

Corporate and Community Services Department

Council Headquarters, Eastwood Park, Rouken Glen Road,
Giffnock, East Renfrewshire G46 6UG
Phone: 0141 577 3000 Fax: 0141 577 3834
Website: www.eastrenfrewshire.gov.uk

Date: 14 January 2022

When calling please ask for: Jennifer Graham or John Burke, 0141 577 3016

E-mail: jennifer.graham@eastrenfrewshire.gov.uk and john.burke@eastrenfrewshire.gov.uk

TO: Councillors A. Convery (Chair); B. Cunningham (Vice Chair); C. Gilbert; A. Ireland; and S. Miller.

LICENSING COMMITTEE

A meeting of the Licensing Committee will be held on **Tuesday 18 January at 10.00am.**

A pre-meeting for Elected Members will take place at 9.30am.

The agenda of business is listed below.

Caroline Innes

C INNES

DEPUTY CHIEF EXECUTIVE

(DIRECTOR OF CORPORATE AND COMMUNITY SERVICES)

This is a virtual meeting.

- 1. Report apologies for absence.**
- 2. Declarations of Interest.**
- 3. Taxi Fares Review – Report by Chief Officer (Legal & Procurement) (copy attached, pages 3 - 10).**

Resolution to Exclude Press and Public

It is recommended that the Committee passes 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 Item 4 of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 6 and 14 of Part I of Schedule 7A of the Act as appropriate".

Paragraph 6 – Information relating to the financial or business affairs of any particular person (other than the authority) – all Items.

Paragraph 14 – Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime – all items.

4. Private Hire Car Driver's Licence – Application for Renewal – Report by Chief Officer (Legal & Procurement) (copy attached, pages 11 - 14).

For information on how to access the public part of the virtual meeting please email Jennifer.graham@eastrenfrewshire.gov.uk

A recording of the public part of the meeting will also be available following the meeting on the Council's YouTube Channel

<https://www.youtube.com/user/eastrenfrewshire/videos>

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EAST RENFREWSHIRE COUNCIL

LICENSING COMMITTEE

18 January 2022

Report by Chief Officer (Legal & Procurement)

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – TAXI FARES REVIEW

PURPOSE OF REPORT

1. For the Committee to review taxi fares and consider a change of policy on the maximum age of private hire and taxi vehicles.

RECOMMENDATIONS

2. The Licensing Committee is asked to consider the terms of this report and to:-

- (a) Propose new scales for the hire of taxis in East Renfrewshire and all other charges in connection with the hire of a taxi or with the arrangements for its hire (whether at altered rates or the same rates).
- (b) Authorise the Chief Officer (Legal & Procurement) to publish those proposed scales in a newspaper circulating within East Renfrewshire:-
 - (i) Setting out the proposed scales,
 - (ii) Explaining the effect of the proposed scales,
 - (iii) Proposing a date on which the proposed scales are to come into effect and
 - (iv) Stating that any person may make representations in writing until the relevant date (as defined in Section 17 of the Act)
 - (v) To authorise the Chief Officer (Legal & Procurement) to prepare a further report on any such representations received by the Council for the consideration of the Licensing Committee or, in the absence of any such representations to fix the scales and give further notice in accordance with the Act with delegation to set out, and

explain the effect of, the scales as fixed and to set the date on which the scales as fixed are to come into effect.

- (vi) To authorise the Chief Officer (Legal & Procurement) to make amendments in respect of any other changes.
- (vii) Amend the present policy on maximum age of vehicles being licensed for the first time as new or substitute taxis or private hire vehicles from five to six years old from first registration date for a temporary two year period from the date of this meeting.

BACKGROUND

3. The Civic Government (Scotland) Act 1982 (“the Act”) provides that the licensing authority must fix scales for the fares and other charges made in the connection with the hire of a taxi or with the arrangements for its hire. The committee members will recall that this item was continued at its last meeting on 7th December 2021.

4. In fixing scales, the licensing authority may:-

- (a). alter fares or other charges,
- (b). fix fares or other charges at the same rates

5. Before fixing fares or other charges, the licensing authority must review the scales in accordance with Section 17 (4A) of the Act.

6. In carrying out a review, the licensing authority must:-

- (a) Consult with persons or organisations appearing to be, or to be representative of, the operators of taxis operating within its area,
- (b) Following such consultation –
 - (ii) review the existing scales, and
 - (iii) propose new scales (whether at altered rates or the same rates),
- (c). Publish the proposed scales in the newspaper circulating in this area -

- (i) setting out the proposed scales,
 - (ii) explaining the effect of the proposed scales,
 - (iii) proposing a date on which the proposed scales are to come into effect, and
 - (iv) stating that any person may make representations in writing until the relevant date, and
- (d). Consider any such representations.

7. Legal Services wrote to every holder of a taxi licence within East Renfrewshire and has therefore complied with paragraph A above. Several replies were received, the majority requesting an increase in fare.

Since the last review, there is evidence from operators that their costs have substantially increased.

It is important to note that these are maximum fares and charges and it is always possible for a taxi operator to charge less if the licence holder wants to. Also, the tariff applies to taxis, not private hire cars.

REPORT

8. The setting of taxi fares is not an exact science but guidance given to Councils by the Traffic Commissioner states that Councils should attempt to calculate the changes and costs that taxi operators face. The current Best Practice Guidance issued by the Scottish Government refers to guidance issued by the Secretary of State in 1982 – “the public interest is better served by ensuring that the maintenance of an adequate taxi service by giving the trade a fair return, than by depressing fares for social reasons, however understandable.”

9. Suggested fares, taking into account the comments received from existing licence holders, are attached in Appendix 1.

10. The last review of in taxi fares in East Renfrewshire was in 2015. In consideration of the comments of licence holders and the existing below average fares, the Committee is asked to consider an increase across the various East Renfrewshire tariffs.

The Committee is also requested to consider the following amendments:-

- (i) To allow payment of unavoidable charges such as the drop off pick up charge at airports to be charged as an “extra” on the meter.
- (ii) To amend the tariff to allow additional weekend tariff.
- (iii) To allow amendments to be made to licence conditions to deal with the above amendments as the Chief Officer – Legal & Procurement or Principal Solicitor deems necessary.

11. Private Hire and Taxi monthly magazine maintains a league table showing the level of taxi fares applying in all UK local authority areas. At present East Renfrewshire fares are below the national and Scottish averages and an increase should be considered.

12. The new proposed rates would place East Renfrewshire closer to the national average .

13. The committee is also asked to consider a temporary 2 year amendment to the present policy on maximum age of vehicles being licensed for the first time as new or substitute taxis or private hire vehicles. This is presently five years from first registration date. However, we are told second hand prices of vehicles have risen sharply in the last year or so, possibly as a result of the covid pandemic, and operators are under financial pressure at present. The proposal is six years instead of five. It is anticipated that costs will return to normal levels in the future so the policy can return to present levels after a two year period. Newer vehicles tend to be equipped with more safety features and have better emissions so there are reasons to return to a five year maximum.

FINANCE AND EFFICIENCY

13. The carrying out of fare reviews is incorporated within the taxi licensing budget and recovered through application fees.

EQUALITIES IMPACT

14. A fare increase may persuade more licence holders to upgrade to wheelchair accessible vehicles.

CONSULTATION

15. The licensing section has consulted directly with every holder of a taxi vehicle licence and has consulted the trade/public through the council website. Please note that the main public consultation will take place in the next stage of the process when newspaper advertising will be done.

CONCLUSIONS

16. The Licensing Committee is therefore asked to consider the terms of this report and review the fares for the hire of taxis in East Renfrewshire.

17. It should be noted that it is now a statutory requirement to review fares periodically.

RECOMMENDATIONS

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 - (iv) Stating that any person may make representations in writing until the relevant date (as defined in Section 17 of the Act)
 - (v) To authorise the Chief Officer (Legal & Procurement) to prepare a further report on any such representations received by the Council for the consideration of the

Licensing Committee or, in the absence of any such representations to fix the scales and give further notice in accordance with the Act with delegation to set out, and explain the effect of, the scales as fixed and to set the date on which the scales as fixed are to come into effect.

- (vi) To authorise the Chief Officer (Legal & Procurement) to make amendments in respect of any other changes.

- (iv) Amend the present policy on maximum age of vehicles being licensed for the first time as new or substitute taxis or private hire vehicles from five to six years old from first registration date for a temporary two year period from the date of this meeting.

REPORT AUTHOR

Report by: Chief Officer (Legal & Procurement), Gerry Mahon,
Tel: 0141 577 3801 e-mail: gerry.mahon@eastrenfrewshire.gov.uk

Report author and further information from: Joe Abrami, Principal Solicitor, e-mail: joe.abrami@eastrenfrewshire.gov.uk Tel: 0141 577 3012,

Licensing Committee Convenor Councillor Angela Convery,

KEY WORDS

Civic Government (Scotland) Act 1982 Taxi licence, licensing, taxi tariff, taxi fare review 2022.

EAST RENFREWSHIRE COUNCIL

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

TAXI TARIFF
EFFECTIVE FROM 2022

JOURNEYS MADE WITHIN EAST RENFREWSHIRE

		Effective from 2015	Effective from 2022
TARIFF 1	<i>For Journeys beginning after 5.00am until midnight.</i>		
(1)	For a distance not exceeding 3/4 mile, or waiting time not exceeding 4 minutes.	£3.50	£4.25
(2)	For each additional and subsequent 1/10 th of a mile or part thereof, or additional waiting time of 30 seconds.	£0.18	£0.20
TARIFF 2	<i>For Journeys beginning after midnight until 5.00am.</i>		
(1)	For a distance not exceeding 3/4 mile, or waiting time not exceeding 4 minutes.	£4.20	£4.50
(2)	For each additional and subsequent 1/10 th of a mile or part thereof, or additional waiting time of 30 seconds.	£0.18	£0.25
TARIFF 3	<i>For Journeys beginning Friday and Saturday nights after midnight until 5.00am.</i>		
1)	For a distance not exceeding 3/4 mile, or waiting time not exceeding 4 minutes.	£N/A	£4.90
	(2)each additional and subsequent 1/10 th of a mile or part thereof, or additional waiting time of 30 seconds	£N/A	£0.30
TARIFF 4	<i>For Journeys beginning after 0.01am until midnight on 25th and 26th December, and from 0.01am until midnight on 1st & 2nd January.</i>		
(1)	For a distance not exceeding (3/4 mile), or waiting time not exceeding 4 minutes.	£5.75	£6.50
(2)	For each additional and subsequent (1/10 th of a mile) or part thereof, or additional waiting time of 30 seconds.	£0.25	£0.40
ADDITIONAL CHARGES			
(1)	Waiting time (per hour) not included above	£18.00	£25.00
(2)	Soiling Charge (anti- social related only) £45.00	£40.00	
(3)	For vehicles licensed to carry more than 4 passengers on those occasions where more than 4 passengers are carried the maximum fare will be total tariff plus 50%. These vehicles will be allowed to display an additional 3 tariffs for the purpose of calculating the additional fare.	+ 50%	no change
(4)	Charge for payment of parking fees for pick up/drop off at Airport Or other venue (if charges apply at airport or other venue)	N/A	£4.00

These are the **maximum fares** that may be charged by any licensed East Renfrewshire Taxi. Any complaints should be submitted to the booking office for this taxi or Licensing Section, East Renfrewshire Council, Eastwood Park, Rouken Glen Road, Giffnock, G46 6UG.

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