

Business Operations and Partnerships Department

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Date: 12 May 2023

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TO: Councillors P Edlin (Chair); A Convery (Vice Chair); Provost M Montague; Councillors D Macdonald; and A Morrison.

LICENSING COMMITTEE

A meeting of the Licensing Committee will be held in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on **Tuesday 16 May at 10.00am.**

A pre-meeting for Elected Members will take place in the Council Chamber at 9.30am.

The agenda of business is listed below.

Louise Pringle

L PRINGLE

DIRECTOR OF BUSINESS OPERATIONS AND PARTNERSHIPS

1. **Report apologies for absence.**
2. **Declarations of Interest.**
3. **Taxi Fares Review – Report by Chief Officer (Legal & Procurement) (copy attached, pages 3 - 6).**

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 the undernoted items of business on the grounds that they involve 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. **Taxi Driver's Licence – Request for Suspension – Report by Chief Officer (Legal and Procurement) (copy attached, pages 7 - 10).**
5. **Taxi Operator's Licence – Application for Renewal – Report by Chief Officer (Legal and Procurement) (copy attached, pages 11 - 14).**
6. **Private Hire Driver's Licence – Application for Grant – Report by Chief Officer (Legal and Procurement) (copy attached, pages 15 - 18).**

A recording of the public part of the meeting will 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

16 May 2023

Report by Chief Officer (Legal & Procurement)

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – TAXI FARES REVIEW

PURPOSE OF REPORT

1. For the Committee to authorise commencement of the taxi fare review process.

RECOMMENDATIONS

2. The Licensing Committee is asked to:-
 - (i) consider the terms of this report;
 - (ii) authorise the Chief Officer (Legal & Procurement) to commence consultation on the taxi fare review by inviting the views of taxi operators; and
 - (iii) authorise the Chief Officer (Legal & Procurement) to thereafter prepare a report for the Committee's further consideration recommending proposed new scales based on any such representations received.

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 and to thereafter review such scales periodically ie every 18 months.
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 the statutory process set out in 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 –
 - (i) review the existing scales,
 - (ii) propose new scales (whether at altered rates or the same rates);
 - (c) Publish the proposed scales in a 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;
 - (d) Consider any such representations.

REPORT

7. 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. Best Practice Guidance issued by the Scottish Government notes that the public interest is better served by ensuring the maintenance of an adequate taxi service by giving the trade a fair return than by depressing fares for social reasons, however understandable.

8. East Renfrewshire currently licences a total of 38 taxis. Anecdotal evidence received from these operators suggests that the costs of running a taxi have increased significantly during the life of the current scales.

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

10. The last review of taxi fares in East Renfrewshire concluded in April 2022 and as such a further review requires to be concluded by the end of October of this year. Authorisation is sought to enable the Chief Officer – Legal and Procurement to commence this process by consulting with taxi licence holders in terms of paragraph 6(a) above and thereafter to bring a further report to committee reporting on any such responses and recommending proposed new scales based on those responses. It is proposed that such trade consultation takes place over the period of a month. A public consultation will take place thereafter.

FINANCE AND EFFICIENCY

11. There is a financial cost involved in advertising the proposed scale to the public. The carrying out of fare reviews is however incorporated within the taxi licensing budget and recovered through application fees.

EQUALITIES IMPACT

12. There is no immediate impact upon equalities although a fare increase may persuade more licence holders to upgrade to wheelchair accessible vehicles.

CONSULTATION

13. The licensing section will consult directly with every holder of a taxi vehicle licence and subsequently with the public as part of this statutory process.

CONCLUSIONS

14. A fare review requires to be concluded by the end of October 2023 and on that basis it is necessary that the consultative process is commenced shortly.

RECOMMENDATIONS

15. The Licensing Committee is asked to:-

- (i) consider the terms of this report;
- (ii) authorise the Chief Officer (Legal & Procurement) to commence consultation on the taxi fare review by inviting the views of taxi operators; and
- (iii) authorise the Chief Officer (Legal & Procurement) to thereafter prepare a report for the Committee's further consideration recommending proposed new scales based on any such representations received.

REPORT AUTHOR

Report by: Chief Officer (Legal & Procurement), Gerry Mahon,
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Licensing Committee Chair: Councillor Paul Edlin.

KEY WORDS

Civic Government (Scotland) Act 1982 Taxi licence, licensing, taxi tariff, taxi fare review 2023.