

ANGUS COUNCIL

CIVIC LICENSING COMMITTEE – 13 JANUARY 2022

TAXI FARES REVIEW

REPORT BY THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT

It is recommended that the Civic Licensing Committee notes the legal requirements on licensing authorities in respect of the fixing of scales for the fares and other charges in connection with the hire or with the arrangements for the hire of a taxi in terms of Section 17 of the Civic Government (Scotland) Act 1982 and determines whether to commence the review process in respect of those fares and other charges.

1. RECOMMENDATION

It is recommended that the Committee:-

- (i) notes the legal requirements on licensing authorities in respect of the fixing of scales for the fares and other charges in connection with the hire or with the arrangements for the hire of a taxi in terms of Section 17 of the Civic Government (Scotland) Act 1982,
- (ii) notes the process of reviewing the fares and other charges in connection with the hire or with the arrangements for the hire of a taxi; and
- (iii) determines whether to commence the process of reviewing the fares and other charges in connection with the hire or with the arrangements for the hire of a taxi.

2. BACKGROUND

In terms of section 17 of the Civic Government (Scotland) Act 1982, the licensing authority must fix scales for the fares and other charges in connection with the hire or with the arrangements for the hire of a taxi, within 18 months, beginning with the date on which the scales came into effect.

The last review of fares and other charges was commenced by this Committee at its meeting on 15 February 2021. A report setting out the outcome of the consultation process was considered by this Committee at its meeting on 20 May 2021 (Report 165/21) refers. Having considered the terms of the report and the consultation responses, this Committee agreed to no change in fares and other charges.

There is a statutory requirement to advertise proposed fares and other charges and to take into account representations received. No representations were received following advertisement and the date of implementation of the outcome of the review was 31 August 2021.

The Council has received representations from the trade requesting a further review of fares and other charges. The representations received have highlighted the increased cost of fuel, fees, insurance, tyres, maintenance and living costs.

Prior to 31 August 2021, the last review of fares and other charges was implemented 29 February 2020. No change in fares or other charges was made at that time.

If the Committee is minded to agree to review the fares and other charges then: -

- (a) All taxi operators licensed in Angus will be written to by email and/or post and asked for their proposals for any changes. Operators will be given one calendar month to respond. It is proposed to also make use of the “Have Your Say” section of Angus Council’s website in addition to messages being placed on Angus Council’s Facebook page and Twitter feed.
- (b) A further report will be submitted to this committee advising of the proposals received and giving an indication of the approximate percentage increases of the proposals submitted using sample journey lengths.
- (c) The proposed scales, as determined by the Committee, will require to be published in a newspaper circulating in this area. In publishing the proposed scales, the Council must:-
 - (i) set out proposed scales
 - (ii) explain the effect of the proposed scales
 - (iii) propose a date on which the proposed scales are to come into effect; and
 - (iv) state that any person may make representations in writing until the relevant date.
 - (v) The relevant date is a date specified by the licensing authority falling at least one month after the first publication by the authority of the proposed scales.

It is proposed to also make use of the “Have Your Say” section of Angus Council’s website in addition to messages being placed on Angus Council’s Facebook page and Twitter feed during this part of the process.

- (d) In the event that, following publication of the proposed scales, no representations are received by the relevant date, then authority will already have been sought via the Committee report to permit the Director of Legal and Democratic Services to implement the proposed scales, as required.
- (e) In the event that representations are received then a further report will be submitted to this Committee to consider those representations.

The Committee is asked to note that any decision taken by the Committee will be intimated to taxi operators who will be afforded the opportunity to appeal any decision taken by the Committee to the Traffic Commissioner for the Scottish Traffic Area.

3. FINANCIAL IMPLICATIONS

There will be no financial implications arising directly from this report.

4. HUMAN RIGHTS IMPLICATIONS

There are no Human Rights issues arising directly from this report.

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