



Council Offices, Almada Street  
Hamilton, ML3 0AA

Monday, 06 June 2022

Dear Councillor

## **Licensing Committee**

The Members listed below are requested to attend a meeting of the above Committee to be held as follows:-

**Date:** Tuesday, 14 June 2022  
**Time:** 10:00  
**Venue:** By Microsoft Teams and Banqueting Hall,

The business to be considered at the meeting is listed overleaf.

Yours sincerely

**Cleland Sneddon**  
**Chief Executive**

### **Members**

Andy Carmichael (Chair), Bert Thomson (Depute Chair), Joe Fagan (ex officio), Poppy Corbett, Geri Gray, Julia Marrs, Monique McAdams, Mark McGeever, David Shearer, Helen Toner

### **Substitutes**

Robert Brown, Janine Calikes, Margaret Cowie, Katy Loudon, Kenny McCreary, Davie McLachlan

## BUSINESS

### 1 Declaration of Interests

---

#### Item(s) for Decision

---

- 2 Civic Government (Scotland) Act 1982 (As Amended) - Licensing of Taxis 5 - 10  
– Review of Taxi Fares**  
Report dated 23 May 2022 by the Executive Director (Finance and Corporate Resources). (Copy attached)

---

#### Urgent Business

---

- 3 Urgent Business**  
Any other items of business which the Chair decides are urgent.

---

#### Exclusion of Press and Public

---

- 4 Exclusion of Press and Public**  
It is recommended that the Committee makes the following resolution:-  
  
"That, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, the press and public be excluded from the meeting for the following item(s) of business on the grounds that it is likely that there will be disclosure of exempt information in terms of Paragraph 14 of Part I of Schedule 7A of the Act."

---

#### Item(s) for Decision

---

- 5 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 140**
  - Exempt information in terms of Paragraph 14 of Part I of Schedule 7A of the Act
- 6 Civic Government (Scotland) Act 1982 (As Amended) - Application for Renewal of Private Hire Car Driver's Licence No 140**
  - Exempt information in terms of Paragraph 14 of Part I of Schedule 7A of the Act
- 7 Civic Government (Scotland) Act 1982 (As Amended) - Application for Renewal of Private Hire Car Operator's Licence No 013**
  - Exempt information in terms of Paragraph 14 of Part I of Schedule 7A of the Act
- 8 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Request to Lift Suspension of Private Hire Car Driver's Licence No 277**
  - Exempt information in terms of Paragraph 14 of Part I of Schedule 7A of the Act

***For further information, please contact:-***

|                  |                                    |
|------------------|------------------------------------|
| Clerk Name:      | Carol Lyon                         |
| Clerk Telephone: | 07385370065                        |
| Clerk Email:     | carol.lyon@southlanarkshire.gov.uk |



# Report

2

|                  |   |
|------------------|---|
| Report to:       | <b>Licensing Committee</b>                                  |
| Date of Meeting: | <b>14 June 2022</b>   |
| Report by:       | <b>Executive Director (Finance and Corporate Resources)</b> |

|          |  |
|----------|--|
| Subject: | <b>Civic Government (Scotland) Act 1982 (As Amended)<br/>- Licensing of Taxis – Review of Taxi Fares</b> |
|----------|--|

## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ further progress the fares review process in the Cambuslang and Rutherglen, Clydesdale, East Kilbride and Hamilton zones of South Lanarkshire

## 2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s) on the basis that no objections or representations have been received following press and website adverts:-

- (1) that there be no increase in the fares tariffs for the Cambuslang and Rutherglen and Hamilton zones as per Appendix 1;
- (2) that the proposals for the Clydesdale zone to increase the cost of the average two mile hire from £5.30 to £5.80 and various other increases as detailed at Appendix 2; and
- (3) that the proposals for the East Kilbride zone to increase the cost of the average two mile hire from £5.60 to £6.00 and various other increases as detailed at Appendix 3.

## 3. Background

- 3.1. In terms of Section 17 of the Civic Government (Scotland) Act 1982 (as amended) by Section 174 of the Criminal Justice and Licensing (Scotland) Act 2010 Licensing Authorities must review taxi fares in their area every 18 months.
- 3.2. At its meeting held on 27 June 2013, the Licensing Committee agreed to calculate all future increases based on an agreed formula.
- 3.3. As members will be aware, even if there is no increase in the fares tariff, the formal review procedures require to be commenced.

## 4. Present Position

- 4.1. At its meeting on 22 February 2022 this Committee agreed that, subject to any representations received, the fares review for the Cambuslang and Rutherglen and Hamilton zones would take place on the basis that there would be no increase in the current tariffs. The current tariffs are shown in Appendix 1.

- 4.2. In respect of the Clydesdale zone the trade suggested an increase of 60 pence over the average two mile hire, however, the Committee agreed an increase of 50 pence over the average two mile hire. The Committee also agreed further increases as detailed in Appendix 2.
- 4.3. In respect of the East Kilbride zone the Committee accepted a proposed increase of 40 pence over the average two mile hire and further increases as detailed in Appendix 3.
- 4.4. The proposed Cambuslang and Rutherglen, Clydesdale, East Kilbride and Hamilton fares reviews have been advertised in the press and on the Council's website in accordance with the legislation and no responses were received.

## **5. Employee Implications**

- 5.1. None.

## **6. Financial Implications**

- 6.1. The cost of Appeal to the Traffic Commissioner if the decision of the Council is appealed.

## **7. Climate Change, Sustainability and Environmental Implications**

- 7.1. No assessment of the impact on the environment has been made as the Civic Government (Scotland) Act 1982 (as amended) does not allow us to take this into account when determining applications and therefore we would not propose to take this into account in dealing with the statutory review of taxi fares.

## **8. Other Implications**

- 8.1. The risk to the Council is that it fails to fulfil its duty to protect the public.

## **9. Equality Impact Assessment and Consultation Arrangements**

- 9.1. There is no requirement to carry out an impact assessment in terms of the proposals contained within this report.
- 9.2. Consultation was initially carried out with the taxi trade to ascertain views on whether or not they are seeking an increase in taxi fares this year. Adverts were then placed in the press and on the Council's website outlining the proposals for each of the zones giving a period of one month to enable anyone to comment on or object to the proposed changes to the fares tariffs.

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

23 May 2022

## **Link(s) to Council Vision/Priorities/Values**

- ◆ Ensure communities are safe, strong and sustainable

## **Previous References**

- ◆ Licensing Committee, 22 February 2022

## **List of Background Papers**

◆ None

## **Contact for Further Information**

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

Margaret Mary Wilson, Legal Services Manager

Ext: 4501 (Tel: 01698 454501)

E-mail: [margaretmary.wilson@southlanarkshire.gov.uk](mailto:margaretmary.wilson@southlanarkshire.gov.uk)

**Current Fares Tariffs**

| <b>Cambuslang and Rutherglen Zone</b>                       |
|---|
| not exceeding 880 yards £2.90                               |
| for the next NINE additional 293 yards or any part 30 pence |
| thereafter each additional 264 yards or any part 20 pence   |
| (an average 2 mile hire of £5.60)                           |

| <b>Hamilton Zone</b>                           |
|--|
| not exceeding 880 yards £2.80                  |
| each additional 220 yards or any part 20 pence |
| (an average 2 mile hire of £5.20)              |



### Current Fares Tariff showing proposals (Clydesdale Zone)

**Exclusive Hire** means that a single fare is payable by any one passenger for the exclusive hire of a taxi or private hire car, whether or not more than one passenger is carried.

#### **HIRE of Taxi/Private Hire Car** (fitted with a taxi meter) –

Not exceeding **one mile** £3.30 (Propose £3.50) (Licensing Committee recommended £3.40)

For EACH additional **88 yards or any part thereof** 10 pence (Propose 12 pence)

(An average 2 mile hire of £5.30 (Propose £5.90) (Licensing Committee recommended £5.80)

**WAITING TIME** – 20 pence (Propose 30 pence) (Licensing Committee recommended 25 pence) for each period of **one minute** or part thereof £12 per hour (Propose £18) (Licensing Committee recommended £15)

**SOILAGE CHARGE** - the hirer will pay a soilage charge of **£30** (Propose **£50**) (Licensing Committee recommended **£40**) if the vehicle is soiled due to sickness caused by alcohol or drugs, any take-away spillage or any other fouling of the vehicle. It shall not be charged if the vehicle is soiled either due to a child being sick or due to genuine illness.

**CALLED BUT NOT USED CHARGE** -when a taxi is called out but not used, **a charge not exceeding the fare which would have been payable** by the hirer in the event of the taxi being used, shall be payable.

**CALL OUT CHARGE** - for hirings where a taxi is called to hirer's home or other address a call out charge up to **a maximum of £5** (Propose **£10**) is payable. If such a call out charge is to be levied, the driver/operator must obtain the hirer's agreement in advance.

#### **SURCHARGES**

- (1) A surcharge of **1/3<sup>rd</sup> of the normal metered fare** may be charged for each hire begun between **midnight and 7am**.
- (2) A surcharge of **½ of the normal metered fare** may be charged for each hire on **25<sup>th</sup> December, 26<sup>th</sup> December, 1<sup>st</sup> January and 2nd January**.
- (3) A surcharge of **10 pence** (Propose **25 pence**) (Licensing Committee recommended **no increase**) may be charged for each passenger beyond 2.

We would also like to see that using the modern metres a hire that begins at 11:50pm should start off at the daytime rate and when the time passes 12 midnight the metre should automatically change over to the night-time rate (this would prevent drivers delaying pick up time until after 12 midnight) conversely a hire that begins before 7am the rate should take into account the night time rate and automatically change over to the daytime rate when 7am is reached.

**Current Fares Tariff showing proposals  
(East Kilbride Zone)**

**Exclusive Hire** means that a single fare is payable by any one passenger for the exclusive hire of a taxi or private hire car, whether or not more than one passenger is carried.

**HIRE of Taxi/Private Hire Car** (fitted with a taxi meter) –

**Current:** not exceeding 880 yards £2.90  
for the next NINE additional 293 yards or any part 30 pence  
thereafter each additional 264 yards or any part 20 pence  
(an average 2 mile hire of £5.60)

**Proposed:** Not exceeding 880 yards £3.20  
For the next FOURTEEN additional 189 yards or any part £0.20  
thereafter each additional 246 yards or any part £0.20  
(an average 2 mile hire of £6.00)

**BEYOND THE AREA OF EAST KILBRIDE ZONE** – may be subject to surcharge of 1/3<sup>rd</sup> of the normal metered fare.

**WAITING TIME** – 20 pence (**Propose 25 pence**) for each period of **60 seconds** or part thereof **£12 per hour** (**Propose £15 per hour**)

**STOPPAGE(S) AT THE REQUEST OF HIRER** – 20 pence for each period of **60 seconds** or part thereof (**£12 per hour**).

**FARES BY TIME** - subject to special agreement in advance with the hirer.

**NO FARE CHARGEABLE** - for the vacant return journey of a taxi/private hire car from destination of the hirer.

**SOILAGE CHARGE** - the hirer will pay a soilage charge of **£30** if the vehicle is soiled due to sickness caused by alcohol or drugs, any take-away spillage or any other fouling of the vehicle. It shall not be charged if the vehicle is soiled either due to a child being sick or due to genuine illness.

**CALLED BUT NOT USED** – when a hired car is called but not used - **£2.80**

**SURCHARGES**

- (1) a surcharge of **60 pence** (**Propose 80 pence**) may be charged for each hire begun between the hours of **10pm and 5am**. A further surcharge of **20 pence** (**Propose 40 pence**) may be charged for each hire begun between the hours of 10pm and 5am each Friday into Saturday and Saturday into Sunday.
- (2) a surcharge of **1/3<sup>rd</sup> of the normal metered fare** may be charged for each hire **from 6am on 24<sup>th</sup> December until 5am on 27<sup>th</sup> December and from 6am on 31<sup>st</sup> December until midnight on 2<sup>nd</sup> January**.
- (3) a surcharge, to be specially agreed in advance with the hirer, may be charged **for 5 or more passengers hiring a people carrier type car**.