

# Agenda



## Special Meeting of the Licensing Committee

**Date:** Tuesday, 16 January 2024

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**Time:** 12:00

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**Venue:** Council Chamber, Clydebank Town Hall, 5 Hall Street, Clydebank, G81 1UB

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**Contact:** Lynn Straker, Committee Officer  
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Dear Member

Please attend a **Special meeting of the Licensing Committee** as detailed above.

The business is shown on the attached agenda.

Yours faithfully

**PETER HESSETT**

Chief Executive

**Distribution:**

Councillor Ian Dickson  
Councillor James McElhill  
Councillor June McKay  
Councillor John Millar  
Councillor Lawrence O'Neill  
Councillor Chris Pollock  
Councillor Gurpreet Singh Johal  
Councillor Hazel Sorrell

All other Councillors for information.  
Chief Officer – Regulatory and Regeneration

Date issued: 3 January 2024

## **SPECIAL MEETING OF LICENSING COMMITTEE**

**TUESDAY, 16 JANUARY 2024**

### **AGENDA**

**1 STATEMENT BY THE CHAIR**

**2 APOLOGIES**

**3 DECLARATIONS OF INTEREST**

Members are invited to declare if they have an interest in any of the undernoted items of business on this agenda and, if so, state the reasons for such declarations.

**4 MINUTES OF PREVIOUS MEETING 5 - 7**

Submit for approval, as a correct record, the Minutes of Meeting of the Licensing Committee held on 6 December 2023.

**5 OPEN FORUM**

The Committee is asked to note that no open forum questions have been submitted by members of the public.

**6 CIVIC GOVERNMENT (SCOTLAND) ACT 1982 9 - 17  
REVIEW OF TAXI FARES AND CHARGES  
CLYDEBANK TAXI LICENSING ZONE**

Submit report by the Chief Officer – Regulatory and Regeneration providing detail on the review of fares and charges applicable to taxis operating within the Clydebank Taxi Licensing Zone.



## LICENSING COMMITTEE

At a Meeting of the Licensing Committee held in the Council Chamber, Clydebank Town Hall, 5 Hall Street, Clydebank, G81 2NR on Wednesday, 6 December 2023 at 2.00 p.m.

**Present:** Councillors Ian Dickson, Gurpreet Singh Johal, June McKay, Lawrence O'Neill and Chris Pollock.

**Attending:** Michael McDougall, Manager of Legal Services; Robert Mackie, Senior Licensing Officer and Lynn Straker, Committee Officer.

**Also Attending:** Sergeant David Holmes, Police Scotland; Mr Aire and Mr Mullen.

**Apologies:** Apologies for absence were intimated on behalf of Councillors James McElhill, John Millar and Hazel Sorrell.

**Councillor Lawrence O'Neill in Chair**

### DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

### MINUTES OF PREVIOUS MEETING

The Minutes of Meetings of the Licensing Committee held on 11 October 2023 were submitted and approved as a correct record.

### OPEN FORUM

The Committee noted that no open forum questions had been submitted by members of the public.

## **APPLICATION FOR GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE**

A report was submitted by Chief Officer – Regulatory and Regeneration presenting an application for grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Allan Aire, Shalimar, Dalmonach Road, Bonhill, Alexandria G83 9AG.

Members first heard from Mr Michael McDougall, Manager of Legal Services, in introduction to the hearing. They then heard from Sergeant David Holmes, Police Scotland, who detailed the reason for the letter from the Chief Inspector.

Members finally heard from Mr Aire, who detailed why he thought Members should grant him a Taxi/Private Hire Car Driver's Licence.

After discussion, Councillor O'Neill moved to refuse the grant of licence as Mr Aire is not a fit and proper person to hold a Taxi/Private Hire Car Driver's Licence. The motion was unanimously agreed.

### **DECIDED:-**

Members agreed to refuse the grant of a Taxi/Private Hire Car Driver's Licence as Mr Aire is not a fit and proper person to hold a licence of this type.

## **EXCLUSION OF PRESS AND PUBLIC**

The Committee agreed to approve the following resolution to exclude the press and public from the meeting to allow the following item to be heard:-

"That under Section 50A(4) of the Local Government (Scotland) Act, 1973 the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 1 of Schedule 7A of the Act."

## **HEARING REGARDING POSSIBLE SUSPENSION OR REVOCATION OF A TAXI DRIVER'S / PRIVATE HIRE CAR'S DRIVER'S LICENCE**

A report was submitted by Chief Officer – Regulatory and Regeneration asking Members to consider a request from the Chief Constable of Police Scotland for the suspension of a Taxi Driver's/Private Hire Car Driver's Licence. Members also had the option to revoke the licence.

After discussion and having heard from Mr McDougall, Manager of Legal Services, in introduction to the hearing, Members then heard from Sergeant David Holmes, Police Scotland, detail the reason why the Chief Constable does not believe Mr Mullen is a fit and proper person to hold a Taxi Driver/Private Hire Car Driver's Licence.

Members then heard from Mr Mullen, who detailed why he thought his licence should not be suspended.

After further explanation, Members then heard from Mr McDougall who detailed what the options were to Members based on information provided. After further discussion, and in answer to Members' questions, Members agreed to take no action and end the suspension of the Licence.

**DECIDED:-**

Members agreed to take no action and end the suspension of the Licence.

The meeting closed at 2.31 p.m.

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## WEST DUNBARTONSHIRE COUNCIL

### Report by Chief Officer – Regulatory & Regeneration

Licensing Committee – 16 January 2024

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**Subject: Civic Government (Scotland) Act 1982  
Review of Taxi Fares and Charges  
Clydebank Taxi Licensing Zone**

**1. Purpose**

- 1.1** To report to the Committee on the review of fares and charges applicable to taxis operating within the Clydebank Taxi Licensing Zone.

**2. Recommendations**

**2.1** It is recommended:-

- (a) that the proposed changes to the current level of fares and charges applicable to the Clydebank Taxi Licensing Zone, submitted by the Clydebank Taxi Operators Group, be considered as follows:-

increase the flagfall on Tariff One by 50p;  
increase the flagfall on Tariff Two by 50p;  
increase the flagfall on Tariff Three by 70p;

increase the running mile by 10p on Tariff One;  
increase the running mile by 20p on Tariff Two;  
increase the running mile by 30p on Tariff Three;

increase the period for waiting time from 10p for each 30 seconds (£12.00 per hour) to 10p for each 20 seconds (£18.00 per hour);

change the period of time when Tariff 2 is applicable from 6.00 pm until Midnight on 24 December and 31 January to 6.00 am until Noon on 24 December and 31 January;

change the period of time when Tariff 3 is applicable from Midnight on 24 December and 31 January to Noon on 24 December and 31 January;

increase the amount where extra charges will apply for a taxi called by telephone or via App and not cancelled before arrival from £3.30 to £3.80;

change the wording from

*‘Taxi drivers may add on any charge incurred at Glasgow Airport*

*when either dropping off or picking up passengers'*

to

*'Taxi drivers may add on any charge incurred at any Airport or car park when either dropping off or picking up passengers'.*

- (b) that the Committee review the existing scales for fares and other charges for the Clydebank Taxi Licensing Zone;
- (c) the Committee propose new scales;
- (d) that the Committee instructs officers to arrange for the advertisement of the fares and charges proposed by the Committee and review any representations received; and
- (e) that authority be delegated to the Chief Officer: Regulatory & Regeneration, in consultation with the Chair of the Licensing Committee, to conclude the review without the requirement for the Committee to consider a further report on the matter provided no representations are received in relation to the proposal.

### **3. Background**

- 3.1** In terms of the Civic Government (Scotland) Act 1982, licensing authorities must fix scales for taxi fares and related charges within 18 months from the date on which the scales came into effect.
- 3.2** The fares and charges which are applicable to taxis operating within the Clydebank Taxi Licensing Zone have been in effect since 8 September 2022 and these are detailed at Appendix 1.
- 3.3** The Committee agreed at its meeting on 30 March 2022 to consult with the trade association, Clydebank Taxi Operators Group, when carrying out taxi fare reviews in Clydebank as opposed to individual taxi operators.
- 3.4** On 30 November 2023 a submission was received from Mr. Kenneth McSheaffrey, Secretary of the Clydebank Taxi Operators Group, proposing amendments to the existing fare chart.

### **4. Main Issues**

- 4.1** This Report details the outcome of the consultation with Clydebank Taxi Operators Group. The Committee must now review the existing scales and propose new scales. The proposed scales will then be subject to public consultation with an advert being published in a newspaper circulating in the Clydebank area. Any person can make representations to the Licensing Committee about the proposed scales. Should any representations be received then they will be considered at a future meeting of the Licensing Committee. Members may wish to note that officers will write to holders of taxi licences to

advise them of the public consultation.

- 4.2** The Committee must have regard to the costs incurred by the trade. Having referred to the AA website which provides an average cost of fuel on a monthly basis for Scotland, it shows that in November 2023 the average cost of unleaded fuel was 149.5p per litre and 157.8p per litre for diesel. At the time when the last fare chart became effective in September 2022, the average cost of fuel in Scotland was 163.8p for unleaded petrol and 182.0p for diesel. This represents a decrease of 8.7% for unleaded fuel and 13.3% for diesel based on the difference in price when comparing the figures between September 2022 and November 2023. Officers are further aware that taxi operators continue to face rising costs relating to, but not limited to, the purchasing and maintenance of taxi vehicles owing to inflation and supply chain issues.
- 4.3** The submission from the Clydebank Taxi Operators Group when suggesting an increase in fares cites a downturn in revenue, rising fuel costs, higher insurance premiums and increasing costs for parts and labour as on-going concerns affecting the trade as well as the rate of inflation and the cost of living crisis.
- 4.4** The last fare review resulted in the implementation of an updated fare chart for the Clydebank zone the effect of which saw the charge on the flagfall for each tariff rise by 30p and a rise of 10p on the running mile on all tariffs.
- 4.5** Referring to 2.1 (e) of this Report, should no representations be received in relation to the proposals, in order to expedite matters, it is suggested that authority be delegated to the Chief Officer: Regulatory and Regeneration in consultation with the Chair of the Licensing Committee to conclude the review without the requirement for the Committee to consider a further report.

## **5. People Implications**

- 5.1** There are no personnel issues for the Council arising from this report.

## **6. Financial Implications**

- 6.1** There are no financial implications for the Council arising from this report.

## **7. Risk Analysis**

- 7.1** There is no increased risk to the Council associated with the contents of this report.

## **8. Equalities Impact Assessment (EIA)**

- 8.1** No impact assessment is required because this report does not involve any change to policies or services or financial decisions.

## **9. Consultation**

- 9.1** There are statutory requirements around consultation. As noted at paragraph 3.3

of this Report, the Committee agreed consult with the trade association. The submission received from the Clydebank Taxi Operators Group was in response to consultation with their members at a recent meeting of their organisation held on 22 November 2023.

- 9.2** The proposed scales, once agreed by the Committee, will be subject of a public consultation.

**Chief Officer: Regulatory and Regeneration**

Date 18 December 2023

**Person to Contact:**

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Licensing Team,  
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**Appendices**

1. Current Fare Chart for Clydebank Taxi Licensing Zone.
2. Email from Mr. Kenneth McSheaffrey, Secretary of Clydebank Taxi Operator's Group dated 30 November 2023.
3. Proposed Fare Chart for Clydebank Taxi Licensing Zone.

## WEST DUNBARTONSHIRE COUNCIL

Plate No. \_\_\_\_\_ Vehicle Registration Number \_\_\_\_\_

Civic Government (Scotland) Act 1982

Fare Chart (Effective from 8 September 2022)

### CLYDEBANK ZONE

#### **Tariff One**

6.00 a.m. to 9.00 p.m. daily

For a distance not exceeding

5/11ths OF A MILE.....£3.30

For each additional 1/19th OF A MILE.....£0.10

#### **Tariff Two**

9.00 p.m. to 6.00 a.m. daily

6.00 p.m. to 12 midnight on

Christmas Eve and 31st December

For a distance not exceeding

5/11ths OF A MILE.....£3.80

For each additional 1/20th OF A MILE.....£0.10

#### **Tariff Three**

Midnight on 24th December to

Midnight on 26th December and

Midnight on 31st December to

Midnight on 2nd January

*Between 9.00 p.m. and 6.00 a.m. a 50p extra charge applies*

For a distance not exceeding

5/11ths OF A MILE.....£4.80

For each additional 1/22nd OF A MILE.....£0.10

Any hire terminating outwith the Clydebank zone of the West Dunbartonshire area will be at a rate to be agreed at the time of hire.

### **Fares for Waiting**

The driver is, in addition to the above, entitled to charge for waiting whether in one stoppage or in several stoppages as follows:

For each period of THIRTY SECONDS or part thereof.....£0.10

### **Extra Charges**

A charge of £3.30 shall be payable for a taxi called by telephone or via App and not cancelled before arrival.

An additional charge of 10p shall be payable for each passenger beyond two.

Taxi drivers may add on any charge incurred at Glasgow Airport when either dropping off or picking up passengers. Drivers must make passengers aware in advance that extra charges may be added to the fare.

### **Soiling Fee**

A maximum fee of £100.00 is chargeable for any soiling which necessitates a taxi being removed from service for cleaning. Soiling in this context includes any soiling by means of food, drink, vomit, urine or excrement.



**CTO Fare proposal 30.11.2023**

Clydebank Taxi Operators Group called a general meeting on 22 November 2023.

We met at Clydebank Community Sports Hub and 18 members attended.  
Our meeting was publicised 7 days in advance of the meeting date, in accordance with our constitution.  
Non-members were welcome and 2 non-members attended on the night.

Main business of the night centred around a possible fare tariff change.  
We discussed all aspects of our current fare chart in depth and heard the views of all of our members present.  
Members debated fully what the implications of any increase could have on our trade.

Members had highlighted that our trade, revenue and workforce have declined as a direct result of the pandemic.  
They had sighted a downturn in revenue, rising fuel costs, higher insurance premiums and increasing costs for parts and labour as on-going concerns affecting our trade. Members also voiced concerns about the rising cost of inflation and the fear surrounding the cost of living crisis.

The majority of members voted by show of hands for the need for an increase in tariff.  
We heard various proposals for increase and each new tariff was proposed and seconded on the night.  
Once we had 2 proposals left on the table for each tariff the members voted by a show of hands and the majority carried as the wishes of our members.

All proposals put forward to your office reflect the motions passed by our members on the night and we ask that these proposals come before the licensing committee at the earliest opportunity.

Regards

Kenny McSheaffrey

Secretary  
Clydebank Taxi Operators Group





### CLYDEBANK ZONE

#### **Tariff One**

6.00 a.m. to 9.00 p.m. daily

For a distance not exceeding

5/11ths OF A MILE..... £3.80

For each additional 1/20th OF A MILE.....£0.10

#### **Tariff Two**

9.00 p.m. to 6.00 a.m. daily

6.00 a.m. to Noon on

Christmas Eve and 31st December

For a distance not exceeding

5/11ths OF A MILE..... £4.30

For each additional 1/22nd OF A MILE.....£0.10

#### **Tariff Three**

Noon on 24th December to

Midnight on 26th December and

Noon on 31st December to

Midnight on 2nd January

*Between 9.00 p.m. and 6.00 a.m. a 50p extra charge applies*

For a distance not exceeding

5/11ths OF A MILE..... £5.50

For each additional 1/25th OF A MILE.....£0.10

Any hire terminating outwith the Clydebank zone of the West Dunbartonshire area will be at a rate to be agreed at the time of hire.

#### **Fares for Waiting**

The driver is, in addition to the above, entitled to charge for waiting whether in one stoppage or in several stoppages as follows:

For each period of TWENTY SECONDS or part thereof.....£0.10

#### **Extra Charges**

A charge of £3.80 shall be payable for a taxi called by telephone or via App and not cancelled before arrival.

An additional charge of 10p shall be payable for each passenger beyond two.

Taxi drivers may add on any charge incurred at any Airport or car park when either dropping off or picking up passengers. Drivers must make passengers aware in advance that an extra charge may be added to the fare.

#### **Soiling Fee**

A maximum fee of £100.00 is chargeable for any soiling which necessitates a taxi being removed from service for cleaning. Soiling in this context includes any soiling by means of food, drink, vomit, urine or excrement.