

Notice of Meeting and Agenda



General Purposes Committee

Venue: Virtual Meeting,

Date: Tuesday, 15 March 2022

Time: 10:00

Executive Director : Place

Contact:

Clerk Name: Democratic Services
Clerk Telephone:
Clerk Email: democratic.services@midlothian.gov.uk

Further Information:

This is a meeting which is open to members of the public.

Privacy notice: Please note that this meeting may be recorded. The recording may be publicly available following the meeting. If you would like to know how Midlothian Council collects, uses and shares your personal information, please visit our website: www.midlothian.gov.uk

1 Welcome, Introductions and Apologies

2 Order of Business

3 Declaration of Interest

4 Minute of Previous Meeting

4.1 PUBLIC Minute of the meeting of 11 January 2022 Submitted for Approval 3 - 4

4.2 PRIVATE Minute of the meeting of 11 January 2022 Submitted for Approval

5 Public Reports

5.1 Taxis and Private Hire Cars, Review of Tariffs - Report by Legal Services Manager 5 - 12

6 Private Reports

6.1 GP Committee Summary Sheet - 15 March 2022

- 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.

7 Date of Next Meeting

The next meeting will be held on: To be announced.

Minute of Meeting

Item 4.1



General Purposes Committee

Date	Time	Venue
11 January 2022	10.00 am	Virtual via MS Teams

Present:

Councillor Munro (Chair)	Councillor Alexander
Councillor Cassidy	Councillor Curran
Councillor Hackett	Councillor Hardie
Councillor Lay-Douglas	Councillor McCall
Councillor Milligan	Councillor Muirhead
Councillor Parry	Councillor Russell
Councillor Smail	Councillor Wallace
Councillor Winchester	

In attendance:

Alan Turpie, Legal Services Manager / Monitoring Officer
Derek Oliver, Chief Officer: Place
PC Iain Anderson, Police Scotland
Brenda Campbell, Licensing Supervisor
Janet Ritchie, Democratic Services Officer
Andrew Henderson, Democratic Services Officer

1. Apology

An apology for absence was intimated on behalf of Councillor McKenzie and Councillor Johnstone

2. Order of Business

The order of business was as set out on the Agenda.

3. Declarations of interest

None

4. Minute of Previous Meeting

The Minute of Meeting of 23 November 2021 was submitted and having been proposed by Councillor Muirhead, seconded by Councillor Smaill were unanimously approved as a correct record.

5. Public Reports

None

Exclusion of Members of the Public

In view of the nature of the business to be transacted, the Committee agreed that the public be excluded from the meeting during discussion of the undernoted item, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in paragraphs 3, 6 and 14 of Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-

6.1 Grant of Window Cleaner's Licence – A Strong

The meeting terminated at 10.45 am

Title of Report: Taxis and Private Hire Cars, Review of Tariffs

Report by Alan Turpie, Legal Services Manager

Report for Decision

1 Recommendations

The Committee is asked to consider the amended tariff levels for taxis and private hire cars with fitted taxi meters as detailed in Appendix C and to determine if these tariffs be put out to public consultation.

2 Purpose of Report/Executive Summary

The purpose of this report is to advise Members of the outcome of discussions with the Midlothian Taxi Operators Association (“MTOA”) on proposed amendments to the maximum tariffs which may be charged and to seek authority to put these proposed tariffs out to public consultation.

Date 2 March 2022

Report Contact:

Alan Turpie, Legal Services Manager

alan.turpie@midlothian.gov.uk

3 Background/Main Body of Report

- 3.1** The Council, as licensing authority, is required under section 17 of the Civic Government (Scotland) Act 1982 to review and fix the maximum scale of fees and other charges (“the tariff”) which may be used by taxis licensed to operate within Midlothian. The tariff will also apply to private hire cars with fitted taxi meters.
- 3.2** The initial requirement of the review is that the Council must “consult with persons or organisations appearing to them to be or to be representative of, the operators of taxis operating within their area.” Accordingly, officers have met with the MTOA as an organization representative of taxis operating within Midlothian. During these discussions the MTOA have advised that the tariff has not been increased since 2016 whilst operating costs have increased steadily over the same period with a particular escalation in the price of petrol and diesel in recent months.
- 3.3** There is a right of appeal to the Scottish Traffic Commissioner in respect of any decision the Committee makes regarding the tariff. This may be exercised by any taxi licence holder. Guidance issued by the Scottish Government is that the Committee should consider the costs of operating a taxi as well as the income available to operators when reviewing and setting the tariff. The Committee should also avoid restricting any increase based on concern about the impact on passengers.
- 3.4** The current tariff is attached as Appendix B to this report. The fee varies depending on time of day, distanced travelled and waiting time. There are particular tariffs for the Christmas and New Year period and additional fees for a range of items, including the cleaning of the taxi.
- 3.4** The proposed tariff is attached as Appendix C to the report. The principle changes include:
- The initial charge at tariff 1 is increased to £3.00
 - The initial charge at tariff 2 is increased to £3.80
 - Tariffs 3 and 4 have been merged to form a single tariff 3
 - The initial charge at tariff 3 is proposed at £4.50
 - The additional distance/waiting time charge has been increased to £0.25 per unit at tariffs 1 and 2 and £0.40 at tariff 3.
- 3.5** As stated above, the tariff sets out the maximum charges which licensed taxis may charge for journeys within Midlothian, it would remain open to the operator to charge a lower fee if they so wished.
- 3.6** Should the Committee be minded to consult on the proposed tariff, the tariff will be advertised for a period of not less than one month to allow for representations after which a further report will be brought back to the General Purposes Committee for consideration and, if appropriate, approval

4 Report Implications (Resource, Digital and Risk)

4.1 Resource

There are no resource implications arising from this report.

4.2 Digital

There are no digital implications arising from this report.

4.3 Risk

There are no risk implications arising from this report.

4.4 Ensuring Equalities (if required a separate IIA must be completed)

This report does not recommend any change to policy or practice and therefore does not require an Equalities Impact Assessment.

4.5 Additional Report Implications

See Appendix A

Appendices

Appendix A – Additional Report Implications

Appendix B – Existing Tariff

Appendix C – Proposed Tariff

APPENDIX A – Report Implications

A.1 Key Priorities within the Single Midlothian Plan

Not applicable

A.2 Key Drivers for Change

Key drivers addressed in this report:

- Holistic Working
- Hub and Spoke
- Modern
- Sustainable
- Transformational
- Preventative
- Asset-based
- Continuous Improvement
- One size fits one
- None of the above

A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- One Council Working with you, for you
- Preventative and Sustainable
- Efficient and Modern
- Innovative and Ambitious
- None of the above

A.4 Delivering Best Value

The report does not directly impact on Delivering Best Value

A.5 Involving Communities and Other Stakeholders

The report does not directly relate to involving communities

A.6 Impact on Performance and Outcomes

The report does not directly impact on Midlothian Council's performance and outcomes

A.7 Adopting a Preventative Approach

Not applicable

A.8 Supporting Sustainable Development

Not applicable

Appendix B

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

FARE TARIFF WITH EFFECT FROM 5 FEBRUARY 2016

Taxi and Private Hire Cars Fares

For 1 or 2 passengers	Tariff 1	Tariff 2	Tariff 3	Tariff 4
For the initial hire not exceeding 339m For the initial period of waiting time of 60 seconds For a combination of time and distance	£2.80	£3.20	£3.80	£4.00
For each additional 168.3m For each additional 30 seconds of waiting time For a combination of additional time and distance	£0.20	£0.20	£0.35	£0.35

Monday to Friday	
Tariff 1 – Monday – Friday 6am – 6pm	Tariff 2 – 6pm to 6am and, at weekends, from 6am on Saturday to 6am Monday

Christmas and New Year – Between 6pm on 24 December and 6am on 27 December and 6pm on 31 December and 6am on 3 January	
Tariff 3 – Monday – Friday 6am – 6pm	Tariff 4 – 6pm to 6am and, at weekends, from 6am on Saturday to 6am on Monday

Only 2 children under 12 years will be reckoned as one passenger. No extra fare will be charged for one child under 5 years. Each passenger must be properly seated.

Extra Payments	
When more than 2 passengers - £0.20 each Cleaning Fee – Travel Sickness - £20.00 Credit/Debit card payments - £1.00	Pre-bookings – Call Out Charge - £0.60 Cancellation Fee - £2.00

NOTES:

- 1 Fares applicable only in Midlothian.
- 2 Any hire which terminates outwith Midlothian – fare by agreement before journey.
- 3 Approved by General Purposes Committee, Midlothian Council on 5 January 2016.
- 4 Copies of the Conditions and Regulations available for inspection at the Taxi Examination Centre, 33 Murrayburn Road, Edinburgh, Police Scotland, Divisional Headquarters, Newbattle Road, Dalkeith and Midlothian House, Buccleuch Street, Dalkeith.

Appendix C

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

FARE TARIFF WITH EFFECT FROM XXX 2022 UNTIL XXXX 2023

Taxi Fares

For 1 or 2 passengers	Tariff 1	Tariff 2	Tariff 3
For the initial hire not exceeding 339m For the initial period of waiting time of 60 seconds For a combination of time and distance	£3.00	£3.80	£4.50
For each additional 168.3m For each additional 30 seconds of waiting time For a combination of additional time and distance	£0.25	£0.25	£0.40

Tariff 1 – Monday – Friday 6am – 6pm	
Tariff 2 – 6pm to 6am Monday to Friday and from 6pm on Friday to 6am Monday	

Tariff 3 - Christmas and New Year – Between 6pm on 24 December and 6am on 27 December and 6pm on 31 December and 6am on 3 January

Only 2 children under 12 years will be reckoned as one passenger. No extra fare will be charged for one child under 5 years. Each passenger must be properly seated.
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Extra Payments	
When more than 2 passengers - £0.20 each Cleaning Fee – Travel Sickness - £50.00	Pre-bookings – Call Out Charge - £0.60 Cancellation Fee - £2.00

Airport Charges It will be the responsibility of the passenger(s) to meet and charges imposed by an airport for waiting, setting down and picking up
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NOTES:

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