



REPORT TO: LICENSING COMMITTEE ON 11 SEPTEMBER 2019

**SUBJECT: CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - MANDATORY
REVIEW OF TAXI FARES AND CHARGES**

BY: CORPORATE DIRECTOR (CORPORATE SERVICES)

1. REASON FOR REPORT

- 1.1 The reason for this report is to invite the Committee to consider the responses received as part of the formal consultation carried out in relation to the review of the maximum fares and charges applicable to taxis and, in light of those responses, to agree a new fare card.
- 1.2 This report is submitted to the Committee in terms of Section III (H) (1) of the Council's Scheme of Administration relating to the exercise of the function of the Council as licensing authority for The Moray Council area.

2. RECOMMENDATION

2.1 It is recommended that the Committee:-

- (i) consider the responses received from the formal consultation process;**
- (ii) in light of those responses, fix the maximum fares and charges applicable to taxis in Moray to have effect from 6 October 2018; and**
- (iii) instruct the Head of Legal and Democratic Services to implement the new fare card on that date.**

3. BACKGROUND

- 3.1 Maximum taxi fares must be fixed by the Licensing Committee no less than each 18 months.
- 3.2 The current fare card a copy of which is produced at **Appendix 1**, came into effect on the 29 June 2018 and so a further review must take place no later than the 29 December 2019.
- 3.3 The Committee, at its meeting on 12 June 2019 (item 5 of the Agenda refers), considered views expressed by taxi operators in an informal consultation

process undertaken by officers as well as other information relevant to taxi fares.

- 3.4 In the light of all information considered, the Committee agreed on proposals to keep the current fare card the same, with the possible exceptions of the soiling charge and the hiring charge for pre-booked taxis. The Committee proposed to consult with the trade on the following:
- (i) whether the current soiling charge should be increased or remain the same; and
 - (ii) whether the charge for pre-booking a taxi is utilised by the trade and if not whether it should be removed from the current fare card.
- 3.5 The Committee also proposed to consult with the trade on whether there was an appetite to engage with the Licensing Committee at one or more face-to-face formal consultation meetings. The Committee instructed Officers to carry out a survey to ascertain whether there was sufficient interest to organise such meetings. The meeting survey was sent on 21 June 2019 and closed on 4 July 2019. The survey was sent to over 89 operators and received a total of 13 responses. Due to the poor responses received by Officers, the Committee instructed the Head of Legal and Democratic Services to instead proceed with the formal consultation by publicising the fare proposals in the local newspaper, trade newsletter, email and social media. Thereafter officers were to report back to the Committee in order for it to approve a new fare card for implementation no later than the 29 December 2019.
- 3.6 Following the meeting of the Committee on the 12 June 2019, an advert was placed in the Press and Journal newspaper on 29 July 2019, detailing the proposals and inviting representations in relation to them. Information was also posted on the Council's website and facebook pages. In addition, an email detailing the proposals was sent to Community Councils, Local Area Forums and Moray's Third Sector Interface (an amalgamation of Moray Social Enterprise Network, Volunteer Centre Moray and Voluntary Action Moray), taxi operators and taxi drivers for comment.

4. RESPONSES TO THE FORMAL CONSULTATION

- 4.1 The formal consultation commences on the 29 July 2019 and is due to end on the 27 August 2019. Owing to the need to produce the Committee papers the responses to the formal consultation received up to the date of drafting hereof have been collated into a document which is produced at **Appendix 2**. Any further responses will be updated to members orally at the meeting.
- 4.2 The responses appear to be largely in favour of the status quo. Maintaining the booking fee would not prejudice those who do not use it but would retain the option for others as they are maximum fares.

FIXING OF MAXIMUM FARES

- 4.3 In the light of all information supplied, including considering any responses received in the formal consultation process, the Committee is invited to agree the maximum fares and charges applicable to taxis in Moray.

- 4.4 The Committee is also invited to agree the date on which a new fare card will come into effect being a date not later than the 29 December 2019. In this regard the Committee may wish to consider the impact of a change during the Christmas holiday period and the closure of large parts of the Council at that time.
- 4.5. It should be noted that after the fixing of fares the authority must notify all relevant persons within seven days and the new fare card will be advertised as appropriate.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

The provisions of taxi licensing, and civic licensing in general, directly relate to the priorities within the 10 Year Plan (Moray 2026) in relation to the following: Regulating taxi vehicles and taxi drivers through the licensing system contributes to a safer community by ensuring they are fit to undertake those activities. Taxis are a valuable part of a growing and diverse economy. They provide employment opportunities and support the tourism and night economies. Taxis also promote health and independence by providing mobility for the whole community and access to resources.

(b) Policy and Legal

In terms of section 17 of the Civic Government (Scotland) Act 1982, the Council, as taxi licensing authority for the Moray Council area, is required to review the fees and charges in connection with the hire of taxis in its area. The fare card, as it is known, requires to be reviewed within every 18 months of fares coming into effect. The fares and charges set are the maximum that can be charged so that, if the taxi operator so chooses, s/he may charge less. The current maximum fares and charges were agreed by the Committee and came into effect on 29 June 2018 (para. 6 of the minute of the meeting of the 16 May 2018 refers). A review therefore needs to be completed by 29 December 2019.

(c) Financial implications

The current proposals do not require alterations to taxi meters.

If further changes are made then any costs incurred by the Council's Fleet Services department in relation to resealing the taxi meters (if necessary) will require to be met by taxi operators. The cost of recalibrating the taxi meters (if necessary) will also require to be met by taxi operators.

If changes are made to the Tariff, two days to check all cars would be required at a likely cost of £10 per meter check/reseal. Changes to the meter tariff will have an associated cost for each meter that operators own to have changed and checked at approximately £70. These costs would require to be met by the taxi trade. Premises would also need to be found for these changes to take place for a two day period; in the past High School car parks have been used.

(d) Risk Implications

There are no risk implications arising from this report.

(e) Staffing Implications

The only staffing implication arising from this report is in terms of the time it will take to notify all taxi operators of the outcome of the review and for Fleet Services staff to check/reseal taxi meters. Staff time is being met from existing resources.

(f) Property

There are no property implications arising from this report.

(g) Equalities/Socio Economic Impact

Initial Screening has been carried out by the Equalities Officer. The risk of adverse impact of the proposals consulted upon – no change to current fares - is considered to be low. An Equalities Impact Assessment is therefore not required at this time. Future proposed changes may be subject to a new impact assessment.

(h) Consultations

Consultation has been carried out on the proposals as detailed above.

5. CONCLUSION

- 5.1 As taxi licensing authority for The Moray Council area, the Council is required to review fares and charges applicable to taxis at least every eighteen months. The Committee now needs to fix fares and charges to take effect no later than 29 December 2019.**

Author of Report: Sean Hoath, Senior Solicitor, Depute Clerk to the Licensing Board
Background Papers: There are no background papers
Ref: SAH