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To: Councillor Reynolds, Convener; Councillor Malik, Vice Convener; and Councillors Allan, Bell, Delaney, McRae, Catriona Mackenzie, Sellar and Townson

Town House,
ABERDEEN 29 June 2018

LICENSING COMMITTEE – SPECIAL MEETING

The Members of the **LICENSING COMMITTEE** are requested to meet in Committee Room 2 - Town House on **MONDAY, 9 JULY 2018 at 2.00 pm.**

FRASER BELL
CHIEF OFFICER - GOVERNANCE

B U S I N E S S

DETERMINATION OF URGENT BUSINESS

- 1.1 There are no items of urgent business at this time.

DECLARATIONS OF INTEREST

- 2.1 Members are requested to intimate any declarations of interest (Pages 3 - 4)

REQUESTS FOR DEPUTATION

- 3.1 None received at this stage

COMMITTEE REPORTS

- 4.1 Taxi Fare Review (Pages 5 - 14)

Website Address: www.aberdeencity.gov.uk

Service Updates for this Committee can be accessed [here](#):

Should you require any further information about this agenda, please contact Allison Swanson, tel 01224 522822 or email aswanson@aberdeencity.gov.uk

Agenda Item 2.1

You must consider at the earliest stage possible whether you have an interest to declare in relation to any matter which is to be considered. You should consider whether reports for meetings raise any issue of declaration of interest. Your declaration of interest must be made under the standing item on the agenda, however if you do identify the need for a declaration of interest only when a particular matter is being discussed then you must declare the interest as soon as you realise it is necessary. The following wording may be helpful for you in making your declaration.

I declare an interest in item (x) for the following reasons

For example, I know the applicant / I am a member of the Board of X / I am employed by...
and I will therefore withdraw from the meeting room during any discussion and voting on that item.

OR

I have considered whether I require to declare an interest in item (x) for the following reasons however, having applied the objective test, I consider that my interest is so remote / insignificant that it does not require me to remove myself from consideration of the item.

OR

I declare an interest in item (x) for the following reasons however I consider that a specific exclusion applies as my interest is as a member of xxxx, which is

- (a) a devolved public body as defined in Schedule 3 to the Act;
- (b) a public body established by enactment or in pursuance of statutory powers or by the authority of statute or a statutory scheme;
- (c) a body with whom there is in force an agreement which has been made in pursuance of Section 19 of the Enterprise and New Towns (Scotland) Act 1990 by Scottish Enterprise or Highlands and Islands Enterprise for the discharge by that body of any of the functions of Scottish Enterprise or, as the case may be, Highlands and Islands Enterprise; or
- (d) a body being a company:-
 - i. established wholly or mainly for the purpose of providing services to the Councillor's local authority; and
 - ii. which has entered into a contractual arrangement with that local authority for the supply of goods and/or services to that local authority.

OR

I declare an interest in item (x) for the following reasons.....and although the body is covered by a specific exclusion, the matter before the Committee is one that is quasi-judicial / regulatory in nature where the body I am a member of:

- is applying for a licence, a consent or an approval
- is making an objection or representation
- has a material interest concerning a licence consent or approval
- is the subject of a statutory order of a regulatory nature made or proposed to be made by the local authority.... and I will therefore withdraw from the meeting room during any discussion and voting on that item.

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ABERDEEN CITY COUNCIL

COMMITTEE	Licensing Committee
DATE	9 July 2018
REPORT TITLE	Taxi Fare Review
REPORT NUMBER	GOV/18/037
DIRECTOR	Fraser Bell
REPORT AUTHOR	Karen Gatherum
TERMS OF REFERENCE	No 3

1. PURPOSE OF REPORT

- 1.1. To present the outcome of the representations to the proposed taxi tariff scales as advertised in accordance with statutory requirements.

2. RECOMMENDATION(S)

That the Committee:

- 2.1. notes the content of the report and any representations made by members of the taxi trade and the public to the consultation attached at Appendix 1;
- 2.2. confirms its decision to fix fares at the 5% increase by way of adjusting the yardage figures and for the surcharges to remain unchanged;
- 2.3. instructs the Chief Officer-Governance to amend the fare card at surcharge 5 to reflect the holiday dates for 2019 and 2020;
- 2.4. approves the Tariff Card attached at Appendix 2 and instructs the Chief Officer – Governance to provide written notice to all taxi licence holders of the new tariff and their right of appeal; and
- 2.5. agrees that the tariff will take effect from 21 August 2018, provided no appeal is lodged with the Traffic Commissioner.

3. BACKGROUND

- 3.1 As required by the Civic Government (Scotland) Act 1982, an advert was published in a newspaper circulating locally, namely the Evening Express. Members of the public and trade were invited to submit representations in writing by Thursday 5 July 2018. The date for lodging representations has now

passed and one response was received in respect of the proposals and this is presented at Appendix A.

- 3.2. If the Committee agrees, having considered the representation, the proposed fares and surcharge will take effect on 21 August 2018. This will allow officers to complete the statutory procedures.
- 3.3. The Council as the licensing authority for taxis is required to review and fix scales for fares and any other charges.
- 3.4. At its meeting on 5 June 2017, the Licensing Committee proposed to increase the existing scale by 5% and fix the other existing charges at the same rate.
- 3.5. The Licensing Committee also agreed to highlight on the tariff which surcharges are third party charges.
- 3.6. In line with statutory requirements, the proposal has been advertised in a local newspaper inviting persons to make representations, which the Committee must consider when fixing the scales.

4. FINANCIAL IMPLICATIONS

- 4.1. The approval of the recommendations will require the following:
 - 4.1.2. After fixing the new scales, the licensing authority must give written notice to all taxi licence holders and the persons and organisations consulted during the review, setting out and explaining the effect to the scales fixed, the date they are to come into effect and their rights of appeal to the Traffic Commissioner.
 - 4.1.3. Copies of the new Taxi Tariff Card are required to be produced and issued to all taxi and private hire licence holders to be displayed in their vehicles, approximately 1,230 and this will be funded from the Taxi licensing budget.
 - 4.1.4. Staff costs of implementing the fare review and meter calibration will be contained within existing approved licensing budgets.
 - 4.1.5. There will therefore, be a financial cost to the Licensing Team, Governance in producing and issuing the above documentation. These costs will be approximately £2000. The expenditure in the Taxi Licensing budget is met from the income raised through Taxi Licensing.

5. LEGAL IMPLICATIONS

- 5.1. In terms of Section 17 of the Civic Government (Scotland) Act 1982 the Council, as the licensing authority for taxis is obliged to review and fix the maximum scale of fares and surcharges so that they take effect within 18 months beginning with the date on which the previous scales came into effect.
- 5.2. Operators of taxis or any person or organisation appearing to the Traffic Commissioner to be a representative of such taxi operators can appeal against any decision the Local Authority makes in respect of fixing fares and surcharges. Any appeal is made to the Traffic Commissioner for the Scottish Traffic Area within 14 days of notice being given by the Licensing Authority.

6. MANAGEMENT OF RISK

	Risk	Low (L), Medium (M), High (H)	Mitigation
Financial	As per paragraph 4 above.	L	Being met from existing taxi licensing budget and fully budgeted for.
Legal	As per paragraph 5 above	L	Compliance with the statutory requirements
Employee	There is no risk to employees arising from the recommendations of this report	L	N/A
Customer	The fare review will increase the cost of a taxi/private hire journey for the customer/citizen of Aberdeen	L	In line with inflation increase which is reasonable considering fares have not increased since 2012
Environment	There is no risk to the environment arising from the recommendations of this report	L	N/A
Technology	There is no risk to technology arising from the recommendations of this report	L	N/A
Reputational	As a licensing authority there would be a	M	As this report is introducing the review for consultation

	reputational risk to the Council if it failed to undertake its legal obligation and not carry out the review.		within the statutory time period any risk is mitigated.
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7. OUTCOMES

Design Principles of Target Operating Model	
	Impact of Report
Customer Service Design	The option to increase the basic taxi fare may however impact on the people of Aberdeen by restricting the affordability of a taxi journey to certain members of the public. The option not to increase the basic taxi fare or surcharges will ensure that taxi journeys remain affordable for a wider customer base.
Partnerships and Alliances	Currently we anticipate there will be no impact on the taxi trade arising from the fixing of the tariff. However the Committee has instructed that a Taxi Demand Survey be undertaken and the results of this are expected to be reported in August 2018. This Demand Survey may disclose relevant economic implications for the City and the Taxi Trade

8. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	Completed and not required
Privacy Impact Assessment	Not required
<u>Children's Rights Impact Assessment/Duty of Due Regard</u>	Not applicable

9. BACKGROUND PAPERS

9.1. None

10. APPENDICES

- 10.1. Appendix 1- the consultation response
- 10.2. Appendix 2- the amended Taxi Tariff Card

13. REPORT AUTHOR CONTACT DETAILS

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APPENDIX 1

1. I have been advised that the current proposal for the taxi fare increase is currently to start the meter at £2.50 on the flag and then 30p increments thereafter.
Having looked at this and checking how it works with the fare structure for Aberdeen city I need to bring to your attention that it cannot work in the taximeters. The taximeter is a very complex calculator but has limited ability in certain aspects of its operation. It cannot calculate fractions of pennies and the current proposal would contain that in the structure.

EG:

£2.50 flag + more than 4 passengers = £3.75 + xmas tariff = £5.62.5
30p increment = more than 4 passengers = 45p + xmas tariff = 67.5p

The taximeters can not run as above.

In order to achieve the 5% rise I would suggest keeping the increments as they currently are £2.40 flag and 20p thereafter and adjust the distance to achieve the required price. It is possible to change the start increment to £2.60, £2.80, £3.00 and adjust the distance to acquire the desired price but in any case the increments must end in "0" and the next digit must be even IE 2,4,6,8, in order to run the structure used for Aberdeen city tariff.

As I am a specialist supplier of taximeters this is fact and specialist advice.

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NOTICE TO BE PROMINENTLY DISPLAYED IN VEHICLE



ABERDEEN
CITY COUNCIL

CITY OF ABERDEEN
LICENSING OF TAXIS AND PRIVATE HIRE CARS
MAXIMUM CHARGES APPLICABLE TO HIRE OF TAXIS AND PRIVATE HIRE CARS FITTED WITH TAXI METERS – WITH EFFECT FROM 31 JULY 2018

Basic Tariff

(A)	For the FIRST 902.5 yards	£2.40
(B)	For every additional 171.5 yards (Time Locked in Meter)	£0.20

Extras

(A) **Waiting**

A sum calculated at the rate of £23.00 per hour.

(B) **Surcharges**

(NB: Surcharges 1 to 6 and 8 to 11 apply to all taxis and private hire cars fitted with a meter. Surcharge 7 applies only to hires commencing at the airport for taxis zoned to operate there).

- | | | |
|------|---|---|
| (1) | For each hiring between 10pm on Mondays to Thursdays inclusive and 8am the following day. (Time Locked in Meter) | £1.00 |
| (2) | For each hiring between 10pm on Friday and 8am on the following Monday. (Time Locked in Meter) | £1.00 |
| (3) | For each hiring between 2am and 5am on Saturday and Sunday mornings. (Time Locked in Meter) | £2.00 |
| (4) | For each hiring pre-booked. | £1.00 |
| (5) | For each hiring on the Spring, May Day, Midsummer and Autumn holidays as follows: -
Spring- Monday following third Sunday in April (if such Monday falls within the week in which Good Friday falls, then the following Monday)
Mayday-first Monday in May
Midsummer-second Monday in July
Autumn –fourth Monday in September | £1.00 |
| (6) | For each hiring between 10pm on 24 December and 5am on 27 December and between 10pm on 31 December and 5am on 3 January. (Time Locked in Meter) | Add 50% to basic tariff |
| (7) | For each hiring commencing at the Airport.
(THIRD PARTY CHARGE) | £1.00 |
| (8) | For each hiring dropping passengers at the inner forecourt of the airport (Non-airport zoned taxis only)
(THIRD PARTY CHARGE) | £2.00 |
| (9) | For each hiring commencing at Aberdeen Railway Station.
(THIRD PARTY CHARGE) | £0.50 |
| (10) | A charge of £50 per incident of fouling a taxi. | |
| (11) | Where more than four passengers carried. | Add 50% to basic tariff plus surcharges (excluding surcharges 4,7 and 8) |

EXPLANATORY NOTES.

1. The Council is required to set a maximum amount that can be charged for journeys in Taxis and Private Hire Cars fitted with Taximeters which it licences. Fares are reviewed at regular intervals to take into account of the operational costs of the vehicle and the driver's time, to allow the operator to make a reasonable return and to encourage the operation of taxis. Comparisons are made with taxi fares in other areas of the UK. There is opportunity for the public and trade to participate in the setting on the levels of fares proposed and taxi operators have the right to appeal against the Tariff set down by the Council before it comes into operation.
2. Please note that a taxi driver is not required to take you on a journey ending outside the city boundary. Typical Destinations in the City – Aberdeen Airport, Bridge of Don, Cove, Dyce, Kingswells and Peterculter. Outwith the City – Banchory, Blackburn, Ellon, Kemnay, Kintore, Inverurie, Oldmeldrum, Portlethen, Stonehaven and Westhill. If the driver does agree to take you outwith the city, these maximum fares do not apply and it is up to you to reach agreement with the driver as to the fare. You should do this before you start.
3. If you have booked a taxi to arrive at a particular time and keep it waiting, the driver can start the meter running once he has made his presence known to you and you can be charged at the maximum Waiting Time Rate shown on the Tariff.
4. The taximeter contains an electronic clock and calendar and calculates the correct fare based on the date, time of day and distance travelled. If the vehicle's speed falls below a predetermined speed, the taximeter will automatically switch over from calculating the fare based on the distance travelled to a calculation based on the time spent in the vehicle. You will be able to see the fare mounting up on the taxi meter as the vehicle goes along.
5. The driver is required to take you to your destination by the shortest practicable route.
6. The maximum fare you are required to pay is the sum calculated in accordance with the Tariff overleaf.
7. Please note that - (1) The fare payable may differ for the same journey on different days if the taxi has been held up in traffic and (2) a very short journey may be relatively expensive, due to the way the meter works. The fare will also vary depending on whether the trip was during the evening, early Saturday or Sunday morning or during certain public holidays.
8. If you are asked to pay VAT on the fare, please ask for a proper VAT receipt.
9. It is up to you to decide whether you wish to give the driver a Tip.
10. It is a criminal offence for you to take a taxi journey without having the money to pay for it.

Website: For explanatory notes about the tariff & other taxi/private hire car information see aberdeencity.gov.uk.

Complaints: Any complaints should be made to the Licensing Department by telephoning 01224 522879 or 522878 or by email to licensing@aberdeencity.gov.uk . Complaints can also be made to any police station or on the non-emergency police number 101. The licence number of the vehicle or its driver and the name of the company should be quoted.