

## SPSO decision report

**Case:** 201704893, Stirling Council  
**Sector:** local government  
**Subject:** licensing - taxis  
**Decision:** upheld, recommendations

### Summary

Mr C was fourth on the waiting list for a taxi plate from the council and had been on the list for many years. However, when a plate became available it was given to a day-to-day manager who was not on the waiting list. Mr C was unhappy with this decision and complained.

We found that the council had no record of the decision taken to issue the plate to someone not on the waiting list. The staff who dealt with it were unavailable and there were no records. We also found that there was no clear policy in place which explains what should happen and what factors should be considered, when the council choose not to follow the normal allocation process. We considered that it was unreasonable that the council had no record of the decision that was made. Therefore, we upheld Mr C's complaint.

### Recommendations

What we said should change to put things right in future:

- The council should now determine, without ambiguity, whether they were obliged to issue the plate to the day-to-day manager in these specific circumstances.
- The council should record all decisions to depart from the waiting list. This should include what evidence was considered and how the decision was made. The council should have a list of situations that could be considered as exceptional circumstances. This list should be made easily and publically available.

What we asked the organisation to do in this case:

- Following the council's consideration of our first recommendation, they should tell Mr C where he is placed on the list. If they were not under a legal obligation to issue the plate to the day-to-day manager, then they should confirm Mr C's place on the list.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.