

WEST DUNBARTONSHIRE COUNCIL

Report by the Head of Legal, Administrative and Regulatory Services

Licensing Committee – 31 October 2012

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

2. Recommendations

- 2.1** It is recommended that the matter be considered and determined by the Committee following which:-
- (a) that officers be authorised to arrange for the advertisement of the proposal not to alter the existing fares and charges;
 - (b) 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
 - (c) that should no objections or representations be received in relation to the proposal, authority be delegated to the Head of Legal, Democratic and Regulatory Services, 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.

3. Background

- 3.1** In terms of the Civic Government (Scotland) Act, 1982 licensing authorities are required to fix the scales for taxi fares and related charges at intervals not exceeding 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 Dumbarton Taxi Licensing Zone have been in effect since 31 August 2011.
- 3.3** The current fares and charges relating to the Dumbarton Taxi Zone, which

have been in effect since 31 August 2011, are detailed in Appendix 1 to this report.

4. Main Issues

- 4.1** A letter was sent to Mr. D. Thompson, West Dunbartonshire Area Taxi Trade Association on 31 August, 2012 concerning the requirement to review scales and requesting the views of the Association.
- 4.2** A verbal response was received from Mr. David Thomson on behalf of the West Dunbartonshire Area Taxi Trade on 1 October 2012 proposing no increase to the current fare structure.
- 4.3** 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 publish the proposed scales in a newspaper circulating in their area setting out the proposed scales, explaining the effect of the proposed scales and proposing a date on which the proposed scales are to come into effect;
 - (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.
- 4.4** 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.

5. People Implications

- 5.1** There are no personnel issues.

6. Financial Implications

- 6.1** There are no financial implications

7. Risk Analysis

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

8. Equalities, Health & Humans Rights Impact Assessment

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

9. Strategic Assessment

- 9.1** In terms of the Council's Strategic Priorities, the purpose of licensing is to protect the welfare of the community, including vulnerable people.

Head of Legal, Democratic and Regulatory Services

Date: 1/10/2012

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Appendices: 1. Current Fare Chart for Dumbarton Taxi Zone.

Background Papers:

1. Letter to Mr. D. Thompson dated 31 August 2012.
2. Letter to Mr. D. Thompson dated 12 October 2012.

Wards Affected: N/A.