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Council Building
2 High Street
Perth
PH1 5PH

25/09/2023

A hybrid meeting of the **Licensing Committee** will be held in **the Council Chamber** on **Monday, 02 October 2023** at **13:00**.

If you have any queries please contact Committee Services on (01738) 475000 or email Committee@pkc.gov.uk.

THOMAS GLEN
Chief Executive

Those attending the meeting are requested to ensure that all notifications are silent on their device and other devices are in silent mode.

Please note that the meeting will be broadcast online and recorded. The recording will be publicly available on the Council's website following the meeting.

Members:

Bailie Mike Williamson (Convener)
Councillor Iain MacPherson (Vice-Convener)
Bailie Chris Ahern
Councillor Keith Allan
Councillor Hugh Anderson
Bailie Rhona Brock
Councillor Steven Carr
Councillor Michelle Frampton
Councillor Ken Harvey
Councillor David Illingworth
Councillor Crawford Reid
Councillor Willie Robertson
Councillor Grant Stewart

Licensing Committee

Monday, 02 October 2023

AGENDA

MEMBERS ARE REMINDED OF THEIR OBLIGATION TO DECLARE ANY FINANCIAL OR NON-FINANCIAL INTEREST WHICH THEY MAY HAVE IN ANY ITEM ON THIS AGENDA IN ACCORDANCE WITH THE COUNCILLORS' CODE OF CONDUCT.

- 1 WELCOME AND APOLOGIES**
- 2 DECLARATIONS OF INTEREST**
- 3 MINUTE OF MEETING OF LICENSING COMMITTEE OF 21 AUGUST 2023 FOR APPROVAL** **5 - 8**
(copy herewith)
- 4 COMMITTEE REPORT - GRANT OF A SHORT TERM LET LICENCE - LAWERS** **9 - 20**
Report by Head of Legal and Governance Services (copy herewith 23/260)
- 5 TAXI FARE REVIEW** **21 - 28**
Head of Legal and Governance Services (copy herewith 23/261)

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LICENSING COMMITTEE

Minute of hybrid meeting of the Licensing Committee held in the Council Chambers, 2 High Street, Perth, on Monday 21 August 2023 at 1:00pm.

Present: Bailie C Ahern and R Brock, Councillors K Allan, H Anderson, S Carr, M Frampton, K Harvey, D Illingworth, I MacPherson, C Reid (Up to Item P4) and G Stewart.

In Attendance: K Engelberts, J Guild, M McLaren, S Michie, M Pasternak, R Ramsay and D Rankine (all Corporate and Democratic Services), J Gordon and T Baynham (Police Scotland).

Apologies for Absence: Bailie M Williamson and W Robertson.

Councillor I MacPherson, Convener, Presiding.

1. WELCOME AND APOLOGIES

The Convener welcomed all present to the meeting. Apologies for absence were noted as above.

2. DECLARATIONS OF INTEREST

In terms of the Councillors Code of Conduct, Councillor M Frampton declared a non-financial interest in Item P4.

3. MINUTES

- (i) The Minute of Meeting of the Licensing Committee of 10 July 2023 was submitted and approved as a correct record.
- (ii) The Minute of Meeting of the Licensing Committee of 9 August 2023 was submitted and approved as a correct record.

IT WAS AGREED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH IS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973.

P1. GRANT OF TAXI DRIVER LICENCE –TD2241

There was submitted a report by the Head of Legal and Governance Services (23/216) together with a letter of objection dated 12 July 2023 from Police Scotland, regarding Grant of Taxi Driver Licence TD2241.

The applicant was in attendance via video link.

The representative of Police Scotland addressed the Committee and answered Members' questions. The applicant also addressed the Committee and answered Members' questions.

FOLLOW A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Application for Taxi Driver Licence No. TD2241, be refused.

P2. RENEWAL OF TAXI DRIVER LICENCE – TD442

There was submitted a report by the Head of Legal and Governance Services (23/217) together with a letter of objection dated 22 November 2022 and a request for suspension dated 2 November 2022, both from Police Scotland, regarding Renewal of Taxi Driver Licence TD442.

The applicant was in attendance.

The representative of Police Scotland addressed the Committee and answered Members' questions. The applicant also addressed the Committee and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Taxi Driver Licence No. TD442, be renewed.

P3. IMMEDIATE SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE – TD1681

There was submitted a report by the Head of Legal and Governance Services (23/218) together with two requests for suspension dated 18 July 2023 and 15 August 2023, both from Police Scotland, regarding Taxi/Private Hire Car Driver Licence TD1681.

The applicant failed to attend.

The representative of Police Scotland addressed the Committee and answered Members' questions.

Resolved:

Taxi/Private Hire Car Driver Licence No. TD1681, be suspended for the unexpired portion of the duration of the licence.

HAVING DECLARED AN INTEREST IN THE FOLLOWING ITEM, COUNCILLOR M FRAMPTON LEFT THE CHAMBER AT THIS POINT.

COUNCILLOR C REID LEFT THE MEETING AT THIS POINT.

P4. IMMEDIATE SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE – TD2189

There was submitted a report by the Head of Legal and Governance Services (23/219) together with a request for suspension dated 14 July 2023, from Police Scotland, regarding Taxi/Private Hire Car Driver Licence TD2189.

The applicant was in attendance.

The representative of Police Scotland addressed the Committee and answered Members' questions. The applicant also addressed the Committee and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Taxi/Private Hire Car Driver Licence No. TD2189, be suspended for the unexpired portion of the duration of the licence.

PERTH AND KINROSS COUNCIL – LICENSING COMMITTEE
2 October 2023
REPORT BY HEAD OF LEGAL AND GOVERNANCE SERVICES

TYPE OF APPLICATION	Grant of a Short-Term Let Licence
APPLICANT(S)	Fiona McLean-Foreman Provisional Licence Number: PK11347N (new operation)
PREMISES (if applicable)	■■■■ ■■■■ Lawers, Aberfeldy Perth and Kinross, ■■■■ ■■■■
THE APPLICATION	<p>Fiona McLean-Foreman has applied for a three-year short-term let licence as a new host (not operating prior to 1 October 2022).</p> <p>The Application has been validated by Licensing Officers and was sent out for consultation. Police Scotland, Scottish Fire and Rescue Services, and PKC Planning Department have stated they have no objections to this application.</p> <p>The Applicant’s property is a detached house.</p> <p>The property has four bedrooms and the Applicant has applied for a maximum capacity of eight guests.</p> <p>One letter of objection has been received with regard to this Application (see attached letter of objection).</p>
RELEVANT LICENSING POLICIES	<p>The Council’s Short Term Let Policy was approved by the Licensing Committee on 22 September 2022.</p> <p>The Council’s Short-Term Lets Policy focuses on ensuring that an efficient, effective and proportionate licensing scheme is in place, which is customised to the needs and circumstances of the Council’s local area and supports applicants who wish to obtain a short-term let licence.</p> <p>The aims of the licensing scheme are:</p> <ul style="list-style-type: none"> • to ensure all short-term lets are safe; • to facilitate licensing authorities in knowing and understanding what is happening in their area; and • to assist with handling complaints and address issues faced by neighbours effectively. <p>In assessing an application for a short-term lets licence, the Council will consider:</p> <ul style="list-style-type: none"> • the suitability of the person applying and that of the other people named on the application form (whether they are “fit and proper”); • compliance/ability to comply with mandatory conditions (applicable to all short-term lets across Scotland) (copy attached);

- compliance/ability to comply with any additional conditions that the Council might attach to the licence (either specific to the accommodation, or specific to short-term lets in Perth and Kinross); and
- the suitability of the premises in the context of Perth and Kinross Council's policies.

The Council may vary the terms of a licence on any grounds they think fit and can do this at any time. This can be done following an application made to the Council by the licence holder on their own initiative. This could include adding further conditions to the licence. The Council will consult with the statutory consultees and any other parties it considers appropriate.

Conditions attached to a Short-term Let Licence

Mandatory Conditions

Any Licence will be subject to Conditions. Under the 2022 Order, there are certain conditions which the Council must attach to a short-term let licence, irrespective of the type of short-term let granted, whether it is Secondary Letting, Home Letting, Home Sharing or Home Letting and Home Sharing. These are known as "mandatory conditions" and are detailed at Annex A.

Please note that the Council has no power to amend these mandatory conditions.

All applicants should ensure, prior to applying for a short-term let licence of any type that they are able to comply with the mandatory conditions attached to a licence. Applicants should also note that in term of listing their premises as a licensed short-term let, as required under mandatory condition 14, the listing must include the licence number provided by the Council and the valid energy performance certificate rating) if an Energy Performance Certificate is required for the premises, in accordance with the Energy Performance of Buildings (Scotland) Regulations 2008.

<p>LEGAL POSITION</p>	<p>The Civic Government (Scotland) Act 1982 provides grounds for refusal of a short-term let licence. Any decision to refuse a short-term let licence must be relevant to one or more the following grounds of refusal as detailed in the Civic Government (Scotland) Act 1982:-</p> <p>A licensing authority must grant the application unless one of the grounds of refusal exists. If, in the opinion of the Committee, a ground of refusal exists then the application must be refused.</p> <p>The grounds of refusal are:-</p> <p>(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either –</p> <p>(i) for the time being disqualified under section 7(6) of this Act, or</p> <p>(ii) not a fit and proper person to be the holder of the licence;</p> <p>(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application him/herself;</p> <p>(c) where the licence applied for relates to an activity consisting of or including the use of premises, those premises are not suitable or convenient for the conduct of the activity having regard to –</p> <p>(i) the location, character or condition of the premises;</p> <p>(ii) the nature and extent of the proposed activity;</p> <p>(iii) the kind of persons likely to be in the premises;</p> <p>(iv) the possibility of undue public nuisance; or</p> <p>(v) public order or public safety; or</p> <p>(ca)the applicant would not be able to secure compliance with:</p> <p>(i) the mandatory licence conditions, and</p> <p>(ii) the standard conditions and any further conditions to which the licence is to be subject;</p> <p>(cb)the application does not contain the consent of the owners of the premises; or</p> <p>(d) there is other good reason for refusing the application;</p> <p>and otherwise shall grant the application.</p> <p>In deciding whether or not to grant or renew a Licence, the Council will consider each Application on its own merits and will take into account the following:</p> <ul style="list-style-type: none"> • any Objections or Representations • this Licensing Policy Statement • any other relevant considerations
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<p>OPTIONS</p>	<p>The Committee need to consider whether the objection(s) received relate to the activity of a short term let licence.</p> <p>The options open to the Committee are therefore to:</p> <ul style="list-style-type: none"> • grant the application; • grant the application for a shorter period of time; • grant the application with additional conditions; or • refuse the application if one of the grounds for refusal exist.
<p>PROCEDURE</p>	<ul style="list-style-type: none"> • Identify parties • Consider any preliminary issues • Member of the public speak to their objection • Committee asks any questions to the objector • Applicant makes submission • Committee asks any questions of the applicant • Objector sums up • Applicant sums up • Committee makes decision

Annex A – Mandatory Conditions

Mandatory conditions will be applied to all types of short-term let licences (as specified in schedule 3 of the Order) and Temporary Exemptions. The following are mandatory conditions and will apply to all licences issued:-

Agents

1. Only those named as a holder of the licence can carry out the day to day management of the short- term let of the premises.

Type of licence

2. The holder of the licence may only offer the type of short-term let for which the licence has been granted.

Fire safety

3. The holder of the licence must ensure the premises has satisfactory equipment installed for detecting, and for giving warning of –
 - (a) fire or suspected fire, and
 - (b) the presence of carbon monoxide in a concentration that is hazardous to health.
4. The holder of the licence must keep records showing that all upholstered furnishings and mattresses within the parts of the premises which are for guest use, or to which the guests are otherwise permitted to have access, comply with the Furniture and Furnishings (Fire Safety) Regulations 1988⁽¹⁾.

Gas safety

5. Where the premises has a gas supply -
 - (a) the holder of the licence must arrange for an annual gas safety inspection of all gas pipes, flues and appliances in the premises,
 - (b) if, after an annual inspection, any appliance does not meet the required safety standard, the holder of the licence must not allow a short-term let of the premises until the works necessary to bring the appliance to the required safety standard have been carried out.

Electrical safety

6. Where there are electrical fittings or items within the parts of the premises which are for guest use, or to which the guests are permitted to have access, the holder of the licence must -
 - (a) ensure that any electrical fittings and items are in -
 - (i) a reasonable state of repair, and
 - (ii) proper and safe working order,

- (b) arrange for an electrical safety inspection to be carried out by a competent person at least every five years or more frequently if directed by the competent person,
 - (c) ensure that, following an electrical safety inspection, the competent person produces an Electrical Installation Condition Report on any fixed installations,
 - (d) arrange for a competent person to—
 - (i) produce a Portable Appliance Testing Report on moveable appliances to which a guest has access, and
 - (ii) date label and sign all moveable appliances which have been inspected.
7. In determining who is competent, the holder of the licence must have regard to guidance issued by the Scottish Ministers under section 19B(4) of the Housing (Scotland) Act 2006.

Water safety: private water supplies

8. Where the premises are served by a private water supply, the licence holder must comply with the requirements on the owners of private dwellings set out in the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017.

Water safety: legionella

9. The holder of the licence must assess the risk from exposure to legionella within the premises, whether or not the premises are served by a private water supply.

Safety & repair standards

10. (1) The holder of the licence must take all reasonable steps to ensure the premises are safe for residential use.
- (2) Where the premises are subject to the requirements of Chapter 4 of Part 1 of the Housing (Scotland) Act 2006, the holder of the licence must ensure that the premises meet the repairing standard.

Maximum Occupancy

11. The licence holder must ensure that the number of guests residing on the premises does not exceed the number specified in the licence.

Information to be displayed

12. The holder of the licence must make the following information available within the premises in a place where it is accessible to all guests -
- (a) a certified copy of the licence and the licence conditions,
 - (b) fire, gas and electrical safety information,
 - (c) details of how to summon the assistance of emergency services,

- (d) a copy of the gas safety report,
- (e) a copy of the Electrical Installation Condition Report, and
- (f) a copy of the Portable Appliance Testing Report.

Planning Permission

13. Where the premises is in a short-term let control area for the purposes of section 26B of the Town and Country Planning (Scotland) Act 1997(4) (“the 1997 Act”), the holder of the licence must, where the use of the premises for a short-term let requires planning permission under the 1997 Act, ensure that either—
- (a) an application has been made for planning permission under the 1997 Act and has not yet been determined, or
 - (b) planning permission under the 1997 Act is in force.

Listings

14. (1) The holder of the licence must ensure that any listing or advert (whether electronic or otherwise) for the short-term let of the premises includes -
- (a) the licence number, and
 - (b) a valid Energy Performance Certificate rating if an Energy Performance Certificate is required for the premises, in accordance with the Energy Performance of Buildings (Scotland) Regulations 2008(5).
- (2) The holder of the licence must ensure that any listing or advert (whether electronic or otherwise) for the short-term let of the premises is consistent with the terms of the short-term let licence.

Insurance

15. The holder of the licence must ensure that there is in place for the premises -
- (a) valid buildings insurance for the duration of the licence, and
 - (b) valid public liability insurance for the duration of each short-term let agreement.

Payment of fees

16. The holder of the licence must pay any fees due to the licensing authority in respect of the licence on demand.

False or misleading information

17. The holder of the licence must not provide any false or misleading information to **the licensing authority.**

Interpretation

18. In this schedule -

“Electrical Installation Condition Report” means a report containing the following information –

- (a) the date on which the inspection was carried out,
- (b) the address of the premises inspected,
- (c) the name, address and relevant qualifications of the person who carried out the inspection,
- (d) a description, and the location, of each installation, fixture, fitting and appliance inspected,
- (e) any defect identified,
- (f) any action taken to remedy a defect,

“Energy Performance Certificate” means a certificate which complies with regulation 6 of the Energy Performance of Buildings (Scotland) Regulations 2008),

“gas safety report” means a report containing the following information -

- (a) the date on which the appliance or flue was checked,
- (b) the address of the premises at which the appliance or flue is installed,
- (c) a description of and the location of each appliance or flue checked,
- (d) any safety defect identified,
- (e) any remedial action taken,
- (f) confirmation that the check undertaken complies with the requirements of an examination of -
 - (i) the effectiveness of any flue,
 - (ii) the supply of combustion air,
 - (iii) subject to head (iv), its operating pressure or heat input or, where necessary,
 - (iv) if it is not reasonably practicable to examine its combustion performance,
 - (v) its operation so as to ensure its safe functioning,
- (g) the name and signature of the individual carrying out the check, and
- (h) the registration number with which that individual, or that individual’s employer, is registered with a body approved by the Health and Safety Executive for the purposes of regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998(7),

“holder of the licence” means any person to whom a short-term let licence has been granted or jointly granted,

“home letting” means a short-term let consisting of the entering into of an agreement for the use, while the host is absent, of accommodation which is, or is part of, the host’s only or principal home,

“home sharing” means a short-term let consisting of the entering into of an agreement for the use, while the host is present, of accommodation which is, or is part of, the host’s only or principal home,

“premises” means the accommodation which is the subject of an application for a short-term licence or the subject of a short-term licence,

“repairing standard” means the steps which the holder of the licence is required to take to comply with the obligations placed on the holder by Chapter 4 of Part 1 of the Housing (Scotland) Act 2006(8),

“secondary letting” means a short-term let consisting of the entering into of an agreement for the use of accommodation which is not, or is not part of, the licence holder’s only or principal home,

“short-term let” has the same meaning as in article 3 of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022,

“short-term let licence” means a licence for a short-term let, and “type of short-term let” means one of the following purposes -

- (a) secondary letting,
- (b) home letting,
- (c) home sharing, or
- (d) home letting and home sharing.

CDS STL

From: [REDACTED] >
Sent: 08 July 2023 09:36
To: CDS STL
Subject: Short term letting application; [REDACTED]

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Licensing Committee

CAUTION: This email originated from an external organisation. Do not follow guidance, click links, or open attachments unless you have verified the sender and know the content is safe.

Dear PKDC

We are the owners of [REDACTED] [REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

We have owned the property for some 27 years, and I believe our neighbours at [REDACTED] [REDACTED] as a family, for around 29. We have had an informal but respectful and cordial relationship with each other over the years and as far as I'm aware always discussed plans and changes we have had in mind that might impact others.

Thus, we are somewhat surprised that there has no communication other than this public notice from our [REDACTED] [REDACTED] [REDACTED]. This is very disappointing to us, and appears to be a change to how we have co-existed for over a quarter of a century

The properties have been used by family and family friends over that period, so the concept of having public [REDACTED], and coming down to a [REDACTED] is very much a change of use. It is our recollection from when we bought our property from the then owners, [REDACTED] who still own the third property, was that it was not to be used as a rental property.

It is our understanding from the title deeds that the [REDACTED] [REDACTED]
[REDACTED]

The map that goes with title deeds with respect to [REDACTED] is hand drawn, which we would suggest goes along with the more informal nature of how we have operated.

Our neighbours have recently put up a post blocking what has been understood to be the [REDACTED]
[REDACTED] We imagine this is related to this application.

Due to the reasons outlined above we feel, at this stage we must formally object to this application being granted. To summarise our reasons.

We have had no communication from our neighbours as to this change of use which is in contrast to how we have co-existed for over a quarter of a century. Thus we have no idea just how [REDACTED] intend to run this lease.

Short term leases via internet advertising with air bnb and the likes is a very different concept to family and friends use. This is a real concern for us with respect to privacy and [REDACTED] for our very [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

We would like to note that we are not unreasonable and not against things changing and moving with the times. However, this application appears to have been made for an activity that is a significant change in use for [REDACTED] [REDACTED] without any information passed to fellow owners about what's envisaged, with [REDACTED] [REDACTED] [REDACTED]

I would be grateful if you would confirm receipt of the email and it's contents to our email address

Sincerely

[REDACTED]

[REDACTED]

[REDACTED]

PERTH AND KINROSS COUNCIL

Licensing Committee

2 October 2023

TAXI FARE REVIEW

Report by Head of Legal and Governance Services

(Report No 23/261)

1. PURPOSE

- 1.1 The Council is required to review the scales of fares for Taxis in this area at intervals of not more than 18 months. This report asks the Licensing Committee to make a decision on a request for amendments to the current taxi fare scales in order that they can be included within the forthcoming taxi fare review consultation.

2. RECOMMENDATIONS

- 2.1 It is recommended that the Licensing Committee:
- Makes a decision in relation to the proposed options to change the current taxi fare scales; and
 - Instruct the Licensing Manager to proceed with the taxi fare review consultation process and bring a further report to the committee with the results of the consultation.

3. STRUCTURE OF REPORT

- 3.1 This report is structured over the following sections:
- Section 4: Background
 - Section 5: Proposals
 - Section 6: Conclusion

4. BACKGROUND / MAIN ISSUES

- 4.1 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 fares and other taxi related charges every 18 months. The current fares were last reviewed at the Licensing Committee meeting held on the 7 April 2022 (Report number 22/70). It was agreed that a 15% increase be applied across all three tariffs. Whilst obliged to carry out a review, the Council is not obliged to increase (or decrease) maximum fares.

4.2 The 1982 Act sets out the process to be followed when carrying out a review. All individual operators and organisations representing, or appearing to be, representative of the operators of taxis are consulted in relation to proposals for a fare increase.

4.3 As the Committee is aware, the Council operates 3 tariffs. These provide for increasing rates from tariff 1 to tariff 3.

- Tariff 1 applies from 0630 hours until 2300 hours and for the first 880 yards of a journey with certain further provisos.
- Tariff 2 applies between 2300 hours and 0630 hours, again with provisos.
- Tariff 3 applies during the Christmas and New Year periods also with provisos.

A copy of the current approved tariffs is shown as Appendix 1 of his report.

4.4 At the last review process carried out in 2022, several operators expressed an interest that they wished the taxi fare tariffs to be reformed in line with that of another council which operates several tariffs, one of which allows operators to charge more for upwards of 5 passengers. In report number 22/70 dated 7 April 2022 it was stated that 'a comprehensive review of the Taxi Fare tariffs would require to be commissioned externally, with associated costs being met from operator fees. Officers will give further consideration to this proposal and engage further with operators and revert back to Committee with a further report in due course, should a comprehensive review be considered necessary'. After receiving the noted requests below from the Taxi Federation Group, it was decided that a comprehensive review was not deemed necessary.

4.5 A Taxi Federation Group has been established which comprises of licensed taxi and private hire vehicle drivers and operators. Those members who attend the Taxi Federation, have requested the following changes to the current tariffs for the committee to consider:

- the introduction of an additional tariff to be used for larger vehicles within the fleet which can carry 5 or more passengers for example a minibus. These larger vehicles are more costly to run and have a heavier fuel burden and upkeep than saloon vehicles. Tariff 2 would be utilised only when transporting 5 or more passengers any time of day or night;
- the introduction of a new Tariff 4 to be used when carrying 5 or more passengers for hirings begun on December 24,25,26,31 and January 1 and 2.
- the ability to charge Tariff 2 from 10pm until 6am. Currently, Tariff 2 is utilised between 11pm and 6.30am. Neighbouring local authority areas charge Tariff 2 between 10pm and 6am with some charging Tariff 2 between 6pm and 6am and 9pm and 6am;
- any bridge tolls or airport parking charges should be met by the customer (only chargeable on production of a receipt to the hirer);
- to delete the Spring Bank Holiday, May Bank Holiday and August Bank Holiday from the current Tariff Card with only the Easter holidays

(operate Tariff 2), Christmas and New Year holidays (operate Tariff 2 and 3) remaining;

- increase the soiling charge to £75.00. Currently the soiling charge is £50.00 and the trade feel that this is not enough to cover the cost of a full valet. In addition, vehicles must be taken off the road until a full valet has been carried out resulting in loss of income to the operator.

4.6 The Taxi Federation Group were also asked to provide a proposed fare increase for consultation and have proposed the following for the Licensing Committee to consider: -

- 7.5% increase;
- 10% increase; or
- no change to the current tariffs

The Federation Group further requested that the charge for additional yards across all tariffs revert to 10 pence as the current 12 pence is disliked by customers and operators.

4.7 Should the Committee approve these in principle the proposals will now be required to go out for consultation with members of the public and other interested parties and a report will be provided to the Licensing Committee with the results of the consultation in due course.

4.8 All taxi operators and private hire operators with vehicles who have meters fitted will be written to by email and/or post and asked for their proposals for any changes. Operators will be given one calendar month to respond. It is proposed to make use of the Council's Consultation Hub in addition to messages being placed on the Council's Facebook page and Twitter feed to allow members of the public to provide a view should they wish to do so.

5. PROPOSALS

5.1 The Committee has three possible courses of action open to it:

Option 1 – Agree in principle to consult on the requested options to change the taxi tariffs and scales;

Option 2 – Agree to consult on some of the requested options;

Option 3 – Make no change to the current taxi tariffs and scales.

6. CONCLUSION

6.1 This report refers to proposed changes to the current taxi tariffs and scales and sets out the options available to the Licensing Committee. The Committee should consider the balance between costs to the operator with regard to the running and upkeep of vehicles alongside how any increase in fares may affect paying members of the public.

Author

Name	Designation	Contact Details
D. Gilkison	Licensing Manager	(01738) 475159 civildicensing@pkc.gov.uk

Approved

Name	Designation	Date
Sarah Rodger	Legal Manager	13/09/2023

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan	Yes
Corporate Plan	Yes
Resource Implications	
Financial	None
Workforce	None
Asset Management (land, property, IST)	None
Assessments	
Equality Impact Assessment	None
Strategic Environmental Assessment	None
Sustainability (community, economic, environmental)	None
Legal and Governance	None
Risk	None
Consultation	
Internal	None
External	Yes
Communication	
Communications Plan	None

1. Strategic Implications

Community Plan

- 1.1 Maintaining the current fare structure for the hire of Taxis and Private Hire vehicles will promote a prosperous, inclusive and sustainable economy by allowing affordable travel for members of the community. Equally it will support people to lead independent, healthy and active lives.

Corporate Plan

- 1.2 Offering an affordable travel option will promote an inclusive economy and support people to lead independent lives. It will give access to commercial and leisure venues throughout the region to the benefit of all.

2. Resource Implications

Financial

- 2.1 Not applicable

Workforce

- 2.2 Not applicable

3. Assessments

Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

A full Equality Impact Assessment will be carried out at the consultation stage of the taxi fare review process.

Strategic Environmental Assessment

- 3.2 Not applicable

4. Consultation

Internal

- 4.1 None

External

Taxi Federation at this initial stage of the fare review.

2. BACKGROUND PAPERS

- 2.1 Appendix 1 – Current Tariff Card

Perth & Kinross Council - Civic Government (Scotland) Act 1982 - Scale of Taxi Fares

Tariff 1

For Hirings between 0630 hrs and 2300 hrs excluding Sundays and specified Public Holidays set out in Tariff 2. If the initial distance does not exceed 880 yards: for the whole distance £3.45. If the distance exceeds 880 yards: for the first 880 yards £3.45 and for each additional 110 yards or part thereof, 12 pence.
The charge for waiting time will be 23 pence per minute.

Tariff 2

- (a) For Hirings between 2300 hrs and 0630 hrs excluding December 24, 25, 26, 31 and January 1 and 2.
- (b) For Hirings begun on a Sunday except if Sunday falls on December 24, 25, 26, 31 and January 1 and 2.
- (c) For Hirings begun on Good Friday, Easter Monday, May Day Bank Holiday, Spring Bank Holiday and August Bank Holiday.

If the initial distance does not exceed 880 yards: for the whole distance, £4.37. If the distance exceeds 880 yards: for the first 880 yards, £4.37 and for each additional 88 yards or part thereof, 12 pence.
The charge for waiting time will be 29 pence per minute.

Operator _____

Tariff 3

- (a) For Hirings begun on December 24, 25, 26, 31 and January 1 and 2.

If the initial distance does not exceed 880 yards: for the whole distance, £5.18. If the distance exceeds 880 yards: for the first 880 yards, £5.18 and for each additional 74 yards or part thereof, 12 pence.
The charge for waiting time will be 34 pence per minute.

Soiling Charge

A charge of £50.00 for any person soiling the vehicle.

Notes

- (a) All fares inclusive of VAT.
- (b) The driver must assist in loading and unloading without extra charge.
- (c) When a taxi is called but not used, a charge shall be allowed as regards distances as if the taxi had been occupied from the time it left the stance.

Complaints

Any complaints should be directed to civildicensing@pkc.gov.uk or via the online complaint system at www.pkc.gov.uk The number of the taxi should always be quoted.

Licence No _____

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