

REPORT TO LICENSING SUB-COMMITTEE – 10 FEBRUARY 2023

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – TAXI FARE REVIEW

1 Executive Summary/Recommendations

1.1 The Licensing Authority has a statutory obligation to review taxi fares. The Sub-Committee previously agreed to go out to public consultation on a proposal to raise the fares by 10% together with a change to when festive rates would apply. The consultation attracted two objections and this report is brought to allow Members the opportunity to consider those objections and determine whether to proceed with the original proposal or make an alternative proposal which would be subject to further consultation if so agreed.

1.2 The Committee is recommended to either:

1.2.1 approve the proposed fare scale at Appendix 2; or

1.2.2 agree an alternative fare scale to go out to re-consultation; or

1.2.3 determine that there be no change in the fare scale at this time; and

1.3 If agreeing the scale shown at Appendix 2, authorise officers, in the absence of an appeal to the Traffic Commissioners, to implement the revised fare scale with effect from 1 April 2023.

2 Decision Making Route

2.1 The Sub-Committee agreed to the initial process for reviewing the fare structure at their meeting on 11th February 2022. At this meeting, the Sub-Committee determined that the 18-month review cycle for the fares would be delayed and that a consultation would commence during August and September 2022.

2.2 The Sub-Committee previously considered the review of Taxi Fares at their meeting on 14th October 2022. At this meeting, the Sub-Committee determined to approve the fare scale at **Appendix 2** and agreed to commence a public consultation on this scale.

2.3 The Sub-Committee later agreed at its meeting on 2nd December 2022 to delegate the implementation of the amended fares if no objections or representations were received. It further determined that in the event of objections or representations being received, further consideration would be given to those alongside the proposal at its next meeting on 10 February 2022.

3 Discussion

3.1 Under the Civic Government (Scotland) Act 1982, Aberdeenshire Council as the licensing authority, controls the maximum fares that can be charged by taxis (but not private hire car charges).

- 3.2 This fare scale has been developed over the years in consultation with the taxi trade. The current fare scale is shown as **Appendix 1** to this report.
- 3.3 The Sub-Committee agreed to the initial process for reviewing the fare structure at their meeting on 11th February 2022 where it was agreed that pre-consultation on the fare review would take place with the trade alongside the wider consultation being carried out in relation to taxi/private hire related matters. Members considered the responses at their meeting on 14th October 2022 and determined to review the fares to those shown as **Appendix 2** to this report. The effect of this change would be a 10% increase across the fare scale together with an increase in days where the festive rates apply; namely such rates would apply to all weekend days falling in December.
- 3.4 Following the meeting of 14th October 2022, the agreed fare scale was published in the Press & Journal newspaper on 8th November 2022, and all operators were written to by email or letter with a note of the proposals, alerting them to the public consultation period. The consultation period ended on 8th December 2022.
- 3.5 Two responses were received to the consultation by email. Copies of the responses are attached at **Appendix 3** to this report. One of the responses felt the increase was not sufficient and that a greater increase was required to allow drivers to meet rising costs associated with running a taxi vehicle. The other respondent felt the increase was excessive and has noted that the change to increments would cause issues in relation to small change as well.
- 3.6 Upon indicating to the Trade that the proposed increase would be delayed to allow consideration of the objections, we have received a further two responses indicating that they are disappointed in the delay, noting that they need the increase to be implemented as soon as possible and are supportive of the proposal.
- 3.7 Given that the vast majority of operators have made no response to the public consultation, that there has been some level of disappointment that the increase was not implemented sooner and that the two objections received are conflicting, it is recommended that the Licensing Sub-Committee agrees that the fare scale noted at Appendix 2 as agreed previously by the Sub-Committee be implemented.
- 3.8 If the Sub-Committee agrees to alternative changes to the fare scale, this will require further consultation that will delay implementation until the summer 2023 at the earliest.
- 3.9 If the Sub-Committee agrees to the fare scale listed in **Appendix 2**:
 - 3.9.1 By 15th February 2023 an email or letter will be issued to the taxi trade advising them of the approved fare scale and their right to appeal against the proposals to the Traffic Commissioner. Any appeals must be made within 14 days of the Sub-Committee meeting, which will be 24th February 2023.

- 3.9.2 At the end of the appeal time limit, and in the absence of any appeals, a second advert will be placed in the Press & Journal advertising the revised fare scale.
- 3.9.3 At the end of the appeal time limit, and in the absence of any appeals, a final letter will be issued to the taxi trade advising them to have their meters changed. Copies of the revised fare scale for display within taxi vehicles will be enclosed with the letter. The letter will also advise operators of the implementation date for the revised fare scale. Approximately three weeks is usually allowed before the implementation date to allow all taxi meters to be reconfigured to take into account the new fare scale. At the same time, a letter will be sent to all known private hire operators informing them of the new fare scale, for their information only.
- 3.9.4 It is anticipated that the revised fare scale come into force on 1 April 2023.

4 Council Priorities, Implications and Risk

- 4.1 This report helps deliver the Strategic Priority “Economic Growth” within the Pillar “Our Economy”.
- 4.2 The table below shows whether risks and implications apply if the recommendations are agreed.

Subject	Yes	No	N/A
Financial		x	
Staffing		x	
Equalities and Fairer Duty Scotland		x	
Children and Young People's Rights and Wellbeing		x	
Climate Change and Sustainability		x	
Health and Wellbeing		x	
Town Centre First		x	

- 4.3 There are no staffing or financial implications arising from this report.
- 4.4 The screening section as part of Stage One of the Integrated Impact Assessment process has not identified the requirement for any further detailed assessments to be undertaken. Reviewing the fare scales is a statutory duty and no impacts have been identified in the Screening section which would require a full assessment to be carried out.
- 4.5 The following Risks have been identified as relevant to this matter on a Corporate Level:

- ACORP006 – Reputation Management - review of fares can lead to negative press for the Council. The review is a legislative requirement, and the proposals include full consultation with the trade and public. [Corporate Risk Register](#).

4.6 There are no Directorate Risks identified as being relevant to this matter.

5 Scheme of Governance

5.1 The Sub-Committee is able to consider and take a decision on this item in terms of Section C – Business Services: 1 – Committee Functions: 1.1(a) of the list of committee powers in Part 2A of the Scheme of Governance which enables the Committee to decide on all policy issues and resource matters relating to the Civic Government (Scotland) Act 1982 with implications across Area boundaries. The Committee determined that the licensing function should be delegated to the Licensing Sub-Committee.


Ritchie Johnson
Director Business Services

Report prepared by Lynsey Kimmitt, Solicitor (Governance)
Date: 27 January 2023

List of Appendices:


Appendix 1 – Current Fare Scale
Appendix 2 – Proposed Fare Scale
Appendix 3 – Responses to public consultation

Appendix 1 - Current Fare Scale

 Aberdeenshire COUNCIL			
Fare Scale (From 1st September 2020)			
	Standard	10 pm to 6 am ^{1.}	Xmas/New Year ^{2.}
The FIRST 880 YARDS or part thereof	£2.70	£3.70	£4.00
Each additional 1/11th part of a mile or part thereof	£0.20	£0.20	£0.30
Waiting: 10 pence per	10 seconds	10 seconds	10 seconds
1. The late-night scale applies Mondays – Thursdays and also applies at weekends between 1800 on Fridays until 0600 on Mondays 2. The late-night scale applies to Public Holidays also from 0600 to 2200. Public Holidays are defined as 3 January, Good Friday, and May Day Public Holiday. 3. The Festive Season tariff applies to each hiring between 1800 Hrs 24 December until 0600 Hrs 27 December, and between 1800 Hrs 31 December until 0600 Hrs 3 January. 4. In vehicles so licensed carrying more than four passengers, a surcharge of 50% of the above fares may be charged.			
Booking Fee - £0.50 Airport Booking Fee – Taxi Drivers may add any current charge incurred at Airport when either dropping off or picking up passengers. Drivers must make passengers aware in advance that extra charges may be added to the fare. Booking Fees to be shown on the meter			
NOTE Passengers are carried on the understanding that the Driver may charge a passenger creating an unacceptable mess in the Taxi a maximum of £100			

Appendix 2 - Proposed Fare Scale

10% increase Fare Scale + REVISED FESTIVE SEASON RATES

 Aberdeenshire COUNCIL			
Fare Scale (From 1st September 2020)			
	Standard	10 pm to 6 am ^{1.}	Xmas/New Year ^{2.}
The FIRST 880 YARDS or part thereof	£3.00	£4.30	£4.60
Each additional 1/11 th part of a mile or part thereof	£0.22	£0.22	£0.33
Waiting: 11 pence per	10 seconds	10 seconds	10 seconds
1. The late-night scale applies Mondays – Thursdays and also applies at weekends between 1800 on Fridays until 0600 on Mondays 2. The late-night scale applies to Public Holidays also from 0600 to 2200. Public Holidays are defined as 3 January, Good Friday, and May Day Public Holiday. 3. The Festive Season tariff applies to each hiring between 1800 Hrs 24 December until 0600 Hrs 27 December, between 1800 Hrs 31 December until 0600 Hrs 3 January and also during any weekend days in December only between the hours of 1800 Hrs each Friday until 0600 each Sunday. 4. In vehicles so licensed carrying more than four passengers, a surcharge of 50% of the above fares may be charged.			
Booking Fee - £0.50 Airport Booking Fee – Taxi Drivers may add any current charge incurred at Airport when either dropping off or picking up passengers. Drivers must make passengers aware in advance that extra charges may be added to the fare. Booking Fees to be shown on the meter			
NOTE			
Passengers are carried on the understanding that the Driver may charge a passenger creating an unacceptable mess in the Taxi a maximum of £100			

Appendix 3 – Responses to Public Consultation

1. Email received 26/11/22 from Taxi Operator

As per the email below, I'd like to formally object to the proposed fare increases. I have noted below my reasons for the objection:

1. I'm unsure a fare increase is necessary as very few operators charge the metered fare and are now working with discounted fixed fares. This feels like an unnecessary change
2. If we must have an increase £2.20 to £3.00 is extreme – a 36% increase.
3. My biggest complaint is about the 1/11th of a mile change to £0.22. This would be better as 1/12th of a mile at £0.20, as you then don't need to handle so much small change. If was decided previously that increases would be in £0.10 instalments to prevent drivers from having to carry excess amounts of loose change.

Surcharges

4. £3.70 to £4.30 is an excessive increase of 16%

I trust my objections will be noted and considered.

2. Email received 01/12/2022 from Taxi Operator

Sir,

Folowing the publication of the proposed increases in taxi hire rates I would like to enter an objection on the following basis.

The proposed rates are inadequate to cover the increased costs of fuel, insurance, re calibration and staffing costs.

The proposed rates do not allow for increases in the cost of licensing currently under consideration.

The proposed rate does not allow for increases in the minimum wage increase scheduled for the spring.

The proposed rates have not been propoerly reviewed in terms of the Local Government act.