

Livery Transport Advisory Committee Governance Review

EXECUTIVE SUMMARY

Given the accelerated evolution of the livery industry in Calgary, Administration has worked with Hara Associates (“Hara”) to review the governance model and Terms of Reference for the Livery Transport Advisory Committee (LTAC). This review resulted in several options and sub-options for Council to consider. Hara and Administration recommend Option A (Attachment 1), in which Administration assumes direct responsibility for stakeholder consultation and advising Council. Under this option, Administration recommends that sub-option 3 is endorsed, where no standing advisory committee exists, but stakeholder perspectives continue to be incorporated into recommendations to Council. Administration would be responsible for industry and public consultation on a case-by-case basis, in alignment with The City’s Engage Policy and would tailor engagement depending on the scope and subject of the project.

ADMINISTRATION RECOMMENDATION:

That the SPC on Community & Protective Services recommends that Council:

1. Receive this report and attachments for information;
2. Endorse Option A.3 as described in Attachment 1, Livery Transport Advisory Committee Governance Review and disband the Livery Transport Advisory Committee, effective 2018 January 01;
3. Thank members of the Livery Transport Advisory Committee for their service; and
4. Direct Administration to adopt the Guiding Principles in Attachment 2.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2016 September 26, Council approved amendments to the Taxi and Limousine Advisory Committee (TLAC) Terms of Reference, which broadened the scope of the committee to include Transportation Network Companies (TNCs), and changed the name to the Livery Transport Advisory Committee, among other changes. Given the accelerated evolution of the livery industry in Calgary, Council directed Administration to conduct a review of the governance model and Terms of Reference for LTAC in collaboration and consultation with the City Clerk’s Office, LTAC and key stakeholders, in accordance with Council Policy CP2016-03, and report back to the SPC Community and Protective Services with the outcome of the review no later than 2017 Q4.

In 2007 September, Council approved the recommendations provided by JHoad Consulting and in concurrence with Hara Associates, which transitioned the group from the Livery Transport Board to the Taxi and Limousine Advisory Committee.

BACKGROUND

Over the last several years, technology advances have facilitated the accelerated evolution of the livery industry. The introduction of TNCs into the livery landscape in 2016 has resulted in improved customer choice and increased flexibility for the industry as a whole. In 2016 September, Administration and LTAC brought forward amendments to the committee’s Terms of Reference to be more inclusive of the growing number of industry participants and to streamline annual reporting requirements. Council approved these amendments, and directed Administration to do a further review of the Terms of Reference along with a governance review

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of the committee, in consultation and collaboration with LTAC, the City Clerk's office and key stakeholders.

Administration performed preliminary research and initiated stakeholder discussions to understand the various perspectives on what the future of LTAC might look like. In order to solicit an external and unbiased perspective, Administration then secured an external vendor, Hara Associates, to provide options and recommendations for the future state of LTAC.

LTAC formed a Governance Review Subcommittee dedicated to providing focused input and feedback during the course of the study. The subcommittee had the opportunity to review the Statement of Work for the consultant selection, engage with Hara, and provide their feedback on the governance report to LTAC as a whole.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Challenges with LTAC in its Current Form

Currently, LTAC is composed of 18 members, representing the livery industry, the general public, special interest groups (Tourism Calgary, the Calgary Airport Authority, the Calgary Hotel Association and the Advisory Committee on Accessibility) and non-voting members from Administration and the Calgary Police Service. The membership has grown over the last several years to be more inclusive of special interest groups, new industry participants, and to balance industry interests with more members of the general public. This has resulted in LTAC meetings that are long and complex where public submissions are to be considered in addition to the perspectives of committee members themselves.

LTAC's effectiveness as a stakeholder engagement forum has diminished over the years, with fewer members of the public or industry presenting their perspectives and opinions to the committee. Administration often must perform their own engagement and research initiatives outside of LTAC for projects and bylaw amendments with the intention of being satisfied that meaningful engagement has occurred.

The membership of LTAC is composed of diverse perspectives to balance industry voices with those of the general public and special interest groups. The introduction of TNCs into the livery industry has further diversified the perspectives within the committee further. The lack of consensus amongst committee members means that while recommendations represent the majority of LTAC members, those opposed to those recommendations often advocate separately to Council for their position.

Finally, some LTAC members feel that Council disregards the committee's recommendations in favour of those from Administration. Historically, LTAC's recommendations have often been summarized within Administration reports to Council. The committee feels that this method of reporting does not adequately represent the discussion and debate which occurs at its meetings.

These challenges are detailed further in Attachment 1. Hara proposes several options for Council to consider in addressing these governance challenges.

Options for Consideration

Hara presents three options for Council's consideration in Attachment 1. These options are summarized below.

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Option A: Administration assumes direct responsibility for stakeholder consultation	Option B: Continue LTAC as an Advisory committee to Council with a reduced size, improved selection process and improved practices to restore independent reporting relationship	Option C: A livery commission with regulatory authority
1. LTAC Membership reduced to 15, reporting to Administration		
2. LTAC Membership reduced to 6, reporting to Administration		
3. No standing advisory committee, Administration consults on a case-by-case basis		

A review of other Canadian municipalities shows that most major Canadian municipalities use one of the models within Option A above. Halifax engages a 10-member committee that reports to Administration. Edmonton and Ottawa also have 10-member committees reporting to Administration, but these are currently inactive. Toronto and Winnipeg have no dedicated taxi-focused committee, therefore Administration consults on a case-by-case basis for projects, as in Option A.3. Appendix C in Attachment 1 provides a comprehensive overview of the taxi governance practices in peer cities.

Administration Recommendation

Administration recommends Option A.3, where a standing advisory committee would no longer exist. Administration would undertake targeted stakeholder engagement with the public, special interest groups and industry based on the scope and scale of individual projects. Currently, targeted engagement efforts are already employed for livery projects as the LTAC structure makes meaningful engagement challenging. Targeted engagement ensures that Administration is satisfied that stakeholders' perspectives are considered in providing informed recommendations to Council. This option will likely result in resource efficiencies, the ability for a more concentrated response to issues arising and a streamlining of the engagement process. Guiding principles for Administration, in relation to Option A.3, are presented in Attachment 2.

Hara Associates recommends Option A.1 as it maintains much of the current membership and allows the committee to advise directly based on their own expertise. The committee itself would no longer hold public meetings, but would provide their own perspectives on Administration's projects. Administration would be responsible for broader industry and public engagement, in alignment with the Engage Policy. Administration is not in support of Hara's recommendation, as it does not provide the flexibility and adaptability required to tailor engagement efforts to the matter at hand. Additionally, If Council adopts Option A.1, LTAC would no longer fall under the City Clerk's Office governance and appointment processes as it would be an Administration committee. LTS would be required to take on additional work to establish a new Terms of Reference, recruit and appoint members and fill vacancies as they arise. Administration would prefer to use resources to reach out to relevant stakeholders on a case-by-case basis.

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LTAC, through deliberation and engagement, has created their own recommendation for consideration. This is included as Attachment 3 of this report.

Regionalization

Through the LTAC Governance review, Hara explored governance structures that would facilitate an enhanced regional system for the livery industry. Hara concludes that regionalization issues would be resolved through a commission structure (as explained in Option C in Attachment 1). While this structure is not being recommended by Hara, Administration or LTAC at this time, the regionalization of transportation services is a key consideration of Administration. Livery Transport Services will continue engage with Intergovernmental and Corporate Strategy and the Transportation Department and participate in discussions on regional transportation with other municipalities in the region.

Stakeholder Engagement, Research and Communication

Hara interviewed many stakeholders to formulate the options and recommendations in the governance review. These stakeholders included: members of LTAC; livery industry participants; member of Administration; Councillors; and contacts in jurisdictions surrounding Calgary. The full list of stakeholders is provided in Attachment 1.

Strategic Alignment

This report aligns with Calgary City Council Priorities from Action Plan 2015-2018, including: a city that moves; and strategic action M5: Improve the taxi system.

Social, Environmental, Economic (External)

The change in governance for LTAC proposed in this report will allow for Administration to focus efforts on reaching important stakeholders in a meaningful, dignified way. This will enhance industry and public participation in decisions that directly impact them.

The recommendations in this report also allow for administrative efficiencies to be realized. Resources can be focused on reaching out to appropriate stakeholders to obtain meaningful feedback on projects, rather than to hold regular monthly LTAC meetings with a large membership composition.

Financial Capacity

Current and Future Operating Budget:

Administration taking on full responsibility for stakeholder engagement, rather than a standing advisory committee, should result in operational efficiencies. Administration will monitor the cost savings associated with this new approach and incorporate the new structure into the One Calgary 2019-2022 Business Cycle.

Current and Future Capital Budget:

There are no capital implications associated with this report.

Risk Assessment

The proposed changes in LTAC governance are important given the accelerated evolution of the livery industry in the past several years. If Council chooses not to endorse changes to

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LTAC, resource inefficiencies will continue and the challenges currently faced by the committee will remain or intensify.

If Council endorses Administration's recommended option, A.3, there is a risk of losing the variety of stakeholder perspectives that exist on the current committee composition. Administration will mitigate this risk by following the Council-approved Engage Policy and performing considerate, targeted engagement with all impacted stakeholders for proposed bylaw amendments or other projects that benefit from the perspectives of stakeholders. The guiding principles for this approach are provided in Attachment 2.

REASON(S) FOR RECOMMENDATION(S):

Given the accelerated evolution of the livery industry in Calgary and the efficiencies gained from advanced technology, Administration has worked with Hara Associates to review the governance model and Terms of Reference for the Livery Transport Advisory Committee (LTAC). Administration recommends Option A.3 (Attachment 1), in which City Administration assumes direct responsibility for stakeholder consultation and advising Council. Under this option, a standing advisory committee would no longer exist, and Administration would be responsible for broader consultation on a case-by-case basis, in alignment with The City's Engage Policy and would tailor engagement depending on the scope and subject of the project.

ATTACHMENT(S)

1. Hara Associates – LTAC Governance Review
2. Guiding Principles for Option A.3
3. Recommendation from the Livery Transport Advisory Committee