

EAST AYRSHIRE COUNCIL

**LOCAL GOVERNMENT LICENSING PANEL
13 MARCH 2008**

REVIEW OF TAXI FARES AND ASSOCIATED CHARGES

Report by Executive Director of Corporate Support

1. PURPOSE OF REPORT

- 1.1 To invite the Licensing Panel to fix scales for taxi fares and associated charges.

2. BACKGROUND

- 2.1 In terms of section 17 of the Civic Government (Scotland) Act 1982 the Licensing Authority has a duty to fix scales for taxi fares and associated charges for its area.

3 DISCUSSION

- 3.1 The Licensing Panel, at the meeting held on 20 December 2007 considered the report by the Executive Director of Corporate Support dated 3 December 2007.
- 3.2 The Members agreed the main changes to the scales for taxi fares and associated charges, but increased the proposed additional yardage distance from 150yds to 160yds, while retaining the charge of £0.15
- 3.3 In terms of Section 17 of the Civic Government (Scotland) Act 1982, notice of the proposed alterations to the Taxi Fare Structure was published in the Public Notices sections of the Kilmarnock Standard and the Cumnock Chronicle in their issues of week ending 18 January 2006. (Copy attached at Appendix 1)

4. FINANCIAL IMPLICATIONS

- 4.1 Nil

5. LEGAL IMPLICATIONS

- 5.1 In terms of Section 17 of the Civic Government (Scotland) Act 1982 it is the duty of the licensing authority to fix and review fare scales. Before reviewing or fixing fare scales, the licensing authority shall consult with representatives of the taxi operators and then give notice of the proposed amendments in newspapers circulating in their area in order that any representations may be lodged and considered.

- 5.2 No representations having been lodged, the Panel may now fix the fare scales and associated charges as previously agreed.
- 5.3 Where, under Section 17 of the Act, the licensing authority fix any scale or carry out any review they shall forthwith give notice in writing of their decision to such persons or organisations they have consulted as being representative of the operators of taxis within their area and inform them of the general effect of Section 18(1) of the Act.
- 5.4 In terms of Section 18 of the Act, any person who operates a taxi in an area for which scales have been fixed may, within 14 days after the decision upon the scales, appeal against these scales to the Traffic Commissioner for the Scottish Traffic Area.
- 5.5 Following the expiry of the 14-day appeal period specified, or following the abandonment or disposal of an appeal, Public Notice of the agreed fare scales must be published in newspapers circulating in their area.

6. POLICY IMPLICATIONS

- 6.1 Nil.

7. CONCLUSIONS

- 7.1 No representations having been lodged within the one-month period specified, the Panel may now fix the scales for taxi fares and associated charges as previously agreed and advertised.
- 7.2 Where, under Section 17 of the Act, the licensing authority fix any scale or carry out any review they shall forthwith give notice in writing of their decision to such persons or organisations they have consulted as being representative of the operators of taxis within their area and inform them of the general effect of Section 18(1) of the Act.
- 7.3 In terms of Section 18 of the Act, any person who operates a taxi in an area for which scales have been fixed may, within 14 days after the decision upon the scales, appeal against these scales to the Traffic Commissioner for the Scottish Traffic Area.
- 7.4 Following the expiry of the 14-day appeal period specified, or following the abandonment or disposal of an appeal, Public Notice of the agreed fare scales must be published in newspapers circulating in their area.

8. RECOMMENDATIONS

- 8.1 It is recommended that the Panel consider the contents of this report and agree: -
- (i) to fix the scales for taxi fares and associated charges set out in Appendix 1, as already agreed and advertised;

- (ii) in view of the 14-day appeal period and the need to advertise the amended fare scales and associated charges in local newspapers, to delay the implementation of the new charges until 1 June 2008; and,
- (iii) to remit to the Executive Director of Corporate Support to carry out the further statutory procedures as set out in Paragraph 5 of this report.

Elizabeth Morton
Executive Director of Corporate Support

27 February 2008

EM/GS

LIST OF BACKGROUND PAPERS

1. Report by the Executive Director of Corporate Support dated 3 December 2007.
2. Minute of the meeting of the Local Government Licensing Panel held on 20 December 2007.

Any person wishing to inspect of the background papers listed above should telephone 01563 576161 and ask for Mr David Mitchell, Head of Legal, Procurement and Regulatory Services or e-mail david.mitchell@east-ayrshire.gov.uk.

**EAST AYRSHIRE COUNCIL
CIVIC GOVERNMENT (SCOTLAND) ACT 1982
TAXI FARE STRUCTURE**

Notice is hereby given that East Ayrshire Council, being the Licensing Authority in terms of Section 17(2) of the above Act, intends to review the scales for fares and other charges in relation to taxis licensed with the Council.

In accordance with Section 17(3)(a) of the Act, following consultations with persons or organisations appearing to be, or be representative of, the operators of taxis within the area, it is proposed that as from 1 May 2008, the undernoted Fare Structure will become effective throughout East Ayrshire.

Fares by Distance

The following shall be the maximum fares, charged by distance, for the hire of a Taxi: -

Not exceeding 2000 yds £2.50

For each additional 160yds (or part thereof) £0.15

These rates shall include going from the nearest stand to the hirer's address or other place of uplift.

Surcharges

For hires accepted between the hours of
Midnight and 6.00am £0.80 per hire

For hires accepted on 1 and 2 January
and 25 and 26 December in each year Double Fare
(Distance rates only)

5, 6 and 7-seater Taxis
For each passenger in excess of four £1.00 per passenger

Waiting Time
After an initial period of 5 minutes, each
subsequent period of 5 minutes (or part thereof) £1.60

Taxi called by hirer and not used £2.50

Radio call charge £0.25

Fouling Charge £40.00

Notes

1. The fare for any distance in excess of 5 miles shall be the subject of special agreement. The taximeter must be operated on all hires within the said 5-mile limit.
2. Where prior to the acceptance of the hire, the hirer requests to hire by time rather than by distance and the driver agrees, such fare may be charged as proposed by the driver and agreed by the hirer at that time.
3. If requested by the hirer, the driver shall assist with the loading and unloading of luggage without any extra charge.
4. Passengers should note that where an operator is registered for VAT purposes, a surcharge, calculated at the rate of Valued Added Tax current at the time, may be charged in respect of each hire. The operator must display an appropriate notice to this effect within the vehicle.

Copies of the existing and new fare scales may be inspected at the office of the Civic Government Licensing Section, Department of Corporate Support, 14 London Road, Kilmarnock, KA3 7AF and any representations in respect of the proposals should be submitted, in writing, to that address within one month of the date of publication of this notice.

**David Mitchell
Head of Legal, Procurement and Regulatory Services
Council Headquarters
London Road
Kilmarnock**



**East Ayrshire
COUNCIL**