

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Regulatory and Regeneration

Special Meeting of the Licensing Committee – 16 March 2022

Subject: Consultation with the Taxi trade on the option of offering a 2-3 Taxi/Private Hire Car Driver's Licence.

1. Purpose

- 1.1** The purpose of this report is to advise Members of the position within West Dunbartonshire Council in respect of the current duration and fee level for Taxi/Private Hire Car Driver's Licences, and thereafter to seek authority from the Committee to undertake a consultation with the taxi trade on the possibility of offering the option of a licence for a 1, 2 or 3 year period in the future.

2. Recommendations

- 2.1** Members delegate authority to the Chief Officer to conduct a costings exercise and thereafter consult with the taxi trade with regard to offering the option of 1, 2 or 3 year licenses in the future for Taxi/Private Hire Car Driver's Licences and the proposed fee for each option, with a report following to a future Committee.
- 2.2** Members are asked to consider whether there should be a separate consultation on whether the option of a 2 or 3 year licence are also offered for other licence types which currently only have the option of a 1 year duration under the Civic Government (Scotland) Act 1982, namely window cleaners and street trader employees.

3. Background

- 3.1** At a meeting of Council on 22 March 2021, it was agreed that a report should be brought before a future Licensing Committee in order to begin a consultation with the trade on the option of offering 2 or 3 year taxi/private hire car driver's licences moving forward. Subsequently, the question of 2 or 3 year licences was discussed with representatives of the taxi trade at a meeting of the Taxi Forum held in January 2022.
- 3.2** The Civic Government (Scotland) Act 1982 ("The Act"), requires Councils to set fees so that the total amount of income derived from fees is sufficient to meet the expenses of the authority in exercising their licensing functions. For taxi fees in terms of Part 2, Section 12 of the Act this is on the basis of full cost recovery. There is no national guidance as to how Local Authorities set fees under the Act, and each Local Authority is responsible for setting fees in terms of the Act. Different authorities charge different fees, which is a matter for each individual authority.

- 3.3** Full fee reviews have been undertaken in January 2014 and March 2020. The costs and methodology undertaken by officers are more fully referred to in the report to the Licensing Committee on 22 January 2014 and the most recent full fee review report dated 25 March 2020. Again, this most recent fee review showed no significant surplus or deficit projected in any licence categories.
- 3.4** Currently there are 447 licensed Taxi/Private Hire Car Drivers in West Dunbartonshire with 206 licensed to operate in the Clydebank zone and 241 in the Dumbarton & Vale of Leven zone.

4. Main Issues

- 4.1** West Dunbartonshire Council's current fee for a taxi/private hire car driver's licence is set at £296 per year for the financial year 2021/2022. Historically, West Dunbartonshire Council have issued 1 year licences to taxi/private hire car drivers, window cleaners and street trader employees under the Act. The issuing of a yearly licence allows an annual check to be carried out for individual applicants with Police Scotland before officers can issue the licence under delegated powers, where there are no objections/representations to the renewal of the licence.
- 4.2** No significant risks have been identified associated with proposing a 2 or 3 licence option, as Police Scotland have the ability to bring any suspension/revocation requests and relevant matters to the Committee during the duration of a licence, in terms of public safety and the "fit and proper" test under the Act, should there be any matters and/or relevant convictions for a licence holder..
- 4.3** It is for each Local Authority under the Civic Government (Scotland) Act 1982 to determine what period a licence under the Act is issued. The maximum period a licence can be issued is for 3 years.
- 4.4** It is not known at this stage what level of uptake there would be by taxi/private hire car drivers if a high upfront cost of a 2-3 year licence were optional, as opposed to the current fee associated with a 1 year licence.
- 4.5** It is proposed that a further fee review will be undertaken in late 2023. If Committee decides to grant the option of 2 and/or 3 year licenses, there may be some information available on the uptake of these options to help inform the review. This review would remain on the basis of full cost recovery.

5. People Implications

- 5.1** None.

6. Financial and Procurement Implications

6.1 There are no procurement implications from the terms of this report. It is not known at this stage what the financial implications on cost recovery might be until a costings exercise is undertaken.

7. Risk Analysis

7.1 Any risks identified during the consultation will be addressed in the future report to Committee.

8. Equalities Impact Assessment (EIA)

8.1 No issues were identified when carrying out an Equalities Impact Assessment screening exercise.

9. Consultation

9.1 It is proposed that the taxi trade and other civic licence holders who currently hold a one year licence under the 1982 Act are fully consulted upon with regard to the option of offering a 1, 2 and 3 year licence.

10. Strategic Assessment

10.1 This report supports the Council's strategic aim of a strong local economy.

Chief Officer – Regulatory and Regeneration

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Appendices: N/A.

Background Papers: None

Wards Affected: N/A

