

Notice of Meeting and Agenda Regulatory Functions Board

Date	Time	Venue
Wednesday, 19 January 2022	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
To find the recording please follow the link which will be attached to this agenda once the meeting has concluded.

<https://youtu.be/CmF4bFSLx4k>

https://youtu.be/TiQ0fVky_w4

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 7 - 14

Fares within Renfrewshire

Report by Interim Director of Finance & Resources.

2 Surrender and Re-issue of Taxi Licences

Submit the undernoted applications for surrender and re-issue of Taxi Licences.

(a) Present Operator: Wilma Anderson
Proposed Operator: Jason Beck
Licence No.: TX057

(b) Present Operator: Francis Patrick
Proposed Operator: Zahid Mahmood Younis
Licence No.: TX048

(c) Present Operator: Joseph Healey
Proposed Operator: Ahmed Younis
Licence No.: TX142

(d) Present Operator: Alistair Blair
Proposed Operator: Aadil Bashir
Licence No.: TX211

(e) Present Operator: Dugald Russell
Proposed Operator: Michal Czuma
Licence No.: TX017

(f) Present Operator: Dugald Russell
Proposed Operator: Gordon Russell
Licence No.: TX011

(g) Present Operator: Partnership of J&T Taxis
Proposed Operator: Faraz Mahmood
Licence No.: TX199

3 Variation of Taxi Licences - Personal Appearances

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

(a) Applicant: Raymond Stanley
Variation: exception to policy and standard condition 22
Licence No.: TX140

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

(c) Applicant: Alan Hill
Variation: exception to policy and standard condition 22
Licence No.: TX021

(d) Applicant: Skyedale Limited
Variation: exception to policy and standard condition 22
Licence No.: TX110

(e) Applicant: Skyedale Limited
Variation: exception to policy and standard condition 22
Licence No.: TX214

(f) Applicant: Russell Guthrie
Variation: exception to policy and standard condition 22
Licence No.: TX135

(g) Applicant: Malcolm Mearns
Variation: exception to policy and standard condition 22
Licence No.: TX071

(h) Applicant: Stewart Williamson
Variation: exception to policy and standard condition 22
Licence No.: TX029

4 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: Stuart Crichton
Variation: exception to policy and standard condition 1
Licence No.: PH1465

(b) Applicant: Lukasz Kalmuk
Variation: exception to policy and standard condition 1
Licence No.: PH0778

Adjournment

The meeting will adjourn following consideration of item 4 and reconvene at 1.30 pm.

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 1 of Part I of Schedule 7A of the Local Government (Scotland) Act, 1973.

5 Grant of Late Hours Catering Licence – Personal

Appearance

Submit the undernoted application for renewal of a Late Hours Catering Licence. The applicant has been asked to appear personally for the first time together with Bishopton Community Council who has submitted a representation to the application:-

Applicant: Ramesh Hans
Premises: Raja Tandoori, 57 Old Sneddon Street, Paisley
Authorised activity: Hot food takeaway
Operating hours: Sunday to Thursday – 11.00 pm to 12 midnight and Friday and Saturday – 11.00 pm to 1.00 am.

6 Grant of Private Hire Car Drivers' Licences – Personal

Appearances

Submit the undernoted applications for grant of Private Hire Car Drivers' Licences. Applicant (a) has been asked to appear personally for the second time. Applicants (b) and (c) have been asked to appear for the first time together with Police Scotland who has submitted an objection in relation to application (c) :-

(a) Wajid Ali
(b) Bartosz Batkowski
(c) Steven McLachlan

**7 Renewal of a Private Hire Car Driver Licence – P0359 –
Personal Appearance**

Submit the undernoted application for renewal of a Private Hire Car Driver Licence. The applicant has been asked to appear for the first time together with Police Scotland who has submitted an objection received outwith the statutory time limit: -

Stephen Hastie.

8 Renewal of a Taxi Driver's licence T1839

Submit the undernoted application for renewal of a Taxi Driver Licence. The applicant has been asked to appear for the first time together with Police Scotland who has submitted a representation to the application: -

Alan McKinstry

**9 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: BAGGYPOCKET LIMITED
Property: Flat 2/2, 2Walker Street, Paisley



To: Regulatory Functions Board

On: 19 January 2022

Report by: Interim 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 11th November 2021, 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: increasing the Glasgow Airport pick up and drop off charge from the current figure of £2 to a £4 charge; an increased charge of £1.60 (currently 60p) between midnight and 5.00 am on Sunday to Thursday nights; and an increased charge of £2.00 (currently £1.00) between midnight and 5.00 am on Friday and Saturday nights. 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 21st March 2022 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 25th November 2021 and provided that any person wishing to make

representations on the proposal must do so in writing no later than 30th December 2021. 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 21st March 2022, as previously proposed by the Board.

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 as described in paragraph 1.2 of this report;
- 2.1.2 Determine that this fares scale shall come into effect on 21st March 2022;
- 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 21st March 2022 (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 11th November 2021 detailed 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 Two proposals were received in response to the initial statutory consultation, details of which were set out in Paragraphs 3.4.1 to 3.4.2 of the report to the Board on 11th November 2021.
- 3.3 The Board agreed on 11th November 2021 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 25th November 2021 stated that any representations would require to be made by 30th December 2021. 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 11th November 2021, for the purpose of advertising the proposed scale, a proposed date of 21st March 2022 for the scale coming into effect.
- 3.5 The Board may note that the Consumer Prices Index including owner occupiers' housing costs (CPIH) rose by 4.6% in the 12 months to November 2021, up from 3.8% in the 12 months to October, with the increase largely contributed to by transport costs.

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, with limited increases to existing fares recommended. 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.....£1.60

An additional charge for journeys commencing after midnight and before

5.00am Friday and Saturday.....£2.00

Glasgow Airport pick up and drop off charge.....£4.00

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 effect of the above proposal is, firstly, to increase the Glasgow Airport pick up and drop off charge from the existing £2 charge, to a £4 charge.

The proposal also includes an increase to the late night surcharges. The midweek late night surcharge (Sunday to Thursday nights) will increase from 60p to £1.60 and the weekend late night surcharge will increase from £1 to £2.

It is proposed that the above fares scale will come into effect on 21 March 2022.

Any person wishing to make representations in relation to the above proposals must do so in writing to the undernoted address no later than Thursday 30th December 2021.

Kenneth Graham
Head of Corporate Governance
Renfrewshire Council
Renfrewshire House
Cotton Street
Paisley
PA1 1TT
Or by email to: licensing.cs@renfrewshire.gov.uk

25th November 2021

APPENDIX 2

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

With effect from 14 December 2020

TARIFF

FARES BY DISTANCE

Minimum fare for a distance not exceeding ½ mile£3.45
For each additional 315 yards or part thereof30p

FARES FOR WAITING TIME

For each period of 2 minutes or part thereof36p

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

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 benormal
fare plus 1/3 (Tariff 2)

From midnight on 31 December until midnight on 2 January the fare chargeable shall
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Soiling in this context includes any soiling by means of food, drink, vomit, urine or excrement up
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