



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Licensing Committee

A Meeting of the **Licensing Committee** of North Ayrshire Council will be held in the **Council Chambers, Ground Floor, Cunninghame House, Irvine, KA12 8EE** on **Wednesday, 17 August 2022** at **10:00** to consider the undernoted business.

- 1 Declarations of Interest**
Members are requested to give notice of any declarations of interest in respect of items of business on the Agenda.

- 2 Minutes**
The accuracy of the Minutes of (i) the Ordinary Meeting of the Licensing Committee held on 1 June 2022 and (ii) the Special Meeting held on 20 June 2022 will be confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

- 3 Civic Government (Scotland) Act 1982: Taxi Fare Review**
Submit report by the Head of Democratic Services on the Taxi Fare Review (copy enclosed).

- 4 Exclusion of the Public**
Resolve in terms of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public for the following two items of business on the grounds indicated in terms of one or more of Paragraphs 3, 6, 14 and 15 as defined in Section 50J, and Schedule 7A to, the Act.

- 5 Civic Government Scotland Act 1982 and other Licensing Statutes: Licensing Matters**
Submit report the Head of Democratic Services on hearings to be determined and applications for grant or renewal of licences and permits, all in terms of the Civic Government (Scotland) Act 1982 (copy enclosed).

- 6 Preliminary Consideration of Complaint Against Licence-holder**
Receive verbal report by the Solicitor (Licensing).
- 7 Urgent Items**
Any other items which the Chair considers to be urgent.

Licensing Committee Sederunt

Eleanor Collier (Chair)
Nairn McDonald (Vice-Chair)
John Bell
Stewart Ferguson
Christina Larsen
Jean McClung
Donald L. Reid
Ronnie Stalker
Angela Stephen

Chair:

Apologies:

Attending:

At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m. within the Council Chambers, Irvine.

Present

Eleanor Collier, Nairn McDonald, John Bell, Stewart Ferguson, Christina Larsen, Jean McClung, Donald L. Reid and Ronnie Stalker.

In Attendance

W. O'Brien, Solicitor (Licensing) and H. Clancy, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Collier in the Chair.

Apologies

Angela Stephen

1. Chair's Remarks

The Chair agreed, in terms of Standing Order 10.5, to vary the order of business to allow earlier consideration of Agenda Item 4: Review and Fixing of Taxi Scales (Civic Government (Scotland) Act 1982, Sections 17 to 18A) and Agenda Item 5: Taxi Stance at Hamilton Street, Saltcoats (Civic Government (Scotland) Act 1982, Sections 19).

2. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

3. Review and Fixing of Taxi Scales (Civic Government (Scotland) Act 1982, Sections 17 to 18A)

Submitted report by the Head of Democratic Services on the Review and Fixing of Taxi Scales and the proposed timetable for the Review and Fixing Process.

The Committee agreed to approve (i) the proposed timetable for the Review and Fixing Process and (ii) the suggested process of Trade Consultation with Taxi Operators to take place on 13 June 2022 at 10.00 a.m. with Councillors Collier, McDonald and Stalker.

4. Taxi Stance at Hamilton Street, Saltcoats (Civic Government (Scotland) Act 1982, Sections 19)

Submitted report by the Head of Democratic Services on the Taxi Stance at Hamilton Street, Saltcoats.

The Committee agreed to approve (i) the Taxi Stance at Hamilton Street, Saltcoats; (ii) the Taxi Stance operating hours of 6pm – 3am for 6 spaces; and (iii) appropriate alterations to signs and road markings.

5. Exclusion of the Public

The Committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public, for Agenda Items 5 and 6 (Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters) on the grounds that they involved the likely disclosure of Exempt Information as defined in Section 50J of, and Schedule 7A to, the Local Government (Scotland) Act 1973.

The 'Exempt Information' concerned is information of the type described in one or more of Paragraphs 3, 6, 14 and 15 of Part 1 of Schedule 7A to the Act:

3. "Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority."
6. "Information relating to the financial or business affairs of any particular person (other than the authority)."
14. "Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime."
15. "The identity of a Protected Informant" - where "Protected Informant" is defined in Part III as a person who informs the Local Authority about a past, present or future crime, breach of statutory duty, breach of planning control, or nuisance."

6. Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters

Submitted report by the Head of Democratic Services on hearings to be determined and applications for the grant or renewal of licences, consents and permits, on hearings and on other matters, under the Civic Government (Scotland) Act 1982 and other Licensing legislation.

Appendix A: Hearings

6.1 Taxi Driver's Licence: TDL/02293 (New): John Welsh

The Committee at its meeting held on 9 March 2022 agreed, to proceed to a Hearing in terms of Paragraph 4(2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

The Committee agreed to continue consideration of this item to a future meeting.

Appendix B: Applications for Licences/Renewal of Licences

6.2 PEL/670 (Temporary): Kelburn Arts Ltd

The Committee agreed to grant the application, subject to the Council's standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

6.3 TDL/00422 (Renewal): James Cunninghame

The Committee agreed to grant the application, subject to the Council's standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

The meeting ended at 11.15 a.m.

Licensing Committee
20 June 2022

IRVINE, 20 June 2022 - At a Meeting of the Special Licensing Committee of North Ayrshire Council at 12.40 p.m. within the Council Chambers, Irvine.

Present

Eleanor Collier, Nairn McDonald, Stewart Ferguson, Christina Larsen, Jean McClung and Donald L. Reid.

In Attendance

R. Lynch, Senior Manager (Legal Services), C. Pollock, Licensing Admin Officer (Licensing) and H. Clancy, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Collier in the Chair.

Apologies

John Bell and Angela Stephen

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

2. Exclusion of the Public

The Committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public, for Agenda Item 3 (Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters) on the grounds that they involved the likely disclosure of Exempt Information as defined in Section 50J of, and Schedule 7A to, the Local Government (Scotland) Act 1973.

The 'Exempt Information' concerned is information of the type described in one or more of Paragraphs 3, 6, 14 and 15 of Part 1 of Schedule 7A to the Act:

3. "Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority."
6. "Information relating to the financial or business affairs of any particular person (other than the authority)."
14. "Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime."
15. "The identity of a Protected Informant" - where "Protected Informant" is defined in Part III as a person who informs the Local Authority about a past, present or future crime, breach of statutory duty, breach of planning control, or nuisance."

3. Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters

Submitted report by the Head of Democratic Services on hearings to be determined and applications for the grant or renewal of licences, consents and permits, on hearings and on other matters, under the Civic Government (Scotland) Act 1982 and other Licensing legislation.

Appendix A: Hearings

3.1 Taxi Driver's Licence: TDL/02293 (New): John Welsh

At a previous meeting on 1 June 2022, the Committee agreed to continue consideration of this application.

The applicant, having been duly cited to attend, was not present or represented.

The Senior Manager (Legal Services) set out the background to the Hearing as previously intimated in writing to the applicant and advised the Committee of a letter from Police Scotland setting out their representation in respect of the application.

The Senior Manager (Legal Services) advised the Committee the Applicant had a "Protected Conviction" to which the provisions of the Rehabilitation of Offenders Act 1974 applied. The Committee then carried out the procedure required under the Rehabilitation of Offenders Act 1974, Section 7(3) and determined that justice could not be done except by having regard to the Applicant's "Protected Conviction".

Decision

The Committee agreed to refuse the application in terms of Paragraph 5(3)(a)(ii) of Schedule 1 of the Civic Government (Scotland) Act 1982 on the grounds that the applicant is not a fit and proper person to be the holder of a licence. There being no amendment the motion was declared carried.

The meeting ended at 12.45 p.m.

NORTH AYRSHIRE COUNCIL

17 August 2022

Licensing Committee

Title: Civic Government (Scotland) Act 1982: Taxi Fare Review

Purpose: To continue the Taxi Fare Review

Recommendation: That the Committee

- a) Review the current scale and approve in draft the scale set out as Appendix E to this report, as varied by the Committee;
- b) Instruct the Chief Executive to give notice of that draft;
- c) Continue consideration of the Review until a further meeting of the Committee at least one month after that public notice has been given.

1. Executive Summary

1.1 Under of the Civic Government (Scotland) Act 1982, the Council as Licensing Authority is required to review the maximum fare that taxis operating within North Ayrshire may charge. The 1982 Act requires that this should be done at maximum intervals of eighteen months, counted from when the current Scales came into effect. The current Scales are Appendix A to this report.

1.2 The Act lays down a sequence of stages for the review. Accordingly, when the Committee met on 1 June 2022 it adopted the following scheme:

Stage (a) - Meeting with taxi trade representatives/taxi operators to discuss proposals, consider revisions and finalise draft tariff

Stage (b) - Licensing Committee meeting to approve finalised draft tariff and seek authority to advertise proposed tariff in local press

Stage (c) - Public Consultation - Advertise proposals and invite representations - As soon as possible thereafter

Stage (d) - Licensing Committee meeting to consider representations and to fix new Scales (19 October 2022)

Stage (e) - Notification to Trade - within 7 days of (d)

Stage (f) - Advertise new Scales (if no appeal to the Traffic Commissioner) - Not less than 14 days after the Notification in Stage (e)

Stage (g) - Advertise new Scales (if there is an appeal) - as soon as practicable after the determination of the appeal.

- 1.3 The fares approved by the Committee are the maximum fares which may be charged. Operators can charge less if they wish. While the Council must review fare levels periodically, it does not have to alter the existing fares.
- 1.4 Once the fares have been reviewed and fixed, taxi operators have a right of appeal to the Traffic Commissioner for the Scottish Traffic Area, should they disagree with the Council's decision.

2. Background

- 2.1 The Committee held the Stage (a) meeting with interested parties on 13 June 2022. A Minute of that meeting is attached as Appendix B to this Report.
- 2.2 The present Committee meeting is Stage (b) of the process. The Committee are to review the current Scales and propose new draft Scales. A possible draft of proposed Scales is attached (Appendix E). Once approved by the Committee for publication, the Scales will be advertised so that the public can make representations (Stage (c)). The consultation period is at least one month. After the consultation period, the Committee will meet again to consider the draft, and any public representations, and then fix the Scale (Stage (d)).
- 2.3 In preparing draft Scales, the Committee should consider:
 - a) Government Guidance on how Licensing Authorities should approach Fare Reviews;
 - b) the current Scales;
 - c) general economic indicators;
 - d) the views of the Trade.

(a) Government Guidance

- 2.4. The Government Guidance is in "Taxi and Private Hire Car Licensing: Best Practice for Licensing Authorities", Second Edition, April 2012, Paragraph 6.2. This adopts the guidance in Scottish Development Department Circular 25/1986. The relevant part of that is Paragraph 2.37:

"The Secretary of State expects that in fixing fares authorities will want to pay primary regard to the costs incurred by the trade, having regard to the capital costs. (including interest payments) of the vehicles, the costs of maintaining and replacing them to the standards required by the licensing authority, the costs of employing drivers, and the prevailing levels of wages and costs in related road transport industries. In the Secretary of State's view the public interest is better served by ensuring the maintenance of an adequate taxi service by giving the trade a fair return than by depressing fares for social reasons, however understandable. If fares are fixed at a level higher than the market can stand, the trade is free to reduce them."

(b) the current Scales

- 2.5. Appendix D ("Estimated effect of percentage increases") shows the current Tariff 1 Flagfall and Mileage rates and asks the questions:

'If the Tariff 1 Flagfall and Mileage were both increased by 10p, 20p, 30p ... what would the fares be for journeys of 1 mile, 2 miles, or 3 miles?'

Appendix D is in 4 parts.

The part headed "Tariff 1" shows the current values of the flagfall and the mileage, and then shows them increased by 10p, 20p, 30p and so on.

The part headed 'Exact Fare' gives the calculated value to the penny. Since meters charge in 10p steps, the table also shows 'Fares rounded-down'.

The figures in 'Fares rounded-down' are used for the comparison in the part 'percentage increases' (for example, at the current Scales, a journey of 3 miles would cost about £7.70. If a 50p increase was applied to both flagfall and mileage, the journey would cost about £9.30. The comparison in 'percentage increases' is therefore 20.8%).

(c) general economic indicators

- 2.6. Appendix C ("Economic Indicators") shows figures supplied by the Government statistical office (the "Office of National Statistics"). These figures are updated monthly and the document here shows the most recent "Release Date". The figures here are counted from when the current Scales took effect in 2021.

(d) the views of the Trade

- 2.7 These are set out in Appendix B, in so far as stated at the Consultation meeting. The process later involves public consultation, and any written comments made later by the Trade or the general public will be copied in Members' background papers when the Committee next deal with this matter.

3. Proposals

- 3.1 A possible draft of the Taxi Fare Scales is in Appendix E. This was prepared by the Clerk following the Trade Meeting, after considering the Government Guidance quoted above and the statistical indicators which appear to be relevant to the Taxi Fare Review. This is only a draft and has been prepared by officers, not the Committee, for the purpose the purpose of facilitating discussion. It is open to anyone participating in the review process to suggest that the Licensing Committee should consider other factors or that an alternative charging basis should be adopted. In order to keep to the statutory timetable, anyone making any representations about the draft should make them during the subsequent public consultation.

The Committee should review the Scales, adopt a draft proposal, and instruct the Chief Executive to give public notice of that draft.

4. Implications/Socio-economic Duty

Financial

4.1 The Taxi fare structure has substantial implications for both the trade and the community. In addition, legal costs to the Licensing Authority may arise if the fare review becomes subject to an appeal to the Traffic Commissioner, which may affect future Licence fees.

Human Resources

4.2 None

Legal

4.3 Possible appeal to the Traffic Commissioner.

Equality/Socio-economic

4.4 None. An "Equality Impact Assessment" is not considered necessary. There are no socio-economic implications of the proposals.

Climate Change and Carbon

4.5 None

Key Priorities

4.6 North Ayrshire Council has priorities for Aspiring Communities in the Council Plan 2019-2024. An effective licensing system, e.g. monitoring the 'fit and proper' status of hire-car drivers and the safety of their cars, helps achieve Priority Outcome: "North Ayrshire's residents and communities are safe".

Community Wealth Building

4.7 There are no Community Wealth Building issues.

5. Consultation

5.1 No consultations are necessary or appropriate at this stage of the statutory process, which will later involve consultation with the Trade and the general public.

Aileen Craig
Head of Democratic Services

For further information please contact **William O'Brien, Solicitor (Licensing)**, on wobrien@north-ayrshire.gov.uk

Background Papers

Appx A - Current NAC Taxi Fare Scales (from 24 May 2021)

Appx B - Minute 13 June 2022 Trade Consultation mtg for Taxi Fare Review

Appx C - Economic Indicators

Appx D - Estimated effect of percentage increases

Appx E - DRAFT PROPOSED Taxi Fare Scales



Taxi Fare Scales

Applying from and after Monday 24 May 2021

(fixed by the Licensing Committee on Wednesday 21 April 2021)

The scales are also shown on the Council's website - search for "Taxi Fares" or type:

<https://www.north-ayrshire.gov.uk/business/licences-and-permits/taxi-licences/taxi-fares.aspx>

Tariff 1 (Normal)

Up to the first 3/4 mile - £3.20

Then each mile - £2.00 (in 10p units)

Waiting: up to 10 minutes - £3.20 (and then 10p every 20 seconds or part)

Tariff 2 (Higher)

Up to the first 3/4 mile - £3.50

Then each mile - £2.00 (in 10p units)

Waiting: up to 10 minutes - £3.50 (and then 10p every 20 seconds or part)

Tariff 2 applies if the journey starts **or** ends:

- in the period 12.00 p.m. (midnight) to 7.00 a.m. ("Night")

- on a Sunday

- on the following Public Holidays:

Good Friday

early May Bank Holiday

Spring Bank Holiday

Summer Bank Holiday

30 November (St Andrew's Day)

If a Bank Holiday is on a weekend, the following Monday is treated as the Bank Holiday

Boundary Zone Charge

If the journey is from the Zone for which the vehicle is licensed to another Zone in North Ayrshire:

- if the journey starts **AND** ends in the period 7.00 am to 12.00 pm (midnight) -
Tariff 2

- if the journey starts **OR** ends in the period 12.00 pm (midnight) to 7.00 am -
Tariff 1 (and any extra charges) **plus 50%**

Festive Period Charge

If the journey starts **OR** ends on these days:

25th December
26th December
1st January
2nd January.

Double Tariff 1 (and any extra charges)

Extra Charges

Soiling Charge - £50

Large Vehicle Charge (5 or more passengers)

If the vehicle starts by carrying more than 4 passengers, the fare is charged as an **extra 50%** on the Tariffs and Charges that would otherwise apply. The higher fare applies **until** the hire ends, even if some of the passengers leave the vehicle earlier and there are fewer than 5 left in the vehicle.

Notes

1. These Scales apply to journeys which **both** start and end within North Ayrshire. The Council do not set fares for journeys beyond the Council area. The passenger and the driver should agree the fare **before** the start of the journey.
2. Luggage shall be carried free if it is of a size which can reasonably be accommodated in the car.
3. The metered charge is the **maximum** which can be charged. The driver can always charge less.

4. Tariffs apply as soon as the journey starts and do not change. For example, if the journey starts at 6.30 a.m. ("Night") but ends at 7.30 a.m. ("Day"), then the fare is still Tariff 2 because the journey **started** at night.
5. The meter can **only** be started immediately before the vehicle moves off, and must be stopped when the vehicle arrives at its destination. The meter cannot be used while the vehicle is being loaded before moving off or being unloaded after the vehicle stops at its destination. The meter can show a waiting charge if the passenger has asked the driver to wait.
6. There is no extra charge for loading, carrying or unloading passengers with wheelchairs, assistance animals or anything the passenger wants to have carried.

Civic Government (Scotland) Act 1982: Taxi Fare Review

Minute of Trade Consultation meeting under Section 17(4A)(a) held on Monday 13 June 2022 at 10.00 a.m. in the "Garnock Valley" and "Three Towns" Rooms at Cunninghame House, Irvine.

Councillors Present:

Eleanor Collier (Convenor), Nairn McDonald (Vice-Convenor), and Ronnie Stalker.

Council officers in Attendance:

W. O'Brien, Solicitor (Licensing), A. Toal, Administrative Assistant, R. McElhone (Graduate, Legal Services).

Operators of Taxis in Attendance (and Licence numbers):

Daniel Tudhope (024)
Gerry Taylor (008)
William Taylor (181)
Robbie Guidi (002)
P. Cassidy (021)
Hugh O'Neill (001)
Craig Spence (053)
Robert Chalmers (058)
Gordon Smith (034)
William Bruce (097)
Jim McDowall (249)

The Convenor opened the meeting by explaining that the purpose of today's meeting was to gather the views of Operators in advance of a meeting of the Licensing Committee on 17 August 2022 to make a proposal for draft Taxi Fare Scales. This would only be a draft, not a decided tariff, and would be published in newspapers. The public, including the operators present today, would have 28 days to make any comments they wanted. There would then be a further meeting of the Committee, which would make a decision on the Scales. That decision would include an effective date, which would be a Monday, and operators would have to have their meters recalibrated and collect new fare cards.

The Convenor invited those present to make comments.

Robert Chalmers (058)

He wanted a rise. Inflation was 10% and fuel was up 25%.

Craig Spence (053)

He operated 7-seaters. He wanted a £4 rise as East Ayrshire Council had done. He gave the Committee that Council's "Taxi Fares Structure" document.

Jim McDowall (249)

He said he spoke for the TOA. He opposed a rise. Any new fare structure would not come into force till October 2022, and who could know what inflation would be then? The current fares were not bad. A rise would not be an advantage at the moment.

Robert Chalmers (058)

There needed to be a rise. He asked "When, if not now?" It was hardly worth working.

Jim McDowall (249)

The cost to the public had to be considered: "We are making money".

Gerry Taylor (008)

There needed to be a rise ASAP. The cost of everything had gone up.

Hugh O'Neill (001)

There needed to be an increase like Kilmarnock. He wanted an emergency rate now.

William Taylor (181)

He said he had a mandate to appear for 24 Irvine Taxi Operators.

There needed to be a fare increase. There had been a 20% increase in fuel cost in a year.

The Council had benefitted from there being low taxi fares, because the Council was the biggest customer for school contracts.

In the league table of 349 Councils, North Ayrshire was at 310, near the bottom, with low fares, whereas the other two Ayrshire Councils were much higher – South Ayrshire at about position 200 and East Ayrshire at position 17. This was the result of there being years and years of not accepting fare increases – North Ayrshire had fallen further and further behind the others.

Convenor

She said that the regionality had to be considered – it was not just a question of a league table. She asked if there were any complaints from the public about fare levels?

William Taylor (181)

There were no complaints from the public. In fact people were "more than satisfied". Sometimes passengers commented that they thought the fares were cheap.

Robert Chalmers (058)

It was cheaper for 4 passengers to take a taxi than a bus.

William Taylor (181)

Driver retention and recruitment was an issue. Stobart paid £50,000 to truck drivers and First Bus paid £30,000 to bus drivers. Who would want to drive a taxi at 3.00 am if North Ayrshire only allow 30p more? He said the taxi trade work 24/7, whereas buses and trains go off at night. He invited Councillors to visit the TOA office or sit in the front passenger seat at night to see the abuse and aggression the staff face.

He said Tariff 2 used to be a quarter over Tariff 1, but now it is only 30p extra: he said the Council should go back to 'Tariff 2 is Tariff 1 plus a quarter', and they should raise Tariff 1 too.

The previous Licensing Committee Convenor (Ronnie McNicoll) had talked about giving "value for money", but this left North Ayrshire at position 310 in the league table.

Private Hires could charge anything, and did not have to keep to the Council tariffs. Passengers would pay more on a Saturday night.

Robert Chalmers (058)

He only had two fares while working till 4.00 a.m..

Convenor

She asked if there was any move towards environmentally-friendly cars?

Jim McDowall (249)

The cost of a new car was over £24,000 but the Scottish Government grant was only £5,000. Also, North Ayrshire Council charge for electricity, but it's free in East Ayrshire Council.

Craig Spence (053)

No-one was fussed at the East Ayrshire rates. The fare was £55 to Prestwick Airport.

William Bruce (097)

The fare from Saltcoats to Prestwick Airport was only £35.

Craig Spence (053)

The fare to Glasgow Airport was £55.

W. O'Brien, Solicitor (Licensing)

He advised the meeting that it was not legally-possible for the Council to set an emergency rate as the only procedure available was that prescribed by the 1982 Act, and that this meeting and the subsequent consultation were parts of that procedure.

End of meeting

The Convenor thanked everyone for attending. The meeting ended at 11.38.

North Ayrshire Council
Taxi Fare Scales Review 2022

Economic Indicators

	Index Name	START	END	Change
1	'ALL ITEMS' CPI INDEX 00 (2015=100) Series ID: D7BT	110.8	121.8	109.9%
2	'PURCHASE OF VEHICLES' CPIH INDEX 07.1 (2015=100) Series ID: L543	110.8	122.8	110.8%
3	'Motoring expenditure: maintenance of motor vehicles' RPI (Jan 1987=100) Series ID: DOCT	479.4	515.7	107.6%
4	'PETROL' CPI INDEX 07.2.2.2 (2015=100) Series ID: L7FP	114.6	165.8	144.7%
5	'DIESEL' CPI INDEX 07.2.2.1 (2015=100) Series ID: L7FO	113.9	167.4	147.0%

Notes:

- Source: 'Office for National Statistics' website (<https://www.ons.gov.uk>).
CPIH = 'Consumer Prices Index including owner occupiers' housing costs'
CPI = 'Consumer Prices Index'
RPI = 'Retail Prices Index'
- To help comparison, statistics for values changing over time are often given as INDEX numbers, with the value when the figures were first recorded being set at as 100. Later values can then be shown relative to 100 so that the change between TWO later times can be shown as a percentage.
- The current Fare Scales took effect on 24 May 2021.
- ONS publish indicators monthly:
START (current Scales) = May 2021
END (most recent ONS data) = June 2022
ONS 'Release Date' = 20 July 2022

North Ayrshire Council
Taxi Fare Scales Review 2022

Estimated effect of percentage increases

Questions:

'If the Tariff 1 Flagfall and Mileage were both increased by 10p, 20p, 30p ... what would the fares be for journeys of 1 mile, 2 miles, or 3 miles?'

'Flagfall' = fare for the first three-quarters of a mile, 'Mileage' = fare for each mile after. Fares are rounded-down to the next 10p because meters charge in 10p steps.

Tariff 1:

	Flagfall	Mileage
Tariff 1 now:	3.20	2.00
If 10p added:	3.30	2.10
If 20p added:	3.40	2.20
If 30p added:	3.50	2.30
If 40p added:	3.60	2.40
If 50p added:	3.70	2.50

Fares rounded-down:

	1 MILE	2 MILES	3 MILES
	3.70	5.70	7.70
	3.80	5.90	8.00
	3.90	6.10	8.30
	4.00	6.30	8.60
	4.20	6.60	9.00
	4.30	6.80	9.30

Percentage Increases:

	1 MILE	2 MILES	3 MILES
If 10p added:	2.7%	3.5%	3.9%
If 20p added:	5.4%	7.0%	7.8%
If 30p added:	8.1%	10.5%	11.7%
If 40p added:	13.5%	15.8%	16.9%
If 50p added:	16.2%	19.3%	20.8%

Exact fare:

	1 MI	2 MI	3 MI.
	3.83	5.93	8.03
	3.95	6.15	8.35
	4.08	6.38	8.68
	4.20	6.60	9.00
	4.33	6.83	9.33

Most of these figures are approximations and are only for illustration.



This is only a draft and has been prepared only to assist discussion. It cannot be taken as indicating that the Council have decided any matter or are likely to make a particular decision.

Taxi Fare Scales

Applying from and after Monday 7 November 2022.

The scales are also shown on the Council's website - search for "Taxi Fares" or type:

<https://www.north-ayrshire.gov.uk/business/licences-and-permits/taxi-licences/taxi-fares.aspx>

Tariff 1 (Normal)

Up to the first 3/4 mile - £3.50

Then each mile - £2.30 (in 10p units)

Waiting: up to 10 minutes - £3.50 (and then 10p every 20 seconds or part)

Tariff 2 (Higher)

Up to the first 3/4 mile - £4.00

Then each mile - £3.00 (in 10p units)

Waiting: up to 10 minutes - £4.00 (and then 10p every 20 seconds or part)

Tariff 2 applies if the journey starts **and/or** ends:

- in the period 12.00 p.m. (midnight) to 7.00 a.m. ("Night")

- on a Sunday
- on the following Public Holidays:
 - Good Friday
 - early May Bank Holiday
 - Spring Bank Holiday
 - Summer Bank Holiday
 - 30 November (St Andrew's Day)

If a Bank Holiday is on a weekend, the following Monday is treated as the Bank Holiday

- On 26th December or 2nd January

Tariff 3 (Festive period)

If the journey starts **AND/OR** ends on 25th December or 1st January the fare is **double** Tariff 1.

Boundary Zone Charge

If the journey is from the Zone for which the vehicle is licensed to another Zone in North Ayrshire: the fare is whichever of Tariff 1, 2 or 3 would otherwise apply, **plus 50%**.

Large Vehicle Charge (5 or more passengers)

If the vehicle starts by carrying more than 4 passengers, the fare is charged as an **extra 50%** on whichever of Tariff 1, 2 or 3 would otherwise apply. The higher fare applies **until** the hire ends, even if some of the passengers leave the vehicle earlier and there are fewer than 5 left in the vehicle.

Extra Charges

Soiling Charge - £50

Notes

1. If two Tariffs could apply to a journey, the driver can charge the higher one. The metered charge is the **maximum** which can be charged. The driver can always charge less.
2. These Scales apply to journeys which **both** start and end within North Ayrshire. The Council do not set fares for journeys beyond the Council area. The passenger and the driver should agree the fare **before** the start of the journey.
3. Luggage shall be carried free if it is of a size which can reasonably be accommodated in the car.
4. Tariffs apply as soon as the journey starts and do not change. For example, if a journey starts at 6.30 a.m. ("Night") but ends at 7.30 a.m. ("Day"), then the fare is still Tariff 2 because the journey **started** at night.
5. The meter can **only** be started immediately before the vehicle moves off, and must be stopped when the vehicle arrives at its destination. The meter cannot be used while the vehicle is being loaded before moving off or being unloaded after the vehicle stops at its destination, unless the passenger has asked the driver to wait.
6. There is no extra charge for loading, carrying or unloading passengers with wheelchairs, assistance animals or anything the passenger wants to have carried.

NORTH AYRSHIRE COUNCIL

17 August 2022

Licensing Committee

Title: Civic Government (Scotland) Act 1982 and other Licensing statutes: Licensing Matters

Purpose: To advise the Committee of:
a) Hearings to be determined
b) Applications for the grant or renewal of licences and permits under the Civic Government (Scotland) Act 1982 and other statutes within the Committee's remit.

Recommendation: 1) That the Committee should decide whether or not to make a Resolution excluding the public from the meeting at which any of the matters in this Report are to be considered;
2) That the Committee consider and determine the matters before them.

1. Executive Summary

1.1 The Licensing Committee's remit is to exercise the Council's licensing functions. These functions arise under many statutes, mainly the Civic Government (Scotland) Act 1982. Depending on the legislation and the circumstances of each individual case, the Committee is entitled to grant, refuse, renew, vary, suspend and revoke Licences.

2. Background

2.1 The Committee's business under the 1982 Act is as follows:

Appendix A - Licences and Permits where Hearings have been convened

Appendix B - Applications for the grant or renewal of Licences and Permits

Exempt Information

2.2 The Committee will consider "Exempt Information" under the Local Government (Scotland) Act 1973, Schedule 7A. The information is covered by one or more of the following categories of "Exempt Information" under Schedule 7A:

Paragraph 3: "Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority."

Paragraph 6: "Information relating to the financial or business affairs of any particular person (other than the authority)."

Paragraph 14: "Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime."

Paragraph 15: "The identity of a Protected Informant" - where "Protected Informant" is defined in Part III as a person who informs the Local Authority about a past, present or future crime, breach of statutory duty, breach of planning control, or nuisance.

2.3 The details of the cases in the Appendix, with any relevant documents (such as letters from the Police or objectors) are in the background papers given to Committee Members and will be sent to the respective Applicants or Licence-Holders before the Meeting. The Schedules are excluded from the published Agenda under Local Government (Scotland) Act 1973, Section 50B(2) and (5). This has been done as the Clerk considers that the meeting is likely not to be open to the public while those Schedules are being considered, as they contain "Exempt Information".

2.4. The Committee is entitled, but not obliged, to make a Resolution excluding the public from a meeting during consideration of an item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during consideration of that item of business there would be disclosure to them of "Exempt Information" (Section 50A(4)).

2.5. For example:

Paragraph 3 could apply in relation to information or advice requested by a member of the public.

Paragraph 6 could apply to a business activity (such as where an Applicant wants a Licence for business or employment).

Paragraphs 14 or 15 could apply where it was alleged that there was criminal conduct or anti-social behaviour committed by or against a Licence-Holder or Applicant for a Licence, or where the Committee was told that any person had committed a criminal offence (whether or not there had been concluded Court proceedings).

2.6. Accordingly, if a Resolution is made:

- (a) the publicly-accessible Minutes will exclude so much of the proceedings during which the public were excluded (Section 50C);
- (b) the Minutes will include a summary of the proceedings without disclosing the 'Exempt Information' (Sections 50C(2) & 50C(1)(b)).

3. Proposals

3.1 It is proposed that the Committee consider and determine each of the listed cases in accordance with the required procedure.

4. Implications/Socio-economic Duty

Financial

4.1 There are possible financial implications in relation to any Licensing decision.

Human Resources

4.2 None

Legal

4.3 There are possible legal implications in relation to any licensing decision. Depending on the legislation, there may be a right of appeal.

Equality/Socio-economic

4.4 Equality Act 2010 imposes duties on the Council:

Section 1(1) ("Public sector duty regarding socio-economic inequalities"): the Council
"must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage."

Section 149(1) ("Public sector equality duty"): the Council

"must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under [that Act];
- (b) advance equality of opportunity between persons who share a "Relevant Protected Characteristic" and persons who do not share it;
- (c) foster good relations between persons who share a "Relevant Protected Characteristic" and persons who do not share it."

The "Relevant Protected Characteristics" are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

The Clerk has considered these Duties in preparing this Report and any specific impacts will be evaluated where appropriate. Unless the Clerk advises the Committee otherwise in a particular case, there are no significant impacts to be considered

Climate Change and Carbon

4.5 None.

Key Priorities

- 4.6 An effective licensing system, for example monitoring the 'fit and proper' status of licence-holders, the safety of vehicles, and the suitability of premises, helps progress towards one of the Priority Outcomes of the North Ayrshire Council Plan 2019-2024: "North Ayrshire's residents and communities are safe."

Community Wealth Building

- 4.7 There are no Community Wealth Building issues.

5. Consultation

- 5.1 Consultations have been undertaken where appropriate with Police Scotland, Scottish Fire and Rescue, and Council Directorates.

Aileen Craig
Head of Democratic Services

For further information please contact **William O'Brien, Solicitor (Licensing)**, on **Licensing@north-ayrshire.gov.uk**.

Background Papers

None

Hearings (Appendix A)

Case 1	Private Hire Car Licence	PHCL/375 (NEW)
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Applicant	Andrew Read	
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Case 2	Street Trader Operator's Licence	STL/O/530 (Temporary)
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Applicant	Jane Gibb	
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Hearings (Appendix B)

Case 1	Taxi Driver's Licence	TDL/02026 (NEW)
Applicant	Scott Walker	

Case 2	Taxi Driver's Licence	TDL/02243 (RENEWAL)
Applicant	Neil Morrison	

Case 3	Taxi Driver's Licence	TDL/02325 (NEW)
Applicant	Kenneth Watt	
