

Notice of Meeting and Agenda Regulatory Functions Board

Date	Time	Venue
Thursday, 31 January 2019	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

KENNETH GRAHAM
Head of Corporate Governance

Membership

Councillor Eddie Devine: Councillor Audrey Doig: Councillor Lisa-Marie Hughes: Councillor Alistair Mackay: Councillor Cathy McEwan: Councillor Kevin Montgomery: Councillor Andy Steel: Councillor Jane Strang:
Councillor John McNaughtan (Convener): Councillor Emma Rodden (Depute Convener):

Further Information

This is a meeting which is open to members of the public.

A copy of the agenda and reports for this meeting will be available for inspection prior to the meeting at the Customer Service Centre, Renfrewshire House, Cotton Street, Paisley and online at <http://renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards.aspx>

For further information, please either email democratic-services@renfrewshire.gov.uk or telephone 0141 618 7112.

Members of the Press and Public

Members of the press and public wishing to attend the meeting should report to the customer service centre where they will be met and directed to the meeting.

Items of business

Apologies

Apologies from members.

Declarations of Interest

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

1 **Civic Government (Scotland) Act 1982: Review of Taxi** 1 - 8

Fares within Renfrewshire

Report by Director of Finance and Resources.

2 **Grant of Street Trader's Licence**

Submit the undernoted application for grant of a Street Trader's Licence:-

Applicant: William Greig

Authorised goods: hot and cold snacks

Trading from: Glebe Street and Broadloan, Renfrew

Operating hours: Glebe Street – 10.30 am to 11.15 am and Broadloan – 11.15 am to 2.30 pm

3 **Renewal of Late Hours Catering Licence**

Submit the undernoted application for renewal of a Late Hours Catering Licence:-

Applicant: DPK Foods Limited, trading as Domino's Pizza

Authorised goods: pizzas and other takeaway foods

Trading from: 41 Gauze Street, Paisley

Operating hours: Sunday to Thursday – 11.00 pm to 1.00 am and Friday and Saturday – 11.00 pm to 2.00 am

Licence No.: LHC 107

4 **Grant of Street Trader's Licence - Personal Appearance**

Submit the undernoted application for the grant of a Street Trader's Licence. The applicant has been asked to appear personally for the first time:-

Applicant: Danni Preston

Authorised goods: hot and cold food and beverages, confectionery and milk

Trading from: Watt Road and Huntly Road, Hillington and Maxwell Street, Paisley

Operating hours: Hillington – 6.00 am to 2.30 pm and Paisley – 9.00 pm to 4.00 am

5 Variation of Taxi Operator's Licence - Personal

Appearance

Submit the undernoted application for variation of a Taxi Operator's Licence. The applicant has been asked to appear personally for the first time:-

Applicant: Skyedale Limited
Variation: to allow full vehicle wrap advertising
Licence No.: TX214

6 Surrender and Re-issue of Taxi Operator's Licence -

Personal Appearance

Submit the undernoted application for the surrender and re-issue of a Taxi Operator's Licence. The applicants have been asked to appear personally for the first time:-

Operator: Jared Thomas Gatley/John Curran on behalf of GLA Taxis
Proposed Operator: Jared Thomas Gatley
Licence No.: TX81

EXCLUSION OF PRESS AND PUBLIC

The Board may by resolution exclude the press and public from the meeting during consideration of the following items of business as it is likely, in view of the nature of the business to be transacted, that if members of the press and public are present, there could be disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 7A of the Local Government (Scotland) Act, 1973.

7 Grant of Landlord Registrations - Personal Appearances

Under reference to item 10 of the Minute of the meeting of this Board held on 31 October 2018 resume consideration of application (a) for the grant of Landlord Registration and under reference to item 11 of the Minute of the meeting of this Board held on 15 November 2018 resume consideration of application (b) for the grant of Landlord Registration. The applicants have been asked to appear personally for the second time together with Police Scotland:-

- (a) Paul Docherty – REN-0146399-18
- (b) Deborah Ameh – REN-0181524-18

8 Hearings into Possible Removal from the Register of Private Landlords - Personal Appearances

Under reference to item 11 of the Minute of the meeting of this Board held on 15 November 2018 resume consideration of the possible removal of landlord (a) from the Register of Private Landlords and consider the possible removal of landlord (b) from the Register of Private Landlords. Landlord (a) has been asked to appear personally for the second time together with the Director of Communities, Housing and Planning Services, Renfrewshire Council and landlord (b) has been asked to appear personally for the first time together with Kwai Leung and the Director of Communities, Housing and Planning Services, Renfrewshire Council:-

- (a) David Blackwood - 300683/350/13551
- (b) Anu Sharma – 261965/350/12171

9 Requests for Exemptions from Assisting Wheelchair Passengers - Personal Appearances

There were submitted the undernoted requests for exemptions from assisting wheelchair passengers. The applicants have been asked to appear personally for the first time:

- (a) William Guthrie – T0018
- (b) Colin Wardrop – T1490
- (c) Lyndsey Hynd – T0042

10 Renewal of Window Cleaner's Licence - Personal Appearance

Submit the undernoted application for renewal of a Window Cleaner's Licence. The applicant has been asked to appear personally for the first time together with Police Scotland who has submitted an objection to the application:-

Gordon Harry James Michie – W141

11 Grant of Taxi Drivers' Licences - Personal Appearances

Submit the undernoted applications for the grant of Taxi Drivers' Licences. The applicants have been asked to appear personally for the first time together with Police Scotland who has submitted a representation to application (a) and an objection to application (b):-

- (a) Danielle Scott
- (b) Sohail Mahmood

12 Hearings into Possible Suspension or Revocation of Private Hire Car Drivers' Licences - Personal Appearances

Consider the possible suspension or revocation of the undernoted Private Hire Car Drivers' Licences. The licence holders have been asked to appear personally for the first time together with Nualla Scallan, who has submitted a complaint in relation to licence holder (a) and Police Scotland in relation to licence holder (b):-

- (a) Paul Bean – P2592
- (b) Stephen Wright – P0172



To: Regulatory Functions Board

On: 31st January 2019

Report by: Director of Finance and Resources

**Heading: Civic Government (Scotland) Act 1982:
Review of Taxi Fares within Renfrewshire**

1. Summary

- 1.1. At a meeting of the Regulatory Functions Board on 15th November 2018, there was submitted a report by the Director of Finance and Resources relative to the review of taxi fares applying within Renfrewshire.
- 1.2. At that meeting the Board agreed, after considering responses to an initial consultation, to advertise a proposal to fix a new fare scale. The agreed proposal involved an increase to the minimum fare from £3:20 to £3:30 and increased the additional charge per distance, based on an increased distance of 330 yards (or part thereof), from 20 pence to 30 pence. The current distance is 239 yards (or part thereof). The agreed proposal also involved removal of the Glasgow Airport Terminal Departure charge of £1:50, which is no longer applicable. The Board agreed that the proposed scale would be advertised, allowing representations to be made within one month.
- 1.3. The Board agreed a proposed date of 25th March 2019 for the proposed fare scale to come into effect. The Board also agreed that a report would be submitted to a future meeting of the Board to allow a taxi fare scale to be fixed.
- 1.4. An advertisement detailing the proposal appeared within the Paisley Daily Express newspaper on 30th November 2018 and provided that any person wishing to make representations on the proposal must do so in writing no later than 30th December 2018. The advertised proposal is attached at Appendix 1 to this report. The procedure followed as detailed above is set out in Section 17 of the Civic Government (Scotland) Act 1982, as amended ("the Act").

- 1.5 In response to the advertisement, no further representations have been received. The Board now requires to fix a taxi fare scale for Renfrewshire. The Board is also required, under the Act, to determine a date for the scale to come into effect. It is recommended that the scale comes into effect on 25th March 2019, as previously proposed by the Board.
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2. Recommendations

- 2.1 It is recommended that the Board:-

- 2.1.1 Agree a new fares scale for Renfrewshire, in accordance with the advertised scale;
- 2.1.2 Determine that this fares scale shall come into effect on 25th March 2019;
- 2.1.3 Thereafter, authorise officers to give notice to (a) all operators of taxis operating in Renfrewshire and (b) the persons and organisations appearing to the Board to be representative of the operators of taxis operating within Renfrewshire (being the parties initially consulted) of the fares scale fixed and its effect, the date on which it is to come into effect and the rights of appeal against the scale, all as set out in Section 17 of the Act, as amended;
- 2.1.4 Authorise officers to publish the fares scale, as soon as practicable following expiry of the period for appeal to the Traffic Commissioner (or, if appealed, as soon as practicable after determination of the appeal), by giving notice of the scales in an advertisement in a newspaper circulating in Renfrewshire and to specify therein that the scales shall come into effect on 25th March 2019 (or on such other date agreed by the Board), all in terms of Section 18A of the Act.

3 Background

- 3.1 Section 17 of the Civic Government (Scotland) Act 1982, as amended, requires the Council as licensing authority to fix maximum fares for the hire of taxis. A copy of the Board's existing fare scale is attached at Appendix 2. Prior to fixing a new taxi fare scale, the Council requires to review the scales, by formally consulting taxi operators (or persons or organisations representative of them) and thereafter proposing new scales, and to publish these in a newspaper circulating in its area. The report to the Board on 15th November 2018 fully set out the initial consultation which had taken place with organisations representative of the taxi trade within Renfrewshire and also stated that individual taxi operators had been consulted by text alert.
- 3.2 Three proposals were received in response to the initial statutory consultation, details of which were set out in Paragraphs 3.4.1 to 3.4.3 of the report to the Board on 15th November 2018.

- 3.3 The Board agreed on 15th November 2018 to propose a fares scale for consultation as outlined in Paragraph 1.2 of this report. The advertisement which thereafter publicised the proposed scales on 30th November 2018 stated that any representations would require to be made by 30th December 2018. No further representations have been received.
- 3.4 The Board now requires to fix a taxi fares scale for Renfrewshire and to determine the date the scale is to come into effect. The Board agreed on 15th November 2018, for the purpose of advertising the proposed scale, a proposed date of 25th March 2019 for the scale coming into effect.
- 3.5 The Board may note that the Consumer Prices Index (CPI) 12-month rate was 2.3% in November 2018, down from 2.4% in October 2018.

Implications of the Report

1. **Financial** - Minor costs associated with production of new fare scales, cards and advertising costs which will require to be met from existing budgets.
2. **HR & Organisational Development** - Nil
3. **Council and Community Planning-**
 - Our Renfrewshire is safe – the continued monitoring of taxi licensing contributes to safer communities.
4. **Legal** –

A licensing authority must fix scales for the fares and other charges in relation to the hire of a taxi within 18 months beginning with the date on which the last scales came into effect. Prior to fixing those scales, the licensing authority must consult with the operators of taxis in its area (or persons or organisations representative of them), review the existing scales and propose new ones, publish these in a local newspaper and consider any representations made on or before the date specified in the advertisement.

Once the Board has fixed scales as recommended in this report, the Council requires to give notice within seven days to the operators of taxis and also to those persons representative of them (as initially consulted) of the scale and its effect, the date on which the scale is to come into effect and the rights of appeal to the Traffic Commissioner.

Any operator of a taxi or person or organisation appearing to the Traffic Commissioner to be representative of operators may, within fourteen days of the above notification of the scales being fixed, appeal the decision to the Traffic Commissioner for the Scottish Traffic Area. Following this 14 day appeal period (or the conclusion of an appeal to the Traffic Commissioner), the Council requires to give notice of the scale by newspaper advertisement.

5. **Property/Assets** – Nil
6. **Information Technology** – Nil
7. **Equality & Human Rights** –The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because it seeks a review only of taxi fares, which the Council has a statutory duty to review at regular intervals. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – Nil
9. **Procurement** – Nil
10. **Risk** – Nil
11. **Privacy Impact** – Nil
12. **CoSLA Policy Position-** Nil

List of Background Papers

-None

Author: Douglas Campbell, Assistant Managing Solicitor (Licensing)
douglas.campbell@renfrewshire.gov.uk
0141-618-7172

APPENDIX 1

Civic Government (Scotland) Act 1982 Taxi Fares Scale

NOTICE IS HEREBY GIVEN in accordance with the provisions of Section 17 of the Civic Government (Scotland) Act 1982 that Renfrewshire Council proposes to fix a new taxi fares scale as follows:

TARIFF

FARES BY DISTANCE

Minimum fare for a distance not exceeding ½ mile.....£3.30
For each additional 330 yards or part thereof.....30p

FARES FOR WAITING TIME

For each period of 2 minutes or part thereof.....34p

EXTRAS

For each passenger in excess of 4, a fifth passenger charge of..... 60p
(applicable to 5,6, or 7 seater taxis)

An additional charge for journeys commencing after midnight and before
5.00am Sunday to Thursday.....60p

An additional charge for journeys commencing after midnight and before
5.00am Friday and Saturday.....£1.00

Glasgow Airport pick up and drop off charge.....£2.00

An additional charge for journeys commencing after midnight on
24 December until midnight on 26 December and from midnight
on 31 December until midnight on 2 January.....£1.00

From midnight on 24 December until midnight on 26 December
the fare chargeable shall be.....normal fare plus 1/3
(Tariff 2)

From midnight on 31 December until midnight on 2 January
the fare chargeable shall be.....normal fare plus 1/3
(Tariff 2)

SOILING FEE

Soiling in this context includes any soiling by means of food, drink,
vomit, urine or excrement.....up to a maximum of £50.00

FARES TO PLACES BEYOND THE RENFREWSHIRE AREA BOUNDARY

The driver is not obliged to accept the hire. Any hire terminating outwith the Renfrewshire Area will be charged at a rate to be agreed at the time of hire.

Fares chargeable for journeys where a taxi is hired on an exclusive basis shall be charged in accordance with the normal fares scale determined by the Council, but shall be modified where a taxi is hired on a shared basis according to the number of hirers sharing the vehicle, as follows:-

1. One hirer: 100% of the fare
2. For two hirers: 100% of the first hirer to the point of the second hirer and thereafter both pay 75% of the standard fare each
3. If three hirers: As above to the point of the third hirer and thereafter all pay 65% of the standard fare each.
4. If four hirers: As above to the point of the fourth hirer and thereafter all pay 55% of the standard fare each.
5. If five hirers: As above to the point of the fifth hirer and thereafter all pay 50% of the standard fare each.
6. On departure from the taxi of one or more hirers the fare payable will revert to the rate appropriate to the remaining number of hirers.

The proposal includes an increase to the minimum fare for a distance not exceeding $\frac{1}{2}$ mile from £3.20 to £3.30.

The proposal also includes an increase in the additional distance fare from 20p to 30p but this proposed increased charge would apply per each additional 330 yards or part thereof, as compared to the existing 239 yards or part thereof.

The proposal involves the removal of the Glasgow Airport Departure Charge of £1.50.

It is proposed that the above fares scale will come into effect on 25 March 2019.

Any person wishing to make representations in relation to the above proposals must do so in writing to the undernoted address, all within a period of one month after the date of this notice, that is no later than **30 December 2018**.

Alan Russell
Director of Finance & Resources
Renfrewshire Council
Renfrewshire House
Cotton Street
Paisley
PA1 1TT
Or by email to: licensing.cs@renfrewshire.gov.uk

30 November 2018

APPENDIX 2

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - TAXI FARES SCALE - TAXI No.

With effect from 28 August 2017

TARIFF

FARES BY DISTANCE

Minimum fare for a distance not exceeding ½ mile£3.20
For each additional 239 yards or part thereof20p

FARES FOR WAITING TIME

For each period of 2 minutes or part thereof34p

EXTRAS

For each passenger in excess of 4, a fifth passenger charge of60p
(applicable to 5,6, or 7 seater taxis)
An additional charge for journeys commencing after midnight and before 5.00am Sunday to Thursday60p
An additional charge for journeys commencing after midnight and before 5.00am Friday and Saturday£1.00
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2. For two hirers: 100% of the first hirer to the point of the second hirer and thereafter both pay 75% of the standard fare each
3. If three hirers: As above to the point of the third hirer and thereafter all pay 65% of the standard fare each.
4. If four hirers: As above to the point of the fourth hirer and thereafter all pay 55% of the standard fare each.
5. If five hirers: As above to the point of the fifth hirer and thereafter all pay 50% of the standard fare each.
6. On departure from the taxi of one or more hirers the fare payable will revert to the rate appropriate to the remaining number of hirers.

Director of Finance & Resources
Renfrewshire House, Cotton Street
Paisley, PA1 1TT

