

**ANGUS COUNCIL**

**CIVIC LICENSING COMMITTEE – 14 SEPTEMBER 2023**

**TAXI FARES REVIEW**

**REPORT BY THE DIRECTOR OF LEGAL, GOVERNANCE AND CHANGE**

**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 13 January 2022. A report setting out the outcome of the consultation process was considered by this Committee at its meeting on 9 June 2022 (Report 136/22) The Committee determined to propose increases to Tariff one, Tariff two and Tariff three in line with Option 7 and detailed in Appendix 1 to the Report but agreed that Tariff 4 should remain unchanged.

There is a statutory requirement to advertise proposed fares and other charges and to take into account representations received. Further representations were received following advertisement. A report setting out said representations was considered by this Committee at its meeting on 18 August 2022 (Report 211/22). The Committee determined to approve an increase of 11.5% as detailed in Appendix 5 to the Report (Appendix 1 to the minute) and the date of implementation of the outcome of the review was 30 September 2022.

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, Governance and Change 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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