

# **WEST DUNBARTONSHIRE COUNCIL**

## **Report by the Head of Legal and Administrative Services**

**Licensing Committee - 6 June 2007**

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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 a proposed review of fares and charges applicable to taxis operating within the Clydebank Taxi Licensing zone.

### **2. Background**

- 2.1** In terms of the Civic Government (Scotland) Act, 1982 licensing authorities are required to review the scales for taxi fares and related charges at intervals not exceeding 18 months from the date on which the scales came into effect.
- 2.2** The current fares and charges which are applicable to taxis operating within the Clydebank Taxi Licensing zone have been in effect since December 2005.
- 2.3** A letter was sent to Mr. D. Millar, Chairman, Clydebank Taxi Trade Association on 28 March 2007 concerning the requirement to review scales and requesting the views of the Association on a review.

### **3. Current Position**

- 3.1** A letter dated 6 April 2007 was received from Mr. Millar advising that Clydebank Taxi Trade Association did not wish the existing fares and charges to be increased at the present time.
- 3.2** In terms of the relevant legislation, before fixing any scales or carrying out any review, in addition to consulting with persons or organisations appearing to be representative of operators of taxis within the area, the Licensing Authority is required:
- (a) to give notice of its intention by advertisement in a newspaper circulating in its area stating the general effect of the proposals, or the fact that it is proposed that the charges remain unchanged;
  - (b) to invite representations from any persons with respect to the proposals within a period of one month from the date of publication of the notice; and

- (c) to consider any such representations which have been duly lodged before a decision is taken on the matter.

**3.3** It should be noted that if representations or objections to the proposals are received, a further report on the matter would require to be considered by the Committee. In addition, there is provision within the legislation for taxi operators within the area to appeal to the Traffic Commissioner against any decision of the licensing authority on the review of scales.

**3.4** Should no objections or representations be received in relation to the proposals, in order to expedite matters it is suggested that authority be delegated to the Head of Legal and Administrative Services, in consultation with the Convener of the Licensing Committee, to conclude the review without the requirement for the Committee to consider a further report on the matter.

#### **4. Personnel Issues**

**4.1** There are no personnel issues.

#### **5. Financial Implications**

**5.1** There are no financial implications.

#### **6. Risk Assessment**

**6.1** There are no risks associated with the content of this report.

#### **7. Recommendation**

**7.1** It is recommended:-

- (a) that the views of the Clydebanks Taxi Trade Association with respect to this matter be noted;
- (b) that officers be authorised to arrange for the advertisement of the fact that it is proposed that the existing fares and charges remain unchanged at the present time;
- (c) that it be noted that if representations or objections to the proposal are received, a further report on the matter would require to be considered by the Committee; and
- (d) that should no objections or representations be received in relation to the proposal, authority be delegated to the Head of Legal and Administrative Services, in consultation with the Convener of the Licensing Committee, to conclude the review without the requirement for the Committee to consider a further report on the matter.

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Head of Legal and Administrative Services

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DR 29/05/07

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**Background Papers:**

1. Letter to Mr. D. Millar, Chairman, Clydebank Taxi Trade Association dated 28 March 2007.
2. Letter from Mr. D. Millar, Chairman, Clydebank Taxi Trade Association dated 6 April 2007.

**Appendices:** N/A.

**Wards Affected:** N/A.

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