

Notice of Meeting and Agenda Regulatory Functions Board

Date	Time	Venue
Thursday, 11 November 2021	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 0141 618 7111. To find the recording please follow the link which will be attached to this agenda once the meeting has concluded.

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 Variation of Private Hire Car Operators' Licences -

Personal Appearances

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

(a) Applicant: Andrew Campbell

Variation: exception to policy and standard condition 1
Licence No.: PH1208

(b) Applicant: Andrew Wilson

Variation: exception to policy and standard condition 1
Licence No.: PH0670

(c) Applicant: John Hyndman

Variation: exception to policy and standard condition 1
Licence No.: PH1117

(d) Applicant: Richard Kilbride

Variation: exception to policy and standard condition 1
Licence No.: PH1597

(e) Applicant: Maureen Myles

Variation: exception to policy and standard condition 1
Licence No.: PH1046

(f) Applicant: David Myles

Variation: exception to policy and standard condition 1
Licence No.: PH0769

Adjournment

The meeting will adjourn following consideration of item 1(f) to allow time for members to observe the Remembrance Day two minutes silence at 11.00 am and reconvene at 11.05 am.

2 Variation of Private Hire Car Operator's Licence -

Personal Appearance

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

Applicant: Paisley Cab Co

Variation: exception to policy and standard condition 1

Licence No.: PH1396

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

Submit the undernoted application for the surrender and re-issue of a Taxi Operator's Licence:-

Present Operator: Duncan Colville

Proposed Operator: Dermot Curran

Licence No.: TX063

4 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: Malcolm Mearns

Variation: exception to policy and standard condition 22

Licence No.: TX094

(b) Applicant: Archie McLellan

Variation: exception to policy and standard condition 22

Licence No.: TX052

(c) Applicant: Michael McGarvey

Variation: exception to policy and standard condition 22

Licence No.: TX039

(d) Applicant: William Mottram

Variation: exception to policy and standard condition 22

Licence No.: TX188

(e) Applicant: Kenneth Cook

Variation: exception to policy and standard condition 22

Licence No.: TX051

(f) Applicant: The Partnership of C & J Ballantyne

Variation: exception to policy and standard condition 22

Licence No.: TX099

(g) Applicant: Raymond Stanley
Variation: exception to policy and standard condition 22
Licence No.: TX163

5 Civic Government (Scotland) Act 1982: Review of Taxi 7 - 18

Fares within Renfrewshire

Report by Director of Finance & Resources.

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.

6 Grant of House in Multiple Occupation Licence - Personal

Appearance

Submit the undernoted application for grant of a House in Multiple Occupation Licence. The applicant has been asked to appear personally for the first time together with the Director of Communities & Housing, Renfrewshire Council:-

Applicant: Lauren Fraser
Property: Flat 2/2, 87 Causeyside Street, Paisley

7 Renewal of House in Multiple Occupation Licence -

Personal Appearance

Submit the undernoted application for renewal of a House in Multiple Occupation Licence. The applicant has been asked to appear personally for the first time together with the Director of Communities & Housing, Renfrewshire Council:-

Applicant: Bridgewater Housing Association
Property: 14 Park Top, Erskine
Licence No.: HMO214

Adjournment

The meeting will adjourn following consideration of item 7 and reconvene at 1.30 pm.

8 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:-

- (a) Muhammad Nagi
- (b) Wajid Ali
- (c) Paul Ndonagh

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

Submit the undernoted applications for grant of a Private Hire Car Operator's Licence and grant of a Private Hire Car Driver's Licence. The applicant has been asked to appear personally for the first time:-

Hilmit Omar

10 Grant of Private Hire Car Drivers' Licences - Personal Appearances

Submit the undernoted applications for grant of Private Hire Car Operators' Licences. The applicants have been asked to appear personally for the first time:-

- (a) Akhtar Begum
- (b) Asad Chaudry
- (c) Arsalan Azeem
- (d) Mansoor Awais

11 Applications for Exemption from Driver's Duties under Section 165 of the Equality Act 2010 - Personal Appearances

Submit the undernoted applications for exemption from drivers' duties under Section 165 of the Equality Act 2010. The applicants have been asked to appear personally for the first time:-

- (a) Peter White
- (b) Lyndsey Hynd



To: Regulatory Functions Board

On: 11 November 2021

Report by: Director of Finance & Resources

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

1. Summary

- 1.1 The Council as Licensing Authority is obliged to fix scales for the fares and other charges in its area in connection with the hire of a taxi. The legislation, the Civic Government (Scotland) Act 1982, provides that fares should be fixed within 18 months beginning with the date on which scales last came into effect.
- 1.2 The last Taxi Fares Review was carried out during 2019 and 2020 with a revised Taxi Fares Scale being fixed. It was agreed that this scale would come into effect on 14th December 2020. That revised fares scale represented a change to the previous scale which was in effect, by: (i) increasing the minimum fare (or "Flag Fall") from £3.30 to £3.45; (ii) increasing the additional fare per distance, by introducing a reduced distance of 315 yards (or part thereof) while maintaining the existing 30p charge; and (iii) increasing the waiting time charge from 34p to 36p per period of two minutes (or part thereof).
- 1.3 On 2nd June 2021, the Council consulted with persons or organisations representative of the operators of taxis within its area on the current taxi fare scale, by email. The consultation also included individual taxi operators who were informed of the consultation on the same date by text alert. Two responses to the consultation were received, as detailed at Paragraphs 3.4.1 to 3.4.2 of the report. A meeting between Council officers and representatives of taxi operators was subsequently held, on 6th October 2021. The review of the taxi fares scale was discussed at that meeting, as further detailed at Paragraph 3.4.3.

- 1.4 The existing scales require to be reviewed and new scales proposed by the Board. Thereafter, formal notification of the proposed new scales will be given via a newspaper advertisement in the local press in order that representations may be made on the agreed proposal by a specified date at least one month from the date of the newspaper advertisement.
- 1.5 A further report will thereafter be submitted to the Board after the last date for making representations in order that the representations can be considered and the new fare scale can be fixed. The date for the new taxi fares scale to come into effect requires to be decided by the Board.
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2. **Recommendations**

2.1 It is recommended that the Board: -

(i) review the existing fares scale shown at Appendix 1 and consider the proposals received and decide which of these proposals, or other fares scale, should be proposed as a new taxi fares scale for Renfrewshire and included in the newspaper advertisement as detailed in paragraph 1.4 above;

(ii) agree a proposed date of Monday 21 March 2022 for the proposed revised fare scale to come in to effect;

(iii) note that, if approved by the Board, the proposals will be advertised in the local press, and thereafter

(iv) agree that the last day for lodging representations following on the proposed fare scale being advertised shall be one calendar month after the date of publication of that advertisement.

3. **Background**

3.1 Prior to fixing a new Taxi Fares Scale, the Council as Licensing Authority requires to consult with persons or organisations appearing to it to be, or be representative of, the operators of taxis in its area, review the existing fares scales and propose new scales and publish these in a local newspaper.

3.2 Consultation has taken place with organisations appearing to the Licensing Authority to be representative of operators of taxis operating in the area, namely:-

- Paisley Taxis Ltd
- Glasgow Airport Ltd
- Unite the Union
- Renfrewshire Public Hire Association
- Paisley Independent Operators
- Raymond Stanley

- Renfrewshire Radio Taxis Ltd
- Renfrewshire Cab Co

- 3.3 Consultation was by email of 2nd June 2021. Individual taxi operators who provided mobile phone numbers were advised of the consultation by text alert on the same date.
- 3.4 The responses received are summarised in paragraphs 3.4.1 to 3.4.2 of this report.
- 3.4.1 Proposal 1- Renfrewshire Public Hire Association (“the Association”) wish the Board to consider incorporating into the fares scale an increased pick up and drop off charge which Glasgow Airport Ltd (“the Airport”) have decided to impose. The Association have explained that the increase in this charge has already been applied by the Airport but that the Association have negotiated a concession with the Airport to allow a period of grace pending review of the fares by the Board. The Association state that, while they acknowledge that the inclusion of this increased charge within the fares scale has previously not been agreed by the Board, taxis and private hire cars throughout Scotland can recoup such charges, while taxis in Renfrewshire will not be able to do so until such times as the increased charge is included in the Council’s fares scale. The Association therefore seek an increase in the pick up and drop off charge (currently £2) to the £4 charge agreed by Glasgow Airport Limited. The Association seek no other increases.
- 3.4.2 Proposal 2- This response has been received from an individual taxi operator. His view is that, while he considers a fares increase would in general terms be inappropriate with the ongoing Covid situation, he considers any charges incurred by way of pick up/ drop off road tolls should be included within the fares scale. He suggests that this should be flexible, to allow such charges imposed to be recovered in full rather than stating a fixed monetary value for such charges on the fares scale. He suggests that the Board agree a form of wording for the new fares scale to enable such charges to be added to the final fare.
- 3.4.3 As stated above, Council officers met with representatives of taxi operators on 6th October 2021. Officers invited views from the trade representatives at the meeting specifically in relation to the fares scale review. No views were expressed in response in relation to increasing the existing fares and charges, other than that consideration be given to incorporating the Airport’s increased pick up/ drop off charge.
- 3.4.4 No further proposals have been received.
- 3.5 The fares as existing and as proposed are summarised at Appendix 1.
- 3.6 In relation to the current rate of inflation, the Consumer Price Index (CPI) rose by 3.1% in the 12 months to September 2021, down from 3.2% in August.

- 3.7 In terms of a Circular, 25/1986, reference is expected to be made by the licensing authority to, inter alia, the capital costs of vehicles, the cost of maintaining and replacing them to the standards required, the costs of employing drivers and the prevailing level of wages and costs in related road transport industries. Those responding to the initial consultation have not commented on these specific matters. When reviewing the fares scale, the Board will also be conscious of the impact of any increase in fares upon the general public.
- 3.8 Appendix 2 to this report shows the tariffs operating in the surrounding areas for the purposes of comparison with the current and proposed fares within Renfrewshire. These tariffs illustrate a standard journey only. Appendix 3 shows fares under the current and proposed fares as they would affect standard journeys of between 1 mile and 5 miles within Renfrewshire.

Implications of the Report

1. **Financial** – there will be costs associated with the production of new fare scales, cards and advertising costs which will require to be met in 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** –
 - (i) Section 17 of the Civic Government (Scotland) 1982 as amended provides that the maximum fare for the hire of taxis and other related charges shall not be greater than those fixed under that Section by the Licensing Authority. The amended section states that the Licensing Authority must fix scales for the fares and other charges within 18 months beginning with the date on which scales last came into effect.
 - (ii) The Licensing Authority may in fixing scales alter fares or charges or fix them at the same rate as existing charges.
 - (iii) Before fixing a new taxi fare scale, the Council must consult with persons appearing to be representative of taxi operators, review existing scales and propose new scales and advertise its proposal in a newspaper circulating in its area detailing the proposal, the date when it is proposed to come into effect and stating that representations may be made within a specified period (ending at least one month from the date of the advertisement).
 - (iv) if any representations are received, the Council require to consider these before fixing a new fares scale.

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 Risk-** Nil, as the report only sets out proposals received for new taxi fares in Renfrewshire for consideration by the Board and, once a proposed new fares scale is agreed, these will be advertised.

List of Background Papers

- (a) Background Papers-
Responses to the initial consultation

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CURRENT AND PROPOSED TAXI FARE SCALES

	Current	Proposal (1)	Proposal (2)
Fares by Distance			
Minimum fare for a distance not exceeding ½ mile	£3.45	No change	No change
For each additional 315 yards or part thereof	30p	no change	No change
Fares for waiting time			
For each period of 2 minutes or part thereof	36p	no change	No change
Extras			
For each passenger in excess of 4, a fifth passenger charge of (applicable to 5, 6, or 7 seater taxis)	60p	no change	no change
An additional charge for journeys commencing after midnight and before 5 am Sunday to Thursday	60p	no change	no change
An additional charge for journeys commencing after midnight and before 5.00 am Friday and Saturday	£1.00	no change	no change
Glasgow Airport Terminal pick up and drop off charge	£2	£4	Flexible
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	No change	No change
From midnight on 24 December until midnight on 26 December the fare chargeable shall be	Normal Fare plus 1/3 (Tariff 2)	no change	no change
From midnight on 31 December until midnight on 2 January the fare chargeable shall be	Normal Fare plus 1/3 (Tariff 2)	no change	no change
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	no change	no change

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 third hirer and thereafter all pay 55% of the standard fare each
5. If five hirers As above to the point of the third 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

APPENDIX 2

TAXI FARE SCALES WITHIN SURROUNDING AUTHORITIES

Authority	1 mile	3 miles	5 miles
City of Glasgow	£4.48	£8.90	£13.32
East Renfrewshire	£2.90	£5.70	£8.50
Inverclyde	£3.68	£7.40	£11.12
West Dunbarton	£3.60	£6.90	£10.20
North Ayrshire	£3.70	£7.70	£11.70
Renfrewshire (current)	£4.35	£7.65	£11.25

For comparison purposes, it has been considered that the journey is wholly within the boundaries of the Council concerned.

APPENDIX 3

TABLE SHOWING CURRENT FARES TARIFF AND PROPOSED FARES

Proposal	1 Mile	2 miles	3 miles	4 miles	5 miles
Current	4.35	6.15	£7.65	9.45	£11.25
Proposal 1	Same	Same	Same	Same	Same
Proposal 2	Same	Same	Same	Same	Same

