

Agenda item	8
Report no	HLC/031/22

THE HIGHLAND COUNCIL

Committee: THE HIGHLAND LICENSING COMMITTEE

Date: 20 June 2022

Report title: Request for an early review of the scales for the fares and other taxi related charges

Report by: The Principal Solicitor – Regulatory Services

1. Purpose/Executive summary

- 1.1 This report is put before the Committee at the request by part of the taxi trade within The Highland Council area who are seeking an early review of the scales for the fares and other taxi related charges.

2. Recommendation

- 2.1 This report invites the Committee to:
- (i) consider the information contained within the report
 - (ii) consider any further representations made at the Committee
 - (iii) decide whether to instruct officers to commence the statutory process to review the scales for the fares and other taxi related charges earlier than the scheduled date

3. Background

- 3.1** The Council has a statutory duty in terms of section 17 of the Civic Government (Scotland) Act 1982 (“1982 Act”) to review its scales for the fares and other taxi related charges every 18 months.
- 3.2** The 18 month period is a maximum and licensing authorities can review at a more frequent intervals, if they so wish.
- 3.3** In fixing scales, the Council may alter fares and other charges or fix fares or other charges at the same rates. The current fare scales are attached for Members’ information as **Appendix 1**.

4. Statutory process for reviewing the tariff

- 4.1** Section 17(3) of the abovementioned 1982 Act states that before the licensing authority fixes any scales or carries out any review it shall:
 - a) consult with persons or organisations appearing to it to be, or be representative of, the operators of taxis operating within its area.
 - b) following such consultation:
 - (i) review the existing scales, and
 - (ii) propose new scales (whether at altered rates or the same rates),
 - (c) publish notice of those proposed scales in a newspaper circulating in its area:
 - (i) setting out the proposed scales,
 - (ii) explaining the effect of the proposed scales,
 - (iii) proposing a date on which the proposed scales are to come into effect, and
 - (iv) stating that any person may make representations in writing until the relevant date, being one month after the date of the first publication of the notice, and
 - (d) consider such representations.
- 4.2** 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 fares and surcharges. Any appeal is made to the Traffic Commissioner for the Scottish Traffic Area. An appeal to the Traffic Commissioner may be made within 14 days of notice being given by the licensing authority to taxi operators and representative taxi organisations of the agreed fare scales

5. Current tariff

- 5.1** The current tariff took effect from 18 October 2021 and, therefore, the next tariff review must be completed by 18 April 2023, at the latest.
- 5.2** The Council starts the review process approximately six months in advance of the date that the new tariff needs to be implemented in order to meet all its statutory requirements.
- 5.3** A copy of the scheduled timescale for the next review process is attached as **Appendix 2**.
- 5.4** A copy of the timescale if amended to start the review process earlier is attached as **Appendix 3**.

6. Representations from the taxi trade

- 6.1 Two individual requests have been received from taxi operators asking for an urgent review of the taxi tariff scales. One request was received from a Thurso based operator and another from an Inverness based operator on behalf of a number of operators. The requests for an early review have been made mainly for the following reasons:
- Increasing cost of fuel
 - Increasing cost of replacing a vehicle
 - Shortage of drivers
- 6.2 The Principal Solicitor wrote to both operators and set out the procedure that has to be legally followed before any changes can be implemented to the taxi tariff scales. Given the statutory steps and required level of consultation, it is not a quick procedure.
- 6.3 It was also pointed out that the Council is required to consult across the whole of The Highland Council area and views also need to be evidenced. It was suggested to the Inverness based operator that they provide evidence from representatives from across the whole of The Highland Council area that could be put up as part of a report to this Committee requesting that Members consider starting the taxi tariff review process ahead of schedule.
- 6.4 Consequently, a survey has been provided by the Inverness based operator for Members' consideration, together with a list of names that participated. A copy of the survey and list of names is attached as **Appendix 4** to this report.
- 6.5 As set out in the legislation, the local authority must consult with persons or organisations appearing to it to be, or be representative of, the operators of taxis operating within its area.
- 6.6 There are 93 names provided (taking into account two duplicate entries and three unidentifiable entries). Of these names, approximately 65% are taxi operators and 35% are solely taxi drivers, private hire car operators and/or private hire car drivers. Of the taxi operators listed, approximately 83% of these have had their licences issued from the Inverness office.
- 6.7 As of January 2022, there were 474 taxi operators licensed within The Highland Council area.

7. Further Considerations

- 7.1 The Scottish Government's Taxi and Private Hire Car Licensing: Best Practice for Licensing Authorities issued in April 2012 states that authorities are advised as best practice to pay regard to advice contained in paragraphs 2.34-2.37 of Scottish Department Circular 25/1986. This states 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 a standard of the licensing authority, of employing drivers and the prevalent level of wages and costs in related road transport industries. The public interest is best served by ensuring the maintenance of an adequate taxi service by giving the trade a fair return rather than depressing fares for social reasons, however understandable."*

7.2 In light of the above guidance, the Committee is invited to consider figures supplied by the Government's Office of National Statistics (ONS). The main index is the Consumer Price Index which is a measure of consumer price inflation produced to international standards. The main index is the CPI (all items). However, figures are also provided for other statistics which may be relevant for taxi operators.

7.3 A comparison has been provided between figures that were considered at the meeting of the Highland Licensing Committee on 22 June 2021 at the last review of the taxi tariff with the most up to date figures now available. A copy of these are attached as **Appendix 5** to this report.

8. Implications

8.1 The costs to the Council associated with a review of the taxi tariff in terms of outlays will be advertising costs only together with the staff time costs associated with the process, from pre-review consultations with the trade to conclusion. The Traffic Commissioner's costs in determining any appeal following adoption of a final tariff will also be borne by the Council, irrespective of the outcome of any such appeal.

8.2 The fee charged by the Trading Standards Service in relation to the checking and sealing of taxi meters requires to be met by operators. The cost for this, (excluding any new chip required from the meter manufacturer) is currently £70.58 (£58.81 + VAT).

8.3 Trading Standards have commented that the test track calibration and mass testing of meters at the time of year proposed with the earlier timetable may be hindered should there be bad weather.

Date: 8 June 2022

Author: Claire McArthur

Background Papers: Appendix 1 – Copy of current tariff
Appendix 2 – Scheduled tariff review timetable
Appendix 3 – Early tariff review timetable
Appendix 4 – Survey response from the taxi trade
Appendix 5 – Comparisons of costs since the last tariff review

REVIEW OF TAXI FARES

In accordance with the requirements of the Civic Government (Scotland) Act 1982, the Highland Council has reviewed the maximum level of charges for the hire of Taxis or Private Hire Cars fitted with Taxi Meters.

With effect from 18 October 2021, the maximum fares will be as follows:-

Tariff 1: Applies to vehicles carrying up to 4 passengers, except when a higher tariff applies.

- For the first 785 yards or part; or £3.00
The initial period of waiting time of 119 seconds; or
A combination of time and distance as above
- For each additional 98 yards or part; or .10p
Each additional period of waiting time of 14 seconds; or
A combination of additional time and distance as above

General effect – the price of a hire £4.00 for the first mile plus £1.80 per mile thereafter plus extras*

Tariff 2: Applies to vehicles carrying up to 4 passengers on Good Friday, Easter Monday or May Day and, except when a higher tariff applies, between **9.00pm and 7.00am on any day** and all day on Saturday and Sunday. When 5 or more passengers are being carried, it also applies **at any time** of any day or night, except where a higher tariff applies.

- For the first 560 yards or part; or £ 3.30
The initial period of waiting time of 119 seconds; or
A combination of time and distance as above
- For each additional 78 yards or part; or .10p
Each additional period of waiting time of 14 seconds; or
A combination of additional time and distance as above

General effect – the price of a hire £4.90 for the first mile plus £2.30 per mile thereafter plus extras*

Tariff 3: Applies between 6am and midnight on both Boxing Day and 2nd January. When 5 or more passengers are being carried, and except where Tariff 5 applies, it also applies between **9.00pm and 7.00am**, all day on Saturday and Sunday and on Good Friday, Easter Monday and May Day.

- For the first 444 yards or part £ 3.90
The initial period of waiting time of 119 seconds; or
A combination of time and distance as above
- For each additional 65 yards or part .10p
Each additional period of waiting time of 14 seconds; or
A combination of additional time and distance as above

General effect – the price of a hire £6.00 for the first mile plus £2.70 per mile thereafter plus extras*

Tariff 4: Applies to vehicles carrying up to 4 passengers at any time between 6.00pm on Christmas Eve and 6.00am on Boxing Day and between 6.00pm on New Year's Eve and 6.00am on 2 January.

- For the first 444 yards or part; or £3.90
The initial period of waiting time of 119 seconds; or
A combination of time and distance as above
- For each additional 49 yards or part, or .10p
Each additional period of waiting time of 14 seconds; or
A combination of additional time and distance as above

General effect – the price of a hire: £6.60 for the first mile plus £3.60 per mile thereafter plus extras*

Tariff 5: Applies to vehicles carrying 5 or more passengers at any time between 6.00pm on Christmas Eve and 6.00am on Boxing Day and between 6.00pm on New Year's Eve and 6.00am on 2 January.

- For the first 444 yards or part; or £3.90
The initial period of waiting time of 119 seconds; or
A combination of time and distance as above
- For each additional 39 yards or part, or .10p
Each additional period of waiting time of 14 seconds; or
A combination of additional time and distance as above

General effect – the price of a hire: £7.30 for the first mile plus £4.50 per mile thereafter plus extras*

***Extra Charges**

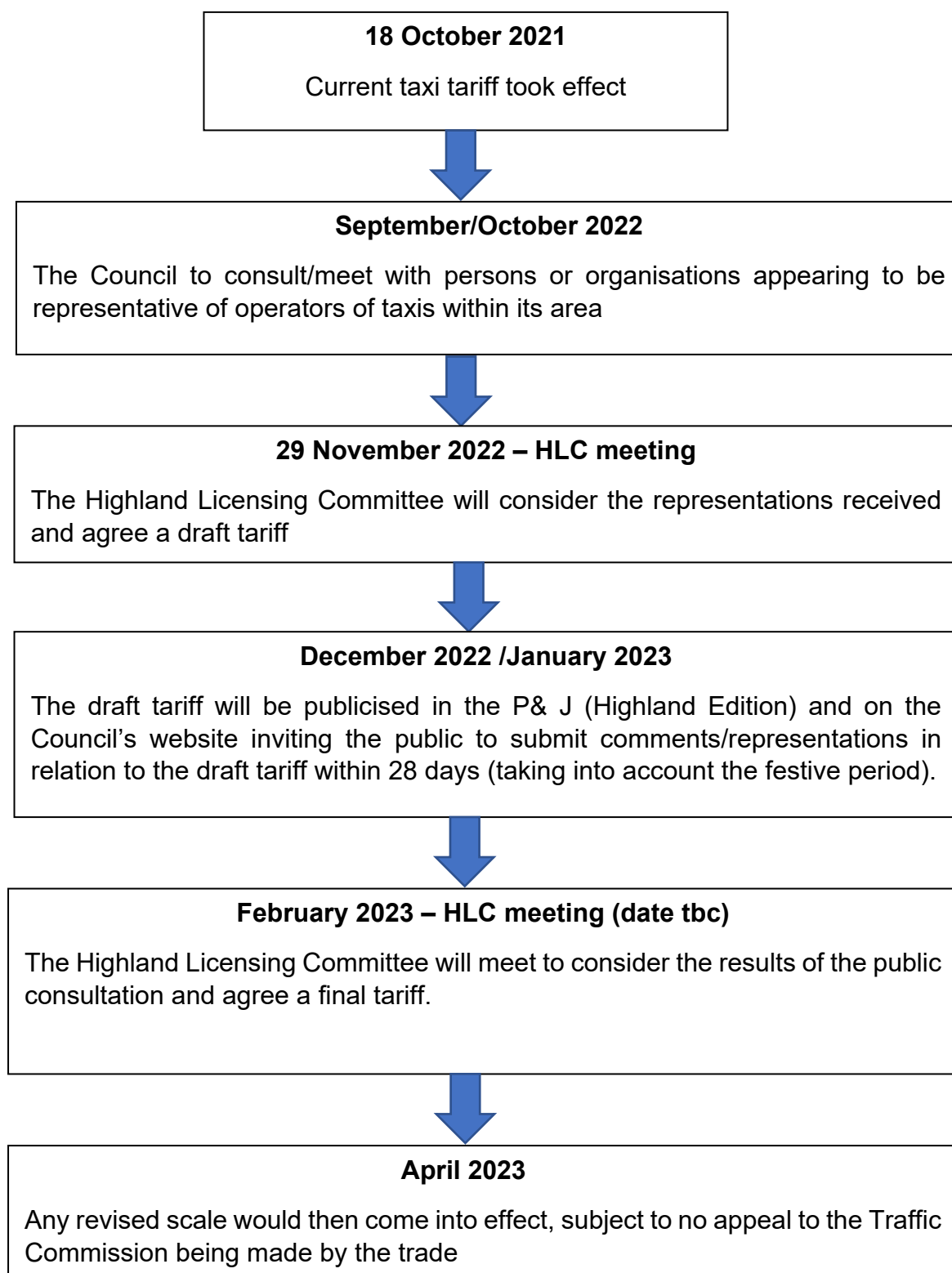
- Booking ahead e.g. by telephone £1.00
- Any bridge tolls or ferry charges, where applicable.
- Any airport car parking charges (Only chargeable on production of a receipt to the hirer)

In addition, a supplementary booking charge may be applied to compensate for the cost of the outward journey for hires which commence 3 miles or more away from the taxi or taxi base (whichever is the nearer). The maximum charge shall be the actual cost at the tariff which applies at the time of travelling between the starting location of the taxi or the location of the taxi base (as the case may be) and the pick-up point or drop-off point, whichever is the closer to the taxi or taxi base. This booking charge is in addition to the fare chargeable at the appropriate tariff for the journey from the pick-up point to the drop-off point. This charge may only be demanded if the customer is informed of the amount of the charge at the time of booking.

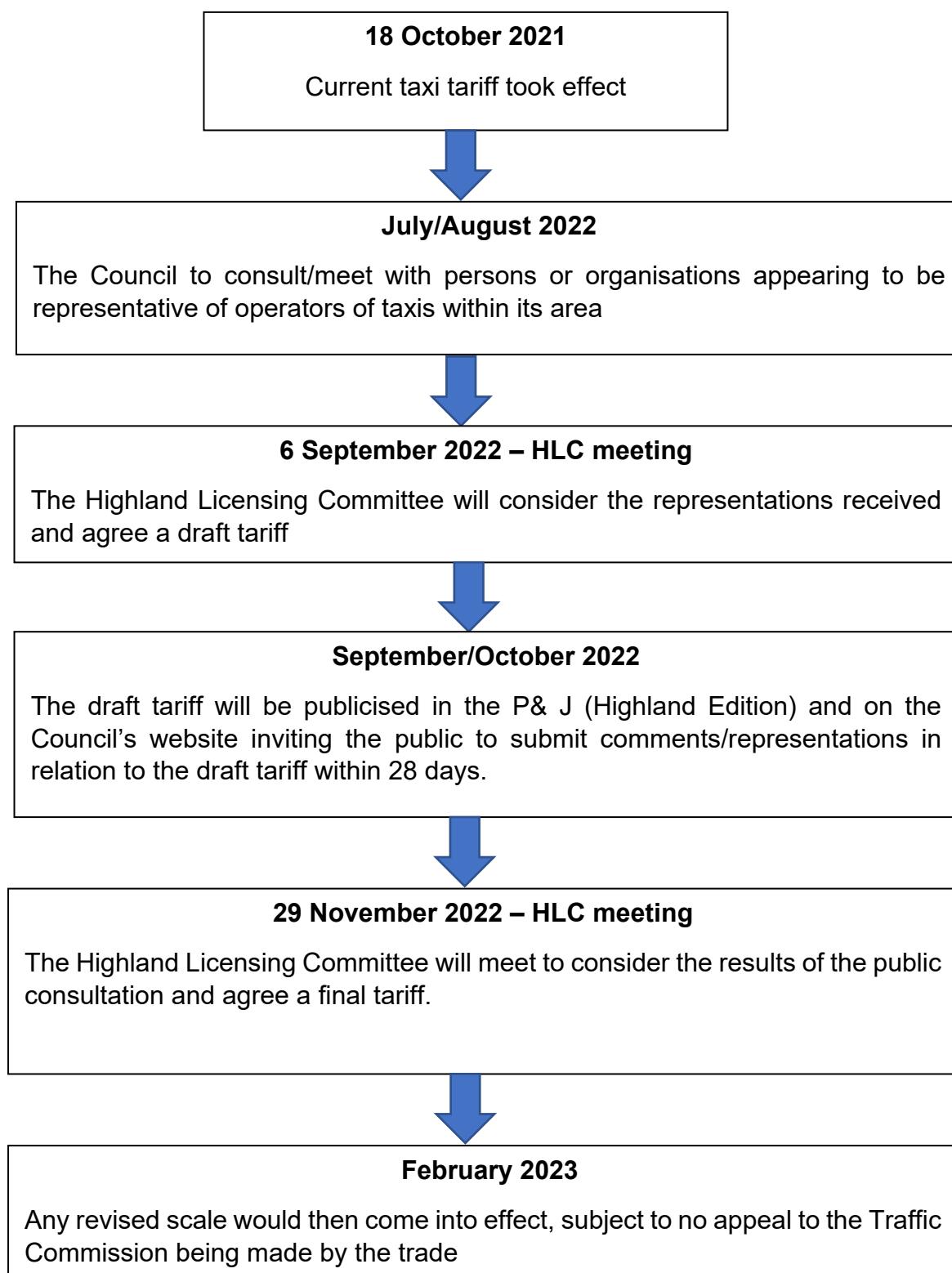
When a taxi (or a private hire car fitted with a taxi meter) is called but not used, a charge shall be allowed as if it had been occupied from the time it left the stance or garage.

Soiling Charge – maximum of £120.00 payable by an offending passenger, where a vehicle requires to be removed from service for cleaning in order for it to be restored to a usable state and condition.

Scheduled taxi tariff review timeline – 2022



Early taxi tariff review timeline – 2022



APPENDIX 4

Paul Reid / IV 999 / Highland

Gavin. 22234 Inverness

Brian Travers - 31681 - wick highland

Duncan McPhee - wick - 30245

Alistair Turner, 21948 Inverness-shire

James MacNeil Badge No 21771

Piotr Piorun 11251 Inverness

Willie Fraser 11 312 Inverness

Derrick Cameron 11699 Inverness

David Laidlaw- 11901-Inverness

Kevin williamson 11-136 inverness

David Crozier. 13 140. Inverness

Radwan ibrahim

James mackay 11 791 Inverness

Bill cowan 11160

Rory Munro 11 1058 Inverness

Craig Gardner, 11 810, Inverness

Patrick O'DONNELL 11 555 Inverness

GRAHAM MACKIE INVERNESS 11 263

Pawel Grzendzicki IV765 Inverness

11139

Mohsin jahangir 11 1104 Inverness

Douglas mackenzie, 11 006, Highland

Les Steven 21850 Inverness

Paul LEWIS IV11 609 Inverness

Scott Birnie 111011 Inverness

Operating in Inverness, badge number 11215

Operating in inverness, badge number 11273

Rob Donaldson, Invergordon Ross-Shire

Jose Garcia, 11 307, Inverness

Aleman Ali badge no 11529

Eric Taylor, Inverness

Michael Morrice IV1178 Inverness

Sharon Finnerty

Monika Wachowska, licence no:11274,Inverness City Taxi

11 803 City Taxis hack 28

John Toshack, 11 659, Highland.

Pawel Kucner

Mr Basharat Ahmed

Chris oliphant 11 317 Inverness

Graham Mackie Inverness 11 263

Chris mcewan 797

Susan butcher 1103 inverness

Frederick butcher 11011 Inverness

111047 Inverness

Gordon Cumming 11948

Derek Middleton 11 1079 Inverness

Pawel Kawa, 11735, Inverness Highland

No as rural taxis tend to be at a higher price because of distance to travel an increase will just encourage more people to use boy racers for lifts which is a significant problem at the moment outwith the cities.

Scott Gair 784

Artur Nowak, 11 1087, Inverness

Colin Ross 810 IT taxis - Inverness

11 1093

Miroslaw Grzybowski 11258 Inverness

Raymond Stewart 11 141, Highland Council

Piotr Piorun 11251

Rafal Smedra, licence number 11126 Inverness

James Miller 0062 Inverness

Lisa Little 11985 Inverness

Hummayun niaz badge number 11217

Andrejs. 1159. Inverness taxi
Shanto pazhayattil, 11/200, Inverness highland
13 107
111020 Lachlan Macdonald Inverness
David Mackenzie 21661 Highland Council
Donald mackay 111125
Michael Morrice Iv178 Inverness
John Mackintosh, 11388 Inverness
Shawn Swanepoel/Badge No 111117/Inverness
Ron Fleming IV 409 Inverness
Marian-Alin Dorobantu, 11966, Inverness
Richard King 11 490 Inverness
Brian Mckay 11 329 Inverness
Kenneth Mackinnon 21198 highland
John Burns 11448 Inverness
Alan Cumming 11313 Inverness
Carole Cooper, 11 1003, Highland
Wayne mackenzie, 11384, inverness
Farquhar MacDonald. 11895 Inverness
Connor Morrison, 13 137, Nairn
Kevin Hendry 11 515 Inverness
damian brown 111078 inverness
David Gray 13 151 , Nairn
Paul Thatcher Inverness 11 872
11260
Martin MacPherson, 11 1008, Inverness
Agnieszka Zwawiak
Asad khan 111128 it taxi
676
Kenneth slaney 21844 Inverness
John McCormack 21871 Inverness

Mohammad akbar hossain ,970, Inverness

D lyall Taxi licence IV67 .Operate Inverness

Pawel Kawa, 11735, Inverness

Alex murray. 23157

John McAleaney 200 Inverness Taxi

Andrew Mcfie, 11 1133, Aviemore

Peter Macpherson 111111 beauly

Sheena ross 11 440

imran ahmed 21940 Inverness highland

OTHER

Comments

Cost of living has increased so much and we can only absorb so much .

Do away with tariffs 1 and 5, make tarrif 2 the new tarrif 1 and so on

Even if increase was a big one for a year only.

First mile should be £5 and £2.10 every mile after 24/7 and have just one tariff

Flag fall needs to be at least £5.00 min and then 10% across all other tarrifs

Increase needed to survive the cost of keeping vehicle on the road.

We need a increase but keep it low because to high will put public of using the Taxi trade,we don't need more non payers and over discounts amounts it's bad enough now with school contracts .

A rise is important for the operating costs, however imposing a 10% rise can't be seen as greed.

It's about time it was increased the fuel and everything else so expensive to run a taxi

IT'S BEEN A GOOD 3 YEARS SINCE WE LAST HAD A TARAFF CHANGE . FUEL PRICES ARE VERY HIGH

Tariff change should be free of council charges (meter approval)

The fuel costs are having a big impact on my earniy

This is reluctant measure but with fuel costs escalated by vast amount we have no choice

Cost of fuel has influenced my decision. Now on £50.00 per day for fuel alone.

We need an a significant increase due to the extreme inflation in current costs

Dp taxi tain tain badge no 32897

Increased fuel costs are a lot greater than 20% since the last fare rise plus the costs of operating such as servicing costs, tyres etc have also jumped dramatically and of course the general cost of living with heating, lighting and food costs all having risen dramatically means that at least a 20% rise

should be considered by the council. This is especially the case as most of the recent rises in fuel, food, etc are unlikely to come back down.

Inflation last 3 years officially is accumulated over 10%. Unofficially well over 15% so good compromise would be 15% increase of taxi tariffs.

No comments

Working wit IT

Mainly the fuel price

We haven't had an increase for a long time and now with the extra price for fuel an increase is overdue.

Would help cover fuel increases

Its been a good 3 years since we last had a tariff change the price of diesel is very high I can't see it coming down thanks

Higher increase (25%) for initial charge.

Justified as fuel costs up by approx 45% + everything else also going up. Need parity!!!

Tariff 1 ,10 to 15 % all other tariffs left alone

25% increase asap, the fuel prices ain't going down

None

With the distance I do on wheelchair runs, the overheads with fuel costs is just getting too high.

The price of fuel is terrible and I'm having to change the car to make it even more economical.

Expenses have never been so high

I would like a tariff increase due to the fact that I run a wheelchair accessible taxi, I do a lot of miles to provide this service and fuel is now more than ever an overhead.

Taxi tariff

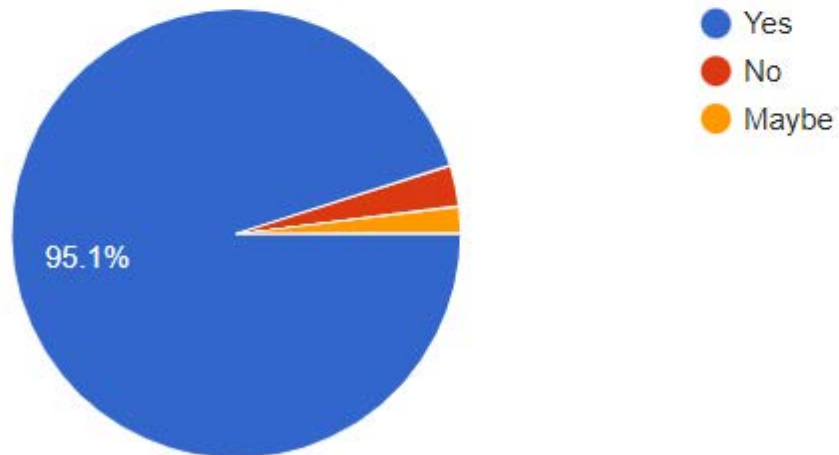
102 responses

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Do you want a tariff increase

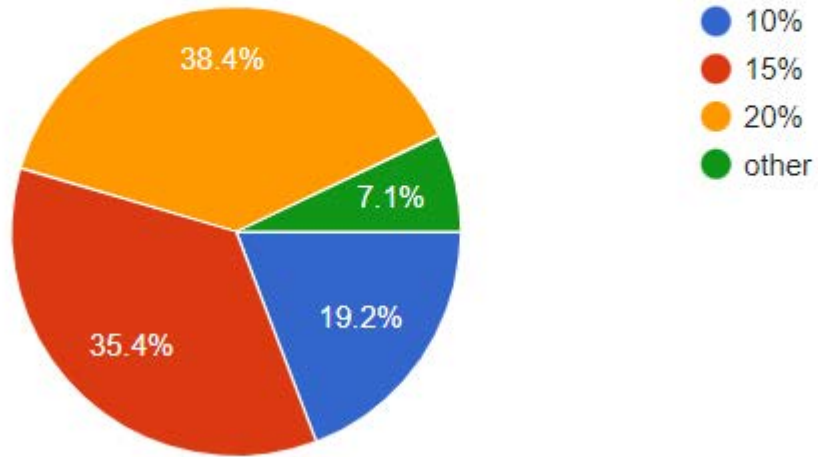
102 responses

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If yes, how much of an increase

99 responses



Inflation figures (Consumer Price Index)

	INDEX NAME	START	END	CHANGE
1	ALL ITEMS	109.4	120.0	9.7%
	CPI Index 00 (2015=100)			
	Series: L522			
2	PURCHASE OF VEHICLES (all)	110	124.4	13%
	CPIH Index 07.1			
	Series: L543			
	PURCHASE OF NEW CARS	118.2	125.0	5.8%
	CPIH Index 07.1.1A			
	Series L544			
	PURCHASE OF SECOND HAND CARS	97.2	126.5	30.1%
	CPIH Index 07.1.1B			
	Series L545			
3	MAINTENANCE AND REPAIRS	113.6	120.1	5.7%
	CPI Index 07.2.3			
	Series: D7ED			
4	PETROL	108.3	144.4	33.3%
	CPI Index 97.2.2.2			
	Series ID: L7FP			
5	DIESEL	108.4	153.2	41.3%
	CPI Index 07.2.2.21			
	Series ID: L7FO			

Source – Office for National Statistics (www.ons.gov.uk)
Indicators are published monthly

START – February 2021

END – April/May 2022