



**COUNCIL EXECUTIVE**

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

**TAXI FARE REVIEW**

**REPORT BY HEAD OF CORPORATE SERVICES**

**A. PURPOSE OF REPORT**

To inform the Council Executive regarding the steps taken in the review of the council's table of taxi fares and associated charges, and to ask the Council Executive to approve the fare table for the period 5 April 2019 to 4 October 2020 containing no changes to the current fare table.

**B. RECOMMENDATION**

It is recommended that the Council Executive:

1. Notes that a review of the fare table has been undertaken, as required under section 17 of the Civic Government (Scotland) Act 1982 ("the 1982 Act");
2. Notes that consultation has taken place with the relevant trade organisations, as required under section 17(4A)(a) of the 1982 Act;
3. Notes that notice of the proposed new fare table, explaining that there is no change to the current fare table, has been published in a newspaper circulating in the council's area, as required under section 17(4A)(c) of the 1982 Act;
4. Notes that the council must consider any representations made in writing regarding its proposed new fare table received within the period specified in the notice, as required under section 17(4A)(d) of the 1982 Act;
5. Notes that no representations were received within the statutory period.
6. Approves the proposed new fare table, containing no changes to the current fare table, contained in Appendix 1.

**C. SUMMARY OF IMPLICATIONS**

- |   |  |
|---|--|
| <b>II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)</b> | Section 17 of the Civic Government (Scotland) Act 1982 |
| <b>III Implications for Scheme of</b>   | None   |

## Delegations to Officers

<b>IV Impact on performance and performance Indicators</b>	None
<b>V Relevance to Single Outcome Agreement</b>	None
<b>VI Resources - (Financial, Staffing and Property)</b>	Advertising costs of £511.92 plus VAT to be paid from Legal Services budget
<b>VII Consideration at PDSP</b>	Environment PDSP – 29 January 2019
<b>VIII Other consultations</b>	West Lothian Taxi Owners Association and West Lothian Taxi and Private Hire Car Owners and Drivers Association

## D. TERMS OF REPORT

### D.1 Background

Under section 17 of the Civic Government (Scotland) Act 1982 (“the 1982 Act”), the council as licensing authority is required to fix fares for the hire of taxis in its area, and all other charges in connection with the hire of a taxi or with the arrangements for its hire, and to review its fare table, detailing these fares and charges, every 18 months.

The council’s current fare table came into force on 5 October 2017 and requires to be reviewed by April 2019. In practice metered private hire cars also use the same fare table.

Section 17(4A)(a) of the 1982 Act requires the council, in carrying out a review of its fare table, to consult with persons or organisations appearing to it to be, or to be representative of, the operators of taxis operating within its area.

In accordance with previous practice, the Licensing Team has consulted with representatives of the West Lothian Taxi Owners Association and West Lothian Taxi and Private Hire Car Owners and Drivers Association. The representatives of the associations consulted informed the Licensing Team that their associations were not requesting any changes to the current fare table.

Under sections 17(4A)(b) and (c) of the 1982 Act, where the council proposes to make changes to its fare table it must publish its proposed new fare table in a newspaper circulating in its area:

- setting out its proposed new fares;
- explaining the effect of them (with reference to its current fare table);
- proposing a date on which they are to come into effect; and
- stating that any person may make representations in writing regarding them until a specified date at least one month after the first publication of the notice.

A copy of the notice published in the West Lothian Courier on 16 August 2018 containing the proposed new fare table is attached as Appendix 1 to this report. As stated in the notice published on 16 August 2018 the period for any representations ended on 20 September 2018. No representations have been received.

No changes are proposed to the scales and charges set out in the current fare table. Therefore, if the proposed new fare table is approved by the Council Executive, hire car operators will not require to reconfigure meters. If the proposed new fare table is approved the Licensing Team will arrange for copies to be printed and issued to all hire car operators and booking offices prior to the new table taking effect and will arrange for the new table to be published on the council's website.

## **D.2 Consideration at Environment PDSP**

A report regarding the taxi fare review was considered at the Environment PDSP on 29 January 2019. The Panel noted the report and recommended that it be forwarded to the Council Executive for approval.

## **E. CONCLUSION**

The council as licensing authority is required to comply with section 17 of the 1982 Act by reviewing its taxi fare table every 18 months in consultation with local trade organisations, to publish notice of any proposed changes to its fare table and to consider any representations made in writing regarding the proposed changes.

The Council Executive is invited to approve the new fare table for the period 5 April 2019 to 4 October 2020.

## **F. BACKGROUND REFERENCES**

Civic Government (Scotland) Act 1982

Appendices/Attachments:

Appendix 1: copy notice published in the West Lothian Courier on 16 August 2018

Contact Person: Audrey Watson, Managing Solicitor – Licensing, Legal Services (01506) 281624 Audrey.watson@westlothian.gov.uk

Julie Whitelaw, Head of Corporate Services

Date: 5 February 2019