

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Regulatory & Regeneration

Licensing Committee – 9 October 2024

Subject: Taxi fare review update

1 Purpose

1.1 To allow the Licensing Committee to update its practice in relation to its consultation in relation to taxi fare reviews.

2 Recommendations

2.1 It is recommended that Members:-

- (a) continue their practice of consulting persons or bodies representative of taxi operators in terms of section 17 of the Civic Government (Scotland) Act 1982;
- (b) authorise officers to consult with holders of a taxi operator licence to ascertain views on the terms of the document at Appendix 1; and;
- (c) report the outcome of the consultation to a future meeting of the Licensing Committee for consideration.

3 Background

3.1 The Council regulates the licensing of Taxi and Private Hire Cars under the Civic Government (Scotland) Act 1982 (“the Act”). The Council’s licensing functions are delegated to the Committee.

3.2 Section 17 of the Civic Government (Scotland) Act 1982 (the 1982 Act) requires the licensing authority to fix scales for the fares and other charges in relation to the hire of taxis. It must do so within 18 months of the previous scales coming into effect. Prior to fixing these scales, the licensing authority must review these scales.

3.3 The Committee operates two zones within its area, Clydebank and Dumbarton & the Vale of Leven. At the Committee’s meeting of 30 March 2022, it determined to consult with the Clydebank Taxi Operator’s Group in relation to the review of its scale for the fares and other charges in the Clydebank zone. The Committee consults with trade representatives in the Dumbarton and the Vale of Leven zone.

3.4 At the Committee meeting of 17 April 2024, Members considered its

latest review of scale for the fares and other charges in the Clydebank zone. When fixing said scale, the Committee instructed officers to review best practice in other licensing authorities.

4 Main issues

4.1 Officers have written to other licensing authorities requesting details of how they consult in terms of section 17 of the 1982 Act. The responses received indicate that there is no consistent approach to the consultation with each authority having developed their own approach having regard to their own local circumstances.

4.2 Having considered the responses and representations made to officers when fixing the scale for the Clydebank zone, it is proposed to allow for consultation with any person or body who can demonstrate that they represent at least 10% of all taxi operators in the zone as well as any persons or organisations previously recognised by the Committee as being representative of taxi operators. The procedure note at Appendix 1 sets out the operation of this requirement in detail.

4.3 Any person or body purporting to represent at least 10% of all taxi operators will be required to provide evidence of this to the Council's Licensing Section unless this is evidenced by the holding of licences.

4.4 Continuing the Committee's practice of consulting with representatives of taxi operators as opposed to individual taxi operators is advantageous as:-

- (a) it assists the Committee in determining what weight should be applied to proposals given that a scale must be fit for purpose for all operators; and
- (b) where individual operators are consulted, the Committee could face having to assess and consider multiple responses and this may be detrimental in attempting to formulate a new scale of fares, i.e. in preparing a scale that reflects a large number of individual comments, it may not reflect the needs of the trade as a singular entity.

4.5 Notwithstanding consultation with representatives of the operators of taxis within the relevant zone, Members will be aware that the proposed fares are then subject of a public consultation.

5 Options Appraisal

5.1 No options appraisal was required for this report.

6 People Implications

6.1 There are no personnel issues at this stage.

7 **Financial and Procurement implications**

7.1 There are no financial or procurement implications at this stage.

8 **Equalities Impact Assessment (EIA)**

8.1 Screening 1068: Screened as not being relevant. This is a change to an existing policy to codify how a party can become a representative to be consulted. There is no change to the consultation process. The Council's 'Communicating Effectively' guidance will be adhered to ensuring accessible and inclusive communications supporting this work.

9 **Consultation**

9.1 It is proposed that the Licensing Section will consult with holders of a taxi operator licence.

9.2 The proposed scale will continue to be subject of a public consultation once the Committee concludes its review having considered representations from persons or organisations representative of taxi operators.

10 **Strategic Assessment**

10.1 Licensing plays a key role to make sure our communities are resilient and thriving.

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10 September 2024

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Appendices: None

Background papers: Civic Government (Scotland) Act 1982
Circular 25/1986: Licensing of Taxis and Private Hire Cars
EIA1068

Wards affected: All

