city region and nationally. An approach such as the Regeneration Capital Grant Fund / Green Book approach could be appropriate.

b. What is the impact of these (and any additional) drivers on an inclusive growth and low carbon economy?

In relation to transport and connections required for goods, services and people, appropriate transport investment is essential to ensure good access to educational and healthcare facilities. There are a number of existing transport issues that require to be addressed within the City Region and should be high priorities for national infrastructure investment. These include:

- Increasing congestion on the M8 (particularly between J22 and J29) and M77
- Rail capacity issues, particularly at Glasgow Central and its approaches, and the opportunities for new stations to better serve the travel to work area.
- Investment to assist in arresting the decline in bus usage and ensuring that bus continues to play a key role in the transport network
- Infrastructure investment decisions need to be taken in the context of developing a strategic transport network for the City Region that underpins continued sustainable and inclusive economic growth and looks to the future transport needs of our businesses and communities.

In relation to digital infrastructure:

- digital infrastructure has the potential to have the highest impact within a five year window and increasing digital participation is fundamental for inclusive growth
- within a 30 year timeframe, many of the current technology innovations (connected cars, autonomous) will require a total change of infrastructure and associated significant investment. Therefore, all infrastructure work (from today) must look at the foundations that will underpin future technological advance (in so far as is possible) ranging from simple change (ducting for fibre everywhere) to the way in which roads are designed.

With regard to a low carbon economy:

- Glasgow City Region welcomes the recognition of the contribution infrastructure can make to a low carbon economy. At the same time, ensuring infrastructure is resilient to a future climate is essential to ensuring it fulfils its purpose over its lifetime, and maximises its contribution to the economy and minimises disruption to businesses and communities when severe weather events occur. We would therefore encourage the commission to explore how Scotland could put in place a systematic approach to appraising and minimizing climate risks in all infrastructure spending, both in relation to direct funding from Scottish Government but also wider financing such as from the planned Scottish National Investment Bank.
- Internationally, development banks including the Asian Development Bank, European Investment Bank and the European Bank for Reconstruction and Development already screen loans and investments in infrastructure for future climate risk, and work with organisations to ensure their plans for infrastructure are resilient across the lifetime of an asset.

- We would recommend the Commission consider whether such approaches are relevant to Scotland and if so, how they could be employed. The forthcoming Climate Risk Screening Toolkit, funded by Scottish Government and developed by Adaptation Scotland and Climate Ready Clyde could readily be adopted as the basis of such approaches.
- Glasgow City Region is developing a process to identify investment priorities that will secure its international competitiveness, contribute to place-making, drive technological change and innovation, and address drivers such as inclusive growth and climate change by using a place-based approach.
- Spatial planning should continue to play a central role in identifying and prioritising infrastructure in Scotland. A plan led system which is cross disciplinary in nature and tasked with balancing competing demands to make sure that land is used and developed in the public's long-term interest is well placed to inform the assessment and prioritisation of infrastructure.

c. What are the key interactions and dependencies across these drivers?

- Every discipline is likely to promote its own particular field of interest as being a critical priority and potentially one which should have an over-arching status.
- For example flood risk reduction is vital as without managing the effect of surface water is increasing and has the potential to affect the delivery of the objective and viability of virtually all of the drivers.
- Digital has the potential to have the highest impact within this 5 year window. Increasing digital participation is fundamental for inclusive growth and can only be built on digital infrastructure. Key interactions include facilitating the development of data sharing that delivers real operational value for all partners and increases the attractiveness of the city region as a place to invest.
- Delivering housing that can satisfy the basic needs of population is a critical base priority and should be given high priority.
- All of these drivers are critical and the statements of their potential effect are undoubtedly true. What this illustrates is the importance of co-ordination and making sure that these different drivers (opportunities and outcomes) are properly aligned to ensure they are consistent, mutually beneficial and properly prioritised. This way their relative status can be considered in respect of the overall outcomes being delivered.

d. What is the impact of each of them and cumulatively on Infrastructure demand and need now and for the future?

In relation to digital infrastructure within a five year timeframe, the associated development costs can be significantly reduced by considering technology in the early design process.

2. Infrastructure has a key role in relation to an Inclusive Growth and Low Carbon Economy:

- a. What are your views on Scottish Government's definition of infrastructure as provided in the Commission remit, and are there any additional elements that should be considered, or areas that could be omitted?**
- b. What contribution does each of the infrastructure categories identified make to achieve an inclusive growth and low carbon economy?**
- c. What role and impact does each of the infrastructure categories identified have on the drivers identified in the Commission remit and objectives?**
- d. What are your views on the relative importance and impact of optimising whole life asset capacity through investment in enhanced renewals and maintenance compared to investing in and developing new infrastructure?**
- e. To what extent and in what way can infrastructure act as a catalyst for change in a place; be that at a community, local, strategic or national level?**
- f. To what extent and in what way can infrastructure act as a catalyst for:**
 - i. increased economic investment and growth?**
 - ii. improved service delivery?**
 - iii. improved community cohesion?**

Glasgow City Region welcomes and agrees with the Scottish Government's definition of infrastructure as it is wide ranging and recognises the need for infrastructure systems to support the economy and enhance societal living conditions, in line with the Glasgow City Region vision.

The use of data and intelligence to support a robust evidence base for decision making on future planning will allow the impact and demand for each of the identified infrastructure categories to be considered against a timeline. Combined with a whole life capacity approach, discussed below, this should allow for the identification of the appropriateness of upgrades for existing infrastructure as well as the need for new infrastructure.

Glasgow City Region would welcome an approach to infrastructure investment that is based on economic outcomes to assist in the process of identifying and prioritising investment decisions.

Having identified that place-making has a key role as a driver in providing successful infrastructure provision, it should be recognised that different forms of infrastructure will have differing potential to deliver successful places. The built environment is intrinsically linked with delivering successful places, however the role of place-making does not preclude it being applied as a driver when considering transport, energy, telecoms or digital infrastructure. The physical delivery of these will have implications upon the quality of place but, in a less tangible but equally important way, the nature of how these services are delivered can play a key role in the success of a place (or not).

For example, transport nodes can play a key role in regeneration and attracting inward investment, however the networks between them can sometimes have a harmful effect upon place, severing or displacing communities. This perspective reinforces the importance regarding the different types of infrastructure through the prism of delivering successful Place making.

Glasgow City Region does not consider 'Technology/digital' a standalone category. It is a constituent part of each of the other categories.

There is a need for utilities to take a holistic look at development planning to ensure that there is sufficient capacity across a network rather than considering issues on a site by site basis.

The optimisation of whole life asset capacity is a pragmatic approach that should be integral to a holistic or whole system approach. Too often in the past the ongoing cost of maintenance and repair is not taking into account in the development of new infrastructure. Such an approach also allows for the development of a range of complimentary

Digital participation and skills enhancement catalyse change across all levels.

3. The demand and need for the infrastructure assets included in the Commission remit is considerable and wide ranging. Across all the infrastructure assets identified:

- a. What is your assessment of the current infrastructure stock in terms of quality of provision?**
- b. What is your assessment of the current infrastructure stock in terms of its capacity and fitness for purpose to meet current demand and needs?**
- c. What is your assessment of forecast future needs and demand for infrastructure and the key areas of change and development over a five and 30-year horizon?**
- d. What do you see as the priority areas for investment in order to enable these future needs and demands to be met?**
- e. Where do you see future convergence of need and demand having an impact across infrastructure classes?**

Glasgow City Region recognises the need for a whole scale re-assessment of infrastructure stock across the city region and that much of that infrastructure may require to be improved, re-purposed or re-provisioned. We would welcome a method for assessing future needs based on the overarching objectives of achieving inclusive and sustainable economic growth and managing the transition to a low carbon economy. Alongside the work of Glasgow City Region Infrastructure Portfolio group, this would assist in clearly articulating an early investment programme based on need and demand.

In Glasgow city there will be a challenge in providing housing in the short term, particularly in delivering a compact and sustainable city form that aligns with the place-making and other drivers. The city's population is beginning to grow again and this will add to the existing need to deliver more housing of a range that can satisfy the demand of an increasingly diverse population.

Critical in achieving this will be tackling the challenges presented throughout much of Glasgow in terms of vacant and derelict land. To support and reinforce regeneration throughout Glasgow City Region and to capitalise on the sustainable potential of many underdeveloped locations consideration should be given to providing considerable support to stimulate development on and around vacant and derelict land.

Recognising the potential catalyst role that an intelligently located redevelopment of brownfield land can have is vital. The right development may stimulate a transition in terms of market demand

Glasgow City Region recognises the need for continually enhanced and upgraded digital assets as well the central role of central and local governments are key to achieving this. Currently, most of the associated assets are provided by private industry. Within a five year framework, Glasgow City Region anticipates significant advancement in the role of public authorities enabling the proliferation of digital infrastructure and would expect the Commission to be cognisant of this in its recommendations.

4. In relation to approaches to infrastructure assessment and prioritisation and across all the infrastructure assets identified:

a. What is your view on existing approaches to evaluation and assessment of infrastructure in Scotland?

b. What is your view of good practise approaches to evaluation and assessment of infrastructure internationally?

c. What is your view of existing approaches to the criteria and principles for investment prioritisation in Scotland?

d. What is your view of good practise approaches to the criteria and principles for investment prioritisation internationally?

e. What is your view on existing approaches and methodologies that enable cross infrastructure sector evaluation and assessment to be undertaken, and also the potential for further development of such approaches and methodologies?

f. What is your view on existing approaches and methodologies that asses impact at different spatial levels, and also the potential for further development of such approaches and methodologies?

g. What is your view on good practice approaches to assessing and establishing the post implementation impact on the desired outcomes from infrastructure investment?

Glasgow City Region recognises that traditional measures focussing solely on the evaluation and contribution of individual elements or types of infrastructure do not reflect the whole system network and therefore cannot accurately reflect the impact of investment activity.

For digital infrastructure, the current approach is generally fractured and incoherent. This leads to a lack of drive and responsibility for improvement e.g. international digital connectivity; data centre infrastructure.

Existing approaches appear to be primarily about 'bricks and mortar' and an increased emphasis on digital technology should be adopted. Furthermore, a shift away from the emphasis on programmes, such as R100, being perceived as solving our digital infrastructure needs.

Digital infrastructure is often considered as an afterthought, or an 'add on' to attract funding. Digital infrastructure should be an integral part of the early design process to enable function and maintenance, as well as positioning Scotland to compete on an international basis for inward investment and attracting talent.

The impact is invariably integral to the benefits and whilst the benefits of the change may be clear, the realisation can be hampered by not considering how to enable the change from the legacy situation. For example, in technology, the financial benefits associated with the new technology are ONLY beneficial when the legacy costs are replaced by the new, rather than in co-existence which happens frequently. This can result in the technology being unduly branded unsuccessful when, in fact, it is the management of change that is unsuccessful.

Appendix 2: Glasgow City Region Infrastructure and Assets Portfolio

Introduction

1. This report invites the Regional Partnership to note the progress of the RES Infrastructure and Assets Portfolio to date and the associated Infrastructure and Assets Action Plan.

Overview

2. The Infrastructure and Assets Portfolio is led by East Renfrewshire Council on behalf of the Glasgow City Region and presently has membership from all 8 councils as well as representation from the Scottish Government and SFT (dependent on the agenda of the meeting). The portfolio is one of four portfolios which focus on place issues with the others being Transport and Connectivity (North Lanarkshire), Land Use and Sustainability (East Dunbartonshire) and Housing and Equalities (West Dunbartonshire).
3. The portfolio group was originally formed to progress the coordination of infrastructure developments with City Deal projects but with the advent of the Regional Economic Strategy the group has now taken on a wider role as described below.
4. The portfolio group also leads on the delivery of a Strategic Infrastructure Summit for Leaders from the private and public sector covering the work of all 3 place portfolios.

Remit

5. The group has adopted the following remit:

Many of our exciting City Deal projects will be dependent on the development of the Glasgow City Region's infrastructure. Effective and well planned investment in our infrastructure is the key to securing our Region's competitiveness on the national and international stage which will in turn drive growth and innovation in support of the Regional Economic Strategy and the Charter.

Therefore to support the delivery of this once in a generation £1.1 billion investment we need a fully coordinated approach. Not just across the investment portfolio of the Glasgow City Region member organisations but also the investments of our partners who provide the essential infrastructure for water, sewerage, energy and digital communications.

Working in this way will ensure that our City Deal projects and our utility partners investment programmes can go ahead at pace and unlock the hugely ambitious economic benefits - including the creation of thousands of new jobs - that we plan to deliver through our unique partnership.

By taking this joined up approach to investment across the whole region we will also further increase the benefits to the economy - particularly in areas such as digital communication - where an enhanced infrastructure can act as a catalyst for business growth.

The core priorities of the Investment and Assets Portfolio will therefore be to:

- *Map all infrastructure investments in the City Region to support effective plans.*
- *Work with partners to align our investment plan to ensure that the economic benefits of all infrastructure projects are maximised.*
- *Promote and deliver digital infrastructure to key development areas and within town centres to create opportunities and ensure they are more attractive to investors.*

Strategic Alignment with the Regional Economic Strategy

6. A key ambition within the Regional Economic Strategy (RES) is to:

'Align our infrastructure investments with our partners' investment, through a strategic infrastructure investment plan to ensure that the economic benefits of all infrastructure projects are maximised.' (RES Action 8.2)

7. To realise this ambition, the RES Action Plan identifies four further Infrastructure actions:

Action 8.3: Establish a Regional Infrastructure Forum to liaise and collaborate with the utility companies to minimise disruption, and ensure that required utilities are in place to support economic growth.

Action 9.3: Develop a City Region Digital Connectivity Strategy (in partnership with the Scottish and UK governments) that drives innovation in the region's digital infrastructure and improves digital connectivity.

Action 8.5: Use City Deal infrastructure work to lay the foundations to expand our capacity to use Smart City technology and services across the City Region. This will include installing digital and other Smart City infrastructure wherever possible with City Deal/City Region construction and excavation works.

Action 4.5: Develop a Regional Local Full Fibre Network funding bid

8. The role of the Infrastructure and Assets Portfolio is to deliver these actions on behalf of the Glasgow City Region.

Progress and review of actions

9. East Renfrewshire Council has hosted regular Portfolio meetings for some time and valuable progress has been achieved in relation to the ambitions set out in the Regional Economic Strategy. The initial focus was on the setting up of a Regional Summit and making practical progress on better coordinating the delivery plans of Infrastructure providers and City Deal projects. More recently, work on digital connectivity has been taken forward.

Action 8.3: Establish a Regional Infrastructure Forum

The Infrastructure and Assets Portfolio hosted its second Infrastructure Summit on 24th August 2018. The summit was organised on behalf of Transport and the Land Use and Sustainability portfolio.

The event was chaired jointly by Councillor Buchanan and Douglas Millican, the Chief Executive of Scottish Water. Councillor Vaughan Moody, Joint Leader East Dunbartonshire Council, *Gerry Cornes and Robert Steenson (covering for Paul Dukes) also attended.*

10. Those represented at the summit included Scottish Water, Scottish Power Energy Networks, SGN, SEPA, Openreach, Virgin Media, City Fibre, Virgin Media, Scottish Government (Planning), Transport Scotland, Network Rail and ScotRail Alliance.
11. The goals of the partnership working with the utility companies are to:
 - understand shared infrastructure and investment priorities and constraints
 - agree principles for aligning spend and priorities strategically
 - establish a way of improving working practices.
12. As a result of the summits, an Operational Infrastructure Group was established, reporting back to the Portfolio Group, its purpose is to:
 - further develop working relationships
 - provide a platform for managing issues on the ground
 - to map existing assets and future investment priorities
 - identify existing and potential future issues, and
 - propose appropriate actions that will drive progress towards improved alignment of strategic investments.
13. The Group has focused on two specific sites within the city region as test pilots for a regional approach:
 - a greenfield site in North Lanarkshire Council - Glenboig / Gartcosh, and
 - a brownfield site in Glasgow City Council – Collegelands Calton Barras.
14. Both areas contain significant elements of City Deal funded projects alongside strategic land release allocated in the local development plan. This approach has been successful and is now being rolled out across the city region.
15. Clydeplan SDPA led on the mapping of this project and has mapped data from all partners resulting in a GIS-based story map highlighting relevant assets within the Glenboig / Gartcosh area. Each utility annotated existing assets in this area and indicated the extent to which their assets are 'development ready'.
16. The second summit reported on:
 - progress to date on the North Lanarkshire and Glasgow pilots
 - similar experiences in other city regions, and
 - barrier busting for the rollout of full fibre and 5G technology.
17. The Infrastructure and Assets Portfolio will host its third summit on 20 September 2019 where it will:
 - launch of the Regional Digital Connectivity Strategy
 - report on progress of the roll out of the mapping of existing assets and the identification of future investment priorities across the city region;
 - report on the Internet of Things event held 9 May 2019.

Key Issues

18. In the course of discussion a number of key messages emerged including:

- an understanding of how most utilities are governed and regulated and that this is a major driver of their respective capital programmes and decision making
- the City Deal infrastructure projects provide a basis for developing ongoing day to day relationships and collaboration
- early shared visibility over proposed projects is essential. Mapping is an key element of this
- there is an opportunity to look jointly at other non-City Deal projects such as transportation and digital projects and how they can contribute towards desired outcomes
- with enough advance notice there is an opportunity to "bend" collective expenditure towards priority projects
- there are opportunities in looking at structures and management with regard to how we all interface with each other.

Action 4.5: Develop a Regional Local Full Fibre Network Bid.

19. In December 2017, a project manager was appointed to develop a region-wide bid for the UK Government's Local Full Fibre Network (LFFN) Challenge Fund. The LFFN Programme aimed to stimulate commercial investment in Full Fibre networks across the UK. The regional bid comprised an overall business case for the City Region with individual business cases for each of the member authorities. Glasgow City Region was informed on 10th October that its bid for LFFN funding was unsuccessful. The LFFN working group then used its Bid work to form the basis of a Regional Connectivity Strategy.

Action 9.3: Develop a City Region Digital Connectivity Strategy

20. The development of the business case for the LFFN bid laid the foundations for our emerging Digital Connectivity Strategy. This Strategy sets out the ways in which the member authorities can participate in the proliferation of global standard digital infrastructure and maximise economic benefits for the city region.

Action 8.5: Use City Deal infrastructure work to lay the foundations to expand our capacity to use Smart City technology and services across the City Region.

21. The Infrastructure and Assets Portfolio hosted an Internet of Things event on 9th May to highlight the opportunities to transform the management of infrastructure assets. The event was co-hosted with the IoT innovation centre CENSIS and targeted at Directors with responsibility for the environment and infrastructure. The audience was presented with information on existing experiences and plans to provide confidence that this is mature technology with real benefits and should be considered near term rather than a future consideration.

Next Steps

22. To capture the momentum generated and allow further progress to be made the lead officers group comprising key players from all organisations will continue to develop collaboration opportunities and relationships at a practical level.

23. With regard to the Infrastructure and Assets Portfolio Group and the Operational Infrastructure Group specific actions were identified:

- report the Glasgow City Region Digital Connectivity Strategy to Regional Partnership Group on 20th June and Cabinet on 13th August 2019
- host the third Infrastructure Summit on 20th September 2019
- we will continue to work together to align our infrastructure investments and focusing on progressing our collaborative operational work on a local authority by local authority basis
- we will continue to collaborate with the utility companies to minimise disruption and explore appropriate technical approaches to co-ordination
- we will consider actions for local authorities to enable the efficient roll out of digital infrastructure.

Infrastructure and Asset Portfolio: Action Plan

Priority	Progress	Timescale
1. Establish Regional Infrastructure Forum (Action 8.3)	<p>The Infrastructure Summits galvanise dialogue with each of the utility companies, digital providers and SEPA at Chief Executive level. The aim of which is to:</p> <ul style="list-style-type: none"> • improve understanding of shared infrastructure, investment priorities and constraints • agree principles for aligning spend and priorities strategically, and • establish measures to improve working practices. <p>A third Infrastructure Summit will be held 20th September to report on progress, refine ongoing work and explore further opportunities.</p>	<p>September 2017 & August 2018</p> <p>September 2019</p>
2. Establish Regional Operational Infrastructure Group (Action 8.3)	<p>An Operational Infrastructure Group has been established, reporting back to the Portfolio Group, its purpose is to:</p> <ul style="list-style-type: none"> • further develop working relationships • provide a platform for managing issues on the ground • map existing assets and future investment priorities • identify existing and potential future issues, and • propose appropriate actions that will drive progress towards improved alignment of strategic investments. <p>The Operational Infrastructure group has focused two sites</p> <ul style="list-style-type: none"> • a greenfield site in Glenboig and Gartcosh, NLC • a brownfield site in Glasgow City Council – Collegelands Calton Barras. 	Ongoing

Priority	Progress	Timescale
	These pilots established the 'development readiness' of each site in relation to the utility providers capacity to accommodate the proposed development. This approach will now be progress on a larger scale out on a local authority by local authority basis with North Lanarkshire, East Renfrewshire and Inverclyde Councils in the first instance. Progress will be reported to the third Infrastructure Summit.	September 2019
3. Develop a Regional Local Full Fibre Network Bid (Action 4.5)	Project manager appointed to develop a region-wide bid for the UK Government's Local Full Fibre Network (LFFN) Challenge Fund. LFFN Bid submission – unsuccessful Outline Digital Connectivity Strategy emerges from LFFN Bid work	December 2017 October 2018 December 2018
4. Develop a City Region Digital Connectivity Strategy (Action 9.3)	Outline Digital Strategy by LFFN Project Manager Further development of the Digital Connectivity Strategy - consideration by Portfolio Group Circulated to all Portfolios for wider consultation Glasgow City Region Digital Connectivity: <ul style="list-style-type: none"> • report to Regional Partnership • report to Cabinet • launch at third Regional Infrastructure Summit 	January 2019 February 2019 May 2019 20 June 4 August 2019 20 September 2019
5. Use City Deal infrastructure work to lay the foundations to expand our capacity to use Smart City	The Internet of Things (IoT) Event highlighted opportunities to transform the management of infrastructure assets. The event was co-hosted with the IoT innovation centre CENSIS and presented information on existing experiences and	May 2019

Priority	Progress	Timescale
technology and services across the City Region (Action 8.5)	plans to provide confidence this is mature technology with real benefits that should be considered near term rather than a future consideration.	

EAST DUNBARTONSHIRE COUNCIL

AGENDA & ALL PAPERS

COUNCILLORS	22
CHIEF EXECUTIVE	1
DEPUTE CHIEF EXECUTIVE – EDUCATION, PEOPLE & BUSINESS	1
DEPUTE CHIEF EXECUTIVE – PLACE, NEIGHBOURHOOD & CORPORATE ASSETS	1
CHIEF OFFICER EAST DUNBARTONSHIRE HEALTH & SOCIAL CARE PARTNERSHIP	1
Chief Solicitor and Monitoring Officer	1
Chief Finance Officer	1
Corporate Governance Manager	1
Audit & Risk Manager	1
Team Leader – Democratic Services	1
	9
	TOTAL = 31

AGENDA & ALL NON-PRIVATE PAPERS

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Newsdesk at The Herald	(E)
Newsdesk at The Daily Record	(E)
Scottish Enterprise Dunbartonshire, Clydebank	(E)
Police Scotland	(E)
Local Authority Liaison Officer,	(E)
Archivist - William Patrick Library Headquarters	(E)
 William Patrick Library – Senior Librarian	 8
Public (per Team Leader – Democratic Services)	1 = 9
	TOTAL = 9

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Audit Scotland	(E)
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