

# Report

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| Report to:       | <b>Licensing Committee</b>                                  |
| Date of Meeting: | <b>2 November 2011</b>                                      |
| Report by:       | <b>Executive Director (Finance and Corporate Resources)</b> |

|          |   |
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| Subject: | <b>Civic Government (Scotland) Act 1982 - Licensing of Taxis - Review of Taxi Fares</b> |
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## 1. Purpose of Report

1.1 The purpose of the report is to:-

- further progress on the fares review process in the Clydesdale, Hamilton and East Kilbride zones of South Lanarkshire.

## 2. Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) that the taxi fares review process be further progressed in the East Kilbride zone in line with the proposals contained in the appendix to this report.
- (2) that consideration be given to what, if any, increase in fares should be progressed for the Clydesdale zone in line with the proposals contained in the appendix to this report.
- (3) that consideration be given to what, if any, increase in fares should be progressed for the Hamilton zone.
- (4) that, in the event of any objections being received to the fares review proposed for the Clydesdale, Hamilton or East Kilbride zones in the course of the consultation process, the matter be referred to Committee for decision.

## 3. Background

3.1 In terms of Section 17 of the Civic Government (Scotland) Act 1982, the Council must review taxi fares every 18 months. The previous review took effect from mid 2010.

## 4. Present Position

4.1 Members will be aware that, in previous years, any proposed fares increase was based on an agreed formula but that, in 2008, the formula was criticised by the Traffic Commissioner when dealing with an appeal against proposals. In addition, the way in which the information is collected by Central Government means that it is no longer possible to calculate any increase using the existing formula. Currently, an alternative means of calculating the fares review is being looked at but it is unlikely that such a formula will be available for this year's fares review.

4.2 For this fares' review, the views of the trade were invited on what, if any, increase in fares tariff there should be on the basis that an in-depth review of the formula would be conducted in time for the next fares' review. The position regarding responses received is presented below. As members are aware, the taxi fares review for Rutherglen and Cambuslang zone is currently being progressed.

#### 4.3 Hamilton Zone

4.3.1 Responses to date have been received from Hamilton TOA and Larkhall TOA as follows:-

|                               |    |
|-------------------------------|----|
| Hamilton TOA for increase     | 12 |
| Hamilton TOA against increase | 48 |
| Larkhall TOA for increase     | 5  |
| Larkhall TOA against increase | 6  |

4.3.2 A further response has been received from the 'Streets and Ranks' who represent approximately 26 operators. They have requested an increase of 20p on the flag fall. Their members voted as follows:-

22 for a rise of 20p on the flag fall;  
2 against a rise; and  
2 for an increase of 40p on flag fall.

This would bring the total operators in support of an increase to 41 (30%) and against to 56 (41%). For members' information, there are 136 taxi operators in the Hamilton zone. In the past, the Traffic Commissioner has required 30% of operators to lodge an appeal before an appeal can be heard. However, the Act refers to the Traffic Commissioner's ability to decline to hear the appeal if the appellant's case is not "representative of the view of a substantial proportion of the operators of taxis ....". No percentage number of operators is used to define "substantial proportion", therefore, the 30% figure can be taken as guidance only.

#### 4.4 East Kilbride zone

The proposals received are as detailed in the appendix.

#### 4.5 Clydesdale zone

The proposals received are as detailed in the appendix. At the present moment in time there are 85 taxi licences in the Clydesdale zone. We have received one response from an operator who currently holds 18 taxi licences within that area (21%). The letter sent out to the trade indicated that if no response was received it would be presumed no increase was requested.

### 5. Employee Implications

5.1 None.

### 6. Financial Implications

6.1 None.

### 7. Other Implications

7.1 The risk to the Council is that it fails to fulfil its duty to protect the public. There are no apparent implications in terms of sustainable development.

### 8. Equality Impact Assessment and Consultation Arrangements

8.1 There is no requirement to carry out an impact assessment in terms of the proposals contained within this report.

8.2 Consultation with the taxi trade was initially carried out to ascertain the amount of increase they wished considered.

**Paul Manning**  
**Executive Director (Finance and Corporate Resources)**

5 October 2011

**Link(s) to Council Objectives/Improvement Themes/Values**

- **Objectives:**  
Improve Community Safety

**Previous Reference**

- Licensing Committee, 21 September 2011

**List of Background Papers**

- None

**Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

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Civic Government (Scotland) Act 1982

Licensing of Taxis

Fares Review 2011

| <b>Zone</b>               | <b>Present Position</b> | <b>Proposed Increase</b>   |
|---------------------------|-------------------------|--|
| Hamilton                  | £4.20 per 2 mile hire   | 20p on flag fall bringing 2 mile hire to £4.40   |
| East Kilbride             | £5.20 per 2 mile hire   | 30p on flag fall bringing the 2 mile hire to £5.50. In addition, East Kilbride have requested an additional fee of 20p added onto the unsociable hours between 10pm and 5am on Friday into Saturday and Saturday into Sunday (currently a 60p surcharge is charged. If agreed, the surcharge would be increased to 80p). |
| Rutherglen and Cambuslang | £4.40 per 2 mile hire   | 40p on flag fall bringing the 2 mile hire to £4.80   |
| Clydesdale                | £5.00 per 2 mile hire   | Flag fall £3.00 for 1,495 yards and for each additional 81 yards or any part thereof 10p bringing the average 2 mile hire to £5.50   |