

Notice of Meeting and Agenda Regulatory Functions Board

Date	Time	Venue
Wednesday, 28 October 2020	10:00	Remotely by MS Teams ,

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):

Recording of Meeting

This meeting will be recorded for subsequent broadcast via the Council's internet site. If you have any queries regarding this please contact Committee Services on 07483 929434. To find the recording please follow the link which will be attached to this agenda once the meeting has concluded.

Chair

In Attendance

Apology

Order of Business

Variation of Taxi Operator's Licence - Personal Appearance

Sederunt

Surrender and Re-issue of Taxi Operator's Licence

Declaration of Interest

Order of Business

Adjournment

Sederunt

Sederunt

Surrender and Re-issue of Taxi Operators' Licences

Adjournment

Grant of Private Hire Car Driver's Licence - Personal Appearance

Recording: Part 1

<https://www.youtube.com/watch?v=EEj9KECG8N8>

Recording Part 2

<https://www.youtube.com/watch?v=fT-Cd1Syjf8>

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.

EXCLUSION OF PRESS AND PUBLIC

The Board may by resolution exclude the press and public from the meeting during consideration of items 4(a), (b) and (c), and 10(b) and (c) 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.

1 Variation of Taxi Operators' Licences - Personal

Appearances

Submit the undernoted applications for variation of Taxi Operators' Licences. The applicants have been asked to appear personally for the first time:-

(a) Applicant: John Simpson
Variation: exception to standard condition 22
Licence No.: TX088

(b) Applicant: Allan Hill
Variation: exception to standard condition 22
Licence No.: TX021

(c) Applicant: Andrew McCallum
Variation: exception to standard condition 22
Licence No.: TX212C

(d) Applicant: Mark Stevenson
Variation: exception to standard condition 22
Licence No.: TX203

2 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 second time:-

Present operator: Anthony Stewart
Proposed operator: James Lappin
Licence no.: TX037

3 Renewal of Taxi Operator's Licence - Personal

Appearance

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

Anthony Stewart TX037

4 Grant of Private Hire Car Drivers' Licences - Personal

Appearances

Submit the undernoted applications for grant of Private Hire Car Drivers' Licences. The applicants have been asked to appear personally for the first time together with Police Scotland who has submitted a representation received outwith the statutory timescale to application (c):-

- (a) Ikponwosa Aghahowa
- (b) Muhammad Hasnain
- (c) Liam Sheehan

Adjournment

The meeting will adjourn after consideration of item 4(c) and reconvene at 2.00 pm.

5 Civic Government (Scotland) Act 1982: Review of Taxi 7 - 14

Fares within Renfrewshire

Report by Director of Finance & Resources.

6 Grant of Late Hours Catering Licences

Submit the undernoted applications for grant of Late Hours Catering Licences:

(a) Applicant: Select Service Partner UK Limited
Premises: M&S Simply Food, Terminal 1, Glasgow Airport
Activity: food, groceries and beverages
Operating hours: 7 days per week from 11.00 pm to 5.00 am during April to October

(b) Applicant: Krispy Kreme UK Limited
Premises: Departures, Glasgow Airport
Activity: doughnuts and drinks
Operating hours: 7 days per week from 4.00 am to 5.00 am

7 Renewal of Late Hours Catering Licences

Submit the undernoted applications for renewal of Late Hours Catering Licences:

(a) Applicant: Wm Morrison Supermarkets PLC
Premises: Petrol Filling Station, 30 Napier Street, Johnstone
Activity: convenience store
Operating hours: 7 days per week from 11.00 pm to 5.00 am
Licence No.: LHC099

(b) Applicant: Wm Morrison Supermarkets PLC
Premises: Petrol Filling Station, 16 Thread Street, Paisley
Activity: convenience store
Operating hours: 7 days per week from 11.00 pm to 5.00 am
Licence No.: LHC101

8 Variation of Private Hire Car Operator's Licence

Submit the undernoted application for variation of a Private Hire Car Operator's Licence:

Applicant: Andrew Hackett
Variation: 8 passengers
Licence No.: PH0758

9 Renewal of Street Traders' Licences

Submit the undernoted applications for renewal of Street Traders Licences:-

(a) Applicant: Kelly McDowall
Authorised goods: hot and cold food, beverages and milk
Trading From: Huntly Road and Watt Road, Hillington and Maxwell Street, Paisley
Operating hours: Huntly Road and Watt Road, Hillington – Monday to Friday from 6.00 am to 2.00 pm and Maxwell Street, Paisley – Monday to Sunday from 9.00 pm to 4.00 am
Licence No.: ST089

(b) Applicant: Tracy Donaldson
Authorised goods: hot and cold food, beverages and milk
Trading From: Huntly Road and Watt Road, Hillington and Maxwell Street, Paisley
Operating hours: Huntly Road and Watt Road, Hillington – Monday to Friday from 6.00 am to 2.00 pm and Maxwell Street, Paisley – Monday to Sunday from 9.00 pm to 4.00 am
Licence No.: ST003

10 Surrender and Re-issue of Taxi Operators' Licences

Submit the undernoted applications for the surrender and re-issue of Taxi Operators' Licences:-

(a) Present operator: James Kilgour
Proposed operator: Crawford Dick
Licence No.: TX023

(b) Present operator: Duncan Colville
Proposed operator: Dermot Curran
Licence No.: TX178

(c) Present operator: John McIntyre
Proposed operator: Stuart McCullagh
Licence No.: TX144



To: Regulatory Functions Board

On: 28 October 2020

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 19th August 2020, 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 £3.30 to £3.45; increased the additional fare per distance, by introducing a reduced distance of 315 yards (or part thereof) while maintaining the existing 30p charge; and increased the waiting time charge from 34p to 36p per period of two minutes (or part thereof). 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 14th December 2020 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 was advertised in the press on 5th September 2020 and provided that any person wishing to make representations on the proposal must do so in writing no later than 5th October 2020. 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 14th December 2020, 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 14th December 2020;
- 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 14th December 2020 (or on such other date agreed by the Board), all in terms of Section 18A of the Act.
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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 19th August 2020 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 19th August 2020.
- 3.3 The Board agreed on 19th August 2020 to propose a fares scale for consultation as outlined in Paragraph 1.2 of this report. The advertisement which thereafter publicised the proposed scale on 5th September 2020 stated that any representations would require to be made by 5th October 2020. 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 19th August 2020, for the purpose of advertising the proposed scale, a proposed date of 14th December 2020 for the scale coming into effect.
- 3.5 The Board may note that the Consumer Prices Index (CPI) 12-month rate was 0.2% in August 2020, down from 1.0% in July.

Implications of the Report

1. **Financial**- There will be some 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
13. **Climate Emergency-** Nil. The report recommends that the Board agree maximum fares for taxis licensed to operate in Renfrewshire following upon a statutory review. No significant impacts are likely to arise from the introduction of the proposed scale.

List of Background Papers

-None

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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.....£3.45
For each additional 315 yards or part thereof.....30p

FARES FOR WAITING TIME

For each period of 2 minutes or part thereof.....36p

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 ½ mile from £3.30 to £3.45.

The proposal also includes an increase in the additional distance fare. This additional charge would remain at 30p, as currently applies, but would apply per each additional 315 yards or part thereof, as compared to the existing 330 yards or part thereof.

The proposal also includes an increase in the waiting time charge from 34p to 36p for each period of 2 minutes or part thereof.

It is proposed that the above fares scale will come into effect on 14 December 2020.

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 **5 October 2020**.

Alan Russell
Director of Finance & Resources
Renfrewshire Council
Renfrewshire House
Cotton Street
Paisley
PA1 1TT

Or by email to: licensing.cs@renfrewshire.gov.uk

5 September 2020

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

With effect from 25 March 2019

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 of60p
(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 Terminal 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

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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.

