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EXECUTIVE COMMITTEE TUESDAY, 17 OCTOBER 2017

A MEETING of the EXECUTIVE COMMITTEE will be held in the COUNCIL CHAMBER, COUNCIL HEADQUARTERS, NEWTOWN ST BOSWELLS, TD6 0SA on TUESDAY, 17 OCTOBER 2017 at 10.00 am

J. J. WILKINSON,
Clerk to the Council,

10 October 2017

BUSINESS		
1.	Apologies for Absence	
2.	Order of Business	
3.	Declarations of Interest	
4.	Minute (Pages 1 - 6) Minute of Meeting held on 19 September 2017 to be approved and signed by the Chairman. (Copy attached).	2 mins
5.	Taxi Fares Review 2017/18 (Pages 7 - 24) To consider report by Service Director Regulatory Services. (Copy attached).	20 mins
6.	Any Other Items Previously Circulated	
7.	Any Other Items which the Chairman Decides are Urgent	
8.	PRIVATE BUSINESS Before proceeding with the private business, the following motion should be approved:- "That under Section 50A(4) of the Local Government (Scotland) Act 1973 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 7A to the aforementioned Act."	
9.	Minute of Social Work Complaints Review Committee (Pages 25 - 30) Consider Private Minute of Meeting held on 23 August 2017. (Copy attached).	5 mins

NOTES

- 1. Timings given above are only indicative and not intended to inhibit Members' discussions.**
- 2. Members are reminded that, if they have a pecuniary or non-pecuniary interest in any item of business coming before the meeting, that interest should be declared prior to commencement of discussion on that item. Such declaration will be recorded in the Minute of the meeting.**

Membership of Committee:- Councillors S. Haslam (Chairman), S. Aitchison (Vice-Chairman), G. Edgar, C. Hamilton, E. Jardine, W. McAteer, T. Miers, S. Mountford, M. Rowley, G. Turnbull and T. Weatherston

Please direct any enquiries to Judith Turnbull Tel No. 01835 826556
Email:- judith.turnbull@scotborders.gov.uk

**SCOTTISH BORDERS COUNCIL
EXECUTIVE COMMITTEE**

MINUTE of Meeting of the EXECUTIVE COMMITTEE held in the Council Chamber, Council Headquarters, Newtown St Boswells, TD6 0SA on Tuesday, 19 September 2017 at 10.00 am

Present:- Councillors S. Aitchison (from para1.1), G. Edgar, S. Haslam, E. Jardine, W. McAteer, T. Miers, S. Mountford, M. Rowley, G. Turnbull, T. Weatherston.
Also present:- Councillor Heather Anderson.
Absent:- Councillor C. Hamilton.
In Attendance:- Executive Director (R. Dickson), Chief Financial Officer, Democratic Services Team Leader, Democratic Services Officer (F. Henderson).

ECONOMIC DEVELOPMENT BUSINESS

Present: Mr J. Clark (Chamber of Commerce), Mr G. Henderson (Federation of Small Businesses).

CHAIRMAN

Councillor Rowley chaired the meeting for consideration of the Economic Development business.

1. ECONOMIC DEVELOPMENT UPDATE

1.1 With reference to paragraph 1 of the Minute of 31 January 2017, there had been circulated copies of a briefing note providing an update on recent Economic Development activities and the Executive Director summarised the main points. With regard to business activity during the quarter, the Business Gateway team had assisted 70 business start-ups, of which 12 had met the new classification of 'Early Stage' growth. The advisers had delivered 26 start-up workshops and 16 Growth workshops with 378 attendees. Business Gateway had worked across the Scottish Borders meeting with a number of intermediaries (such as bank managers, accounts and solicitors) promoting the services for small businesses available through Business Gateway and the Council. A new Business Gateway Manager, Rob Claridge had been appointed in August 2017 on a temporary contract. For the period 1 January 2017 to 22 August 2017, the Scottish Borders Business Fund received 33 applications and approved 23 grants valued at £74,067.16 supporting projects with a value of £153,787.58. These projects were forecast to create 48.5 jobs with a forecast economic impact of £891,986 GVA. Business Loans Scotland, a new national Local Authority Loan Scheme was launched in April 2017 after a number of delays and the first loan to a Scottish Borders business had gone through at £100,000.

1.2 In terms of Regeneration the Council had secured £3.625million from the Scottish Government in March 2017 for the development of three key strategic sites in Hawick as part of the Hawick Business Growth Project - Former Armstrong's Building; Galalaw Business Park and Tower Mill, Heart of Hawick. Energise Galashiels were progressing a town centre Business Improvement District (BID) for Galashiels having secured funding of £55,000 from BIDs Scotland, Scottish Borders Council and the Borders Railway Blueprint Fund. The BID aimed to increase town centre footfall, promote Galashiels as a visitor destination and provide a world class visitor experience. A project manager had been appointed and local businesses would be consulted to develop a 5 year plan. The Galashiels town centre BID had the potential of generating approximately £750,000 over

the 5 year term, which would be managed by the BID Company to deliver the business plan. It was anticipated the project would progress to ballot in October 2018. In terms of Tourism and Events, SRPS ran Steam trains each Sunday in August 2017 from Fife to Tweedbank. On arrival they had pre-booked excursions to Melrose, Abbotsford or Season's restaurant. The trains were at capacity with 400 passengers on each journey and it was anticipated that there would be no subsidy required and this would grow in the future. European funding continued to be available to projects through the Scottish Borders LEADER and European Maritime Fisheries Fund 2014 – 2020 programmes. The UK and Scottish Governments had confirmed that applicants whose grant funding was agreed and contracted before the point of 'Brexit' would be able to complete their projects, even if the work was scheduled to take place after leaving the EU. Councillors congratulated the Team on attracting the Tour of Britain once more through the Borders. The television coverage had been very good for tourism and had attracted large crowds. Information on occupancy levels compared to last year was requested together with information regarding occupancy levels at the Business Hub in Kelso. In relation to the former Armstrong's Building an update was requested and information about Leader Funding would be circulated to the Committee.

DECISION

- (a) NOTED the update.**
- (b) AGREED that the Chief Officer Economic Development:-**
 - (i) provide an analysis of the location of the 46 business start-ups assisted by the Business Gateway in the last quarter;**
 - (ii) review the presentation of the data in the Town Centre Matrix and Town Centre Index document in the light of Members' comments above; and**
 - (iii) provide the update information as requested above.**

MEMBER

Councillor Aitchison joined the meeting during consideration of the above item.

2. BUSINESS GATEWAY – ANNUAL REPORT AND BUSINESS PLAN 2017-18

With reference to paragraph 3 of the Minute of Executive dated 1 November 2016, there had been circulated copies of a report by the Executive Director which summarised the Business Gateway service's performance in 2016/17 and sought approval of the Business Plan for the delivery of Business Gateway Services in the Scottish Borders to 31 March 2018. 2016/17 saw the majority of national targets being achieved by the Business Gateway team with a particularly good performance around business growth. The strongest performance was on identification of businesses starting a growth plan, giving a strong base for future years' activities. The plan for 2017/18 was to continue to use the European Regional Development Fund to deliver additional Growth activity. A new dedicated Business Gateway Manager would be appointed and the office would trade from new premises at Tower Mill, Hawick. The focus on geography would continue with an adviser being allocated to each locality and the premises agreement with Live Borders would allow a greater roll-out of workshops across the Borders. Emphasis would continue to be applied in the areas of Exporting and Innovation for local businesses. In the next 12 months Business Gateway would continue to deliver against the agreed National Service Specification and would aim to achieve the outcomes set out in the ERDF operation plan. Using EU Funds, the Business Plan would enhance service delivery at the local level by aligning to the priorities in the Local Outcome Improvement Plans (LOIP) and the Scottish Borders Economic Strategy 2023. Mr McCreadie answered Members questions and noted the request to look at the collection of local data regarding the number of new businesses who were still trading after 3 years now that this information was not being collected nationally.

**DECISION
AGREED:-**

- (a) to acknowledge the strong performance and positive impact of the Business Gateway service in 2016-2017;
- (b) to approve the 2017-2018 Business Plan for Business Gateway in line with the national service specification, including the proposed reporting indicators in Table 2; and
- (c) that an annual review meeting be held in November 2017 with a range of Business Gateway customers to allow elected members to directly receive customer feedback.

3. **SOUTH OF SCOTLAND ENTERPRISE AGENCY - UPDATE** With reference to paragraph 9 of the Executive Minute of 7 March 2017, there had been circulated copies of a report by the Executive Director which updated Members on the progress of the Scottish Government's Enterprise and Skills Review. The report highlighted the announcement of a new South of Scotland Enterprise Agency and the forthcoming steps in its development. The report explained that as part of the outcomes from Phase 2 of the Enterprise and Skills Review, the Scottish Government had now made a crucial commitment to create a new South of Scotland Enterprise Agency covering Dumfries & Galloway and the Scottish Borders. The opportunity to establish a new South of Scotland Enterprise Agency was a once in a generation opportunity that had the potential to improve the level of investment in economic growth, enterprise, skills and innovation across the Scottish Borders and the South of Scotland. While subject to Parliamentary process, the aim was to ensure that the new Agency was fully operational by 1 April 2020. In view of the time required to complete the statutory processes, Scottish Government Ministers had given a commitment that an interim approach would be put in place by the end of 2017 to ensure that the South of Scotland benefits from a new approach to economic development as soon as possible. The two years of interim arrangements offered the opportunity to work towards a clear economic plan for the South of Scotland, understand how best to deliver improvements through the drivers of productivity; to carry out some early projects; and to address inclusive growth factors. It was anticipated that the interim period would enable different approaches to be tested in the region and, importantly, that it allowed crucial building blocks to be put in place so that the new agency operated effectively from inception. Members welcomed developments.

**DECISION
AGREED:-**

- (a) to support strongly the proposal by the Scottish Government to establish a new South of Scotland Enterprise Agency, recognising the positive potential it would have for the Scottish Borders and the South of Scotland;
- (b) to support strongly the proposal by the Scottish Government to establish Interim Arrangements by the end of 2017;
- (c) that the Council should place a high priority on this work and continue to engage with the Scottish Government and other stakeholders in order to develop detailed proposals for South of Scotland Enterprise Agency and the Interim Arrangement; and
- (d) to receive a future report as proposals developed further.

4. **SELKIRK BUSINESS IMPROVEMENT DISTRICT PROPOSAL**

There had been circulated copies of a report by the Executive Director which outlined the Business Improvement District (BID) Proposal, developed by Selkirk Chamber of Trade. The report highlighted the role and contribution from the Council and recommended appropriate support. Business Improvement District (BID) initiatives were promoted by the Scottish Government to support sustainable economic growth. The BID model, led by the private sector, stimulated partnership working to enable investment in improvements to the local business environment. Selkirk Chamber of Trade began their BID development process with a proposal to develop a joint BID for the town centre and the Riverside area. Shortly thereafter, they opted to develop two separate BIDs, one for the town centre and one for the Riverside area. Due to a range of operational difficulties, the Steering Group had recently agreed with BIDS Scotland and Scottish Borders Council to only progress the Selkirk Town Centre BID at this stage. The Selkirk Town Centre BID ballot date was set for 30 November 2017. The Selkirk Town Centre BIDS business plan had a range of projects in three themed areas including 'Flying the Flag for Selkirk', 'Helping Businesses to Thrive' and 'Improving the town's visual appearance'. The BID levy would provide an estimated £18,690 per annum and the Steering Group anticipated increasing this by a further £5,000 per annum with funding applications from other external sources. If the BID ballot was successful, the BID business plan would be implemented over a five year period. Members asked for an update report in due course.

DECISION

AGREED:-

- (a) **to Support the Selkirk Town Centre BID and note the intended 30 November 2017 ballot date;**
- (b) **that the Council's Democratic Services team manages the BID Ballot process; and the Council's Customer Service Team provide the financial management of the BID levy at the proposed fee level of £2,500 per annum;**
- (c) **to note the financial implications of £2,405 per annum for the Council and Live Borders for their BID Levy contributions;**
- (d) **to support the BID initiatives with 'Yes' votes for Council and Live Borders properties; and**
- (e) **to request that appropriate mitigating actions were taken by the BID Steering Group in relation to the risks highlighted; and that an Elected Member of the Council be represented on the BIDs Levy Board along with a Council officer for advisory support.**
- (f) **that a progress report be presented in due course.**

ADJOURNEMENT

The meeting adjourned at 11.35 a.m. and reconvened at 11.45 a.m.

OTHER BUSINESS

CHAIRMAN

Councillor Haslam took the Chair for the remaining business.

5. MINUTE

The Minute of meeting of the Executive Committee of 5 September 2017 had been circulated.

DECISION

APPROVED for signature by the Chairman.

6. CORPORATE TRANSFORMATION PROGRESS REPORT

There had been circulated copies of a report by the Executive Director which updated the Group on progress in developing and delivering the Council's Corporate Transformation Programme in the period to end July and set out planned activity in the reporting period to October 2017. This was the ninth quarterly progress report since the Programme was established in February 2015. The Corporate Transformation Programme set out a far-reaching programme of change to enable the Council to respond to unprecedented social, demographic and economic challenges. The Programme supported the delivery of the 8 Corporate Priorities and the delivery of the significant savings set out in the 5-year Financial Strategy. Building on the previous Business Transformation approach, the Programme – together with a range of service improvement and efficiency initiatives across all Council services – had delivered substantial change and supported the delivery of £26.7m in savings between 2013/14 and 2016/17. With the Programme now having been up-and-running for over two years there was an opportunity to review and reshape the Programme, particularly given the recent election of a new Council with a new Administration and the need to ensure that the Programme was aligned with their priorities and ambitions. Proposals would be developed for discussion at a future Executive with a view to presenting a refocused Programme to Council in February 2018 as part of the annual report on the Programme. The report detailed the background and the sub-programmes and projects of the Corporate Transformation Programme. Mr Dickson answered Members questions and advised that the appendix to the report relating the Year 1 Evaluation of the Railway had been omitted and would be circulated to Members following the meeting.

DECISION

NOTED the continued progress made in developing and delivering the corporate Transformation Programme.

7. OVERVIEW OF SBC'S COMPLAINTS ANNUAL PERFORMANCE REPORT 2016/17

With reference to paragraph 14 of the Minute of the Executive held on 14 August 2016, there had been circulated copies of a report by the Service Director, Customer and Communities which presented a summary of Scottish Borders Council's Complaints Annual Performance Report 2016-17 contained in Appendix 1 of the report, and provided a summary of the eight performance indicators that the Scottish Public Services Ombudsman (SPSO) required all Local Authorities to report against each year. A summary of the main changes to performance in 2016-17 was provided in Section 4 of the report and included an overall increase in the number of complaints received online. Between 2015/16 and 2016/17 there was a 61% increase in the number of complaints received online. Although there was a slight increase in the complaints received the number classed as 'Valid' was similar; 563 compared to 564 last year. The increase (8%) of 'invalid' complaints for 2016/17 may be due to the increase in complaints made through the online channel and customers may have submitted complaints using the online portion that were actually requests for service and not complaints. In relation to timescales set by the SPSO, Scottish Borders Council continued to perform well against the Scottish averages and similar Scottish Local Authorities in relation to the 8 SPSO performance Indicators. However, resolving more complaints at frontline would remain a priority during 2017/18, and would be a key part of SBC's customer strategy which was currently being developed. In response to Members receiving complaints about the 0300 telephone number, Mrs Craig undertook to investigate this.

DECISION

(a) NOTED the performance of handling complaints for the period 1 April 2016 to 31 March 2017.

(b) ENDORSED the identified actions to:

- (i) **Improve frontline responses and reduce the number of complaints that are escalated to Stage 2;**
 - (ii) **Improve online guidance to assist customers to better distinguish between a request for service and a complaint;**
 - (iii) **Continue to engage with LACHN who are working to improve performance across all Local Authorities, and to produce meaningful benchmarking data; and**
 - (iv) **Ensure the developing Customer Strategy reflects improved complaints handling.**
- (c) **APPROVED the annual report, as contained in the appendix to the report, to be submitted to the SPSO and published on SBC's website.**

8. **PRIVATE BUSINESS
DECISION**

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this minute on the grounds that it involved the likely disclosure of exempt information as defined in the relevant paragraphs of part 1 of schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

9. **MINUTE**

The private section of the Minute of 5 September 2017 was approved.

The meeting concluded at 11.45 am

ANNUAL TAXI FARES REVIEW 2017/18

Report by Service Director Regulatory Services

EXECUTIVE COMMITTEE

17 OCTOBER 2017

1 PURPOSE AND SUMMARY

- 1.1 **This report advises Members of the recent consultations undertaken in connection with the statutory review of the current scale of charges for taxi fares. The Council as licensing authority is required in terms of Section 17 of the Civic Government (Scotland) Act 1982 ("the Act") to review the scales for fares and other charges in connection with the hire of a taxi at intervals not exceeding 18 months of the last review.**
- 1.2 For 2017/8 the formula which the Council uses to review taxi rates delivered a variation percentage of -0.45% on the usual indicators over the previous 12 months. Paragraph 3.3 of this report explains the Councils current formula.
- 1.3 Whilst the officers are recommending that taxi fares remain unaltered in 2018, Members should also consider that during the statutory consultation with representatives of the trade within the area, a submission proposing an increase of 5% has been made. Paragraph 4.6 explains the proposal.
- 1.4 In an effort to provide members with further consideration a comparison with the Retail Prices Index (RPI) a national indicator often used for annual or monthly comparisons has been included in paragraph 4.7

2 RECOMMENDATIONS

- 2.1 **I recommend that the Executive Committee agrees:**
 - (a) **that taxi fare rates should remain unaltered in line with the outcome of the Council's established formula;**
 - (b) **a further review of the taxi fare settings is undertaken and implemented within 18 months of this review.**

3 BACKGROUND

- 3.1 Scottish Borders Council, as Licensing Authority is required under Section 17 of the Act to review and then fix scales for fares and other charges at intervals of not exceeding 18 months from the date the last scales came into effect. The current scales came into effect on 4 October 2016.
- 3.2 Any fares set by the Council are the MAXIMUM that may be charged. For every journey undertaken the taxi meter must be working and switched on and the metered fare clearly displayed. Operators may choose to discount fares if they wish.

A guide to the current fares/mileage is attached as APPENDIX 1 for information.

- 3.3
- a. Since 2009 the Council has used the same formula to calculate the annual revision of taxi fares.
 - b. A guide to the formula is attached as APPENDIX 2
 - c. This formula which was agreed by the Executive on 27 January 2009 comprises 45% vehicle related costs (fuel prices, insurance charges, purchase and maintenance of vehicles) + 55% local wage levels.
 - d. It was devised by the Council's Business Information Unit in accordance with guidelines advised by the Traffic Commissioner. All of the figures used in the formula are sourced from the Office of National Statistics.
 - e. A consultation on the future use of the formula was undertaken by Council Officers and the Taxi Trade in 2014.
 - f. Following the consultation the Council agreed to maintain the formula in its current format for a further 3 years, whereupon it should be reviewed again.
 - g. The Council will review the formula again in 2018.

- 3.4 In previous years the use of the formula has resulted in fare revisions of

2010/11	3.81%
2011/12	5.0 %
2012/13	2.51%
2013/14	0.01% no increase applied
2014/15	7.04% later amended to 4% applied to flag and distance by the Traffic Commissioner and implemented April 2015.
2016	-0.36% no increase applied

4 TAXI FARES REVIEW PROCESS AND OUTCOME OF CONSULTATION WITH OPERATORS

- 4.1 As part of the review the Council is obliged to consult with persons or organisations appearing to it to be, or to be representative of, the operators of taxis operating within its area. Following that consultation the Council is required to review the existing scales, and thereafter

propose new scales (whether at altered rates or the same rates). The proposed scales, their effect, and the date upon which it is proposed they come into effect must then be published in a newspaper and representations invited from the public in writing by a stated deadline. The Council must then consider any representations received.

4.2 Each of the circa 113 currently licensed taxi operators was sent the result of the formula in a letter dated 4 August 2017. This letter included details of how the consultation was to be carried out and which venues, dates and times would be used. The letter also included several options for how the trade could give their views on the proposal either at one of the arranged meetings, by e-mail, letter or phone call. A list of venues and dates can be seen in APPENDIX 3. The Council completed the consultation with taxi operators on 25 August 2017

4.3 The trade participation at this year's consultation meetings is shown below. Figures for the individual venues are as follows:

- Eyemouth 2
- Kelso 1
- Hawick 0
- Galashiels 2
- Peebles 0
- Mandated 22
- Email 2
- Letter 0

4.4 A total of 5 operators attended the consultation meetings and two operators responded by email.

One operator attended four of the five consultation meetings. As he can only be recorded once his attendance is included in Eyemouth meeting figures that being the first meeting held.

This operator held signed mandates to represent the views of 22 taxi operators.

4.5 Of the 7 operators who responded directly to the consultations, 3 were in favour of the proposal that taxi fares remain unchanged for 2017/8 and 4 were not in favour. The 22 mandated responses were not in favour of the proposal that taxi fares remain unchanged for 2017/8.

4.6 The Operator who represented 22 Mandates submitted a proposal asking for an increase of 5%. A copy of this submission can be seen as APPENDIX 4. The effect of a 5% increase on current rates can be seen in APPENDIX 5

4.7 For comparison the Retail Prices Index (RPI) figure is currently 3.0% - were this to be applied as an increase to current taxi rates the effect can be seen in APPENDIX 6

4.8 This operator stressed that he did not represent a taxi trade association. He said he was a representative of a collaboration of mutual businesses with a common purpose. In relation to taxi associations, it should be noted that there is no taxi trade association within the Scottish Borders. This was raised with the trade by the Council in 2011 and the setting-up

of an association was a recommendation of the Traffic Commissioners report following the outcome of a fare review within the Scottish Borders in 2015. Unfortunately, the taxi operators in the area have been unable to form a trade association despite some efforts to do so.

- 4.9 Once Members agree the proposed taxi rates (whether the proposal is that they are to be altered or remain unchanged), public notices will be placed in newspapers circulating in the Scottish Borders area and representations in writing will be invited by a specified date. The outcome of the consultation will be provided in a future report to this Committee.

5 IMPLICATIONS

5.1 Financial

There are no costs to the Council, other than officer time in the reviews, attached to any of the recommendations contained in this report.

5.2 Risk and Mitigations

The Council does have a statutory duty to consider reviewing taxi fares within 18 months of the previous review and therefore may risk a legal challenge and reputational damage if it does not comply with this requirement, thus this report and its recommendations for risk mitigation.

5.3 Equalities

- (a) An Equality Impact Assessment has been conducted and no negative impacts have become apparent. Indeed maintaining the licence fee will lead to a positive impact for the whole community as access should remain status quo.
- (b) Equalities will need reviewed for impact if any increase recommended.

5.4 Acting Sustainably

The Council has a statutory responsibility to review taxi fares within 18 months of the previous review.

5.5 Carbon Management

Taxis are a carbon consuming service. However this fact must be balanced against the level of provision particularly in rural areas where mainstream local bus services cannot or do not operate.

5.6 Rural Proofing

Not applicable as this is not a new policy.

5.7 Changes to Scheme of Administration or Scheme of Delegation

No changes to either the Scheme of Administration or the Scheme of Delegation are required as a result of the recommendations in this report.

6 CONSULTATION

- 6.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council have been consulted in the preparation of this report.

Approved by

Service Director Regulatory Services Signature

Author(s)

Name	Designation and Contact Number
Timothy Stephenson	Passenger Transport Manager – 01835 825182

Background Papers: None

Previous Minute Reference: Executive Committee 6 September 2016

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jacqueline Whitelaw can also give information on other language translations as well as providing additional copies.

Contact Jacqueline Whitelaw, Place, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA, Tel 01835 825253, Fax 01835 825071, email JWhitelaw@scotborders.gov.uk.

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		1-4 PASSENGERS				5-8 PASSENGERS	
<u>Miles</u>	<u>2015/6 Charge</u>	<u>2016/7 Charge</u>		<u>Miles</u>	<u>2015/6 Charge</u>	<u>2016/7 Charge</u>	
1	3.83	3.98		1	5.77	6.00	
2	5.49	5.71		2	8.27	8.60	
3	7.17	7.46		3	10.78	11.21	
4	8.83	9.18		4	13.3	13.83	
5	10.49	10.91		5	15.79	16.42	
6	12.17	12.66		6	18.29	19.02	
7	13.84	14.39		7	20.79	21.62	
8	15.51	16.13		8	23.29	24.22	
9	17.17	17.86		9	25.79	26.82	
10	18.84	19.59		10	28.29	29.42	
		1-4 PASSENGERS				5-8 PASSENGERS	
<u>Miles</u>	<u>2015/6 Unsocial hours charge (+25%)</u>	<u>2016/7 Unsocial hours charge (+25%)</u>		<u>Miles</u>	<u>2015/6 Unsocial hours charge (+25%)</u>	<u>2016/7 Unsocial hours charge (+25%)</u>	
1	4.79	4.98		1	7.21	7.50	
2	6.86	7.13		2	10.34	10.75	
3	8.97	9.33		3	13.48	14.02	
4	11.04	11.48		4	16.62	17.28	
5	13.12	13.64		5	19.73	20.52	
6	15.21	15.82		6	22.86	23.77	
7	17.3	17.99		7	25.99	27.03	
8	19.39	20.17		8	29.11	30.27	
9	21.46	22.32		9	32.24	33.53	
10	23.55	24.49		10	35.37	36.78	

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Appendix 2

	Annual Percent Change July 2016 to July 2017	SBC Weighting %	Percent Change in % Form	Weighting in % Form	Percent x Weighted
Motoring expenditure	1.4	45	1.4%	45.0%	0.63%
Purchase of motor vehicles	-2.5	10	-2.5%	10.0%	-0.25%
Maintenance of motor vehicles	1.7	17	1.7%	17.0%	0.29%
Petrol and oil	-2.8	15	-2.8%	15.0%	-0.42%
Vehicle tax and insurance	15.9	3	15.9%	3.0%	0.48%
Median gross weekly earnings of full time employees residing in the area 2016 less 2015	-1.0%	55	-1.0%	55.0%	-0.55%
Calculated Change					-0.45%

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TAXI RATES: TRADE CONSULTATION MEETING PROGRAMME 2017/8

Venue	Date and Time
Saltgreens Day Centre Chapel Street, Eyemouth TD14 5HF	Friday 18 th August 2017 at 1.00pm
Kelso Tait Hall Edenside Road Kelso TD5 7BS	Friday 18 th August 2017 at 3.30pm
Hawick Town Hall Cross Wynd Hawick TD9 9EF	Friday 25 th August 2017 at 11.00am
Old Gala House Ashiestiel Room Scott Crescent Galashiels TD1 3JS	Friday 25 th August 2017 at 1.00pm
Peebles Burgh Hall High Street Peebles EH45 8AG	Friday 25 th August 2017 at 3.00pm

WRITTEN SUBMISSIONS

Any operator who is unable to attend a meeting may submit a written response to this consultation by Noon on Friday 25th August 2017 to:

Timothy Stephenson or Timothy.Stephenson@Scotborders.gov.uk
Passenger Transport
Scottish Borders Council
Council Headquarters
Newtown St Boswells
Melrose
TD6 0SA

**Council Headquarters, Newtown St Boswells, MELROSE,
Scottish Borders, TD6 0SA**

Tel: St Boswells (01835) 824000 Fax: St Boswells (01835) 825071

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REVIEW OF TAXI FARES AND RELATED CHARGES FOR SCOTTISH BORDERS.
August 2017

Initial submission 18.08.2017

Updated 25.08.2017

I have been asked to represent multiple holders of Taxi Operator Licences who have a cooperative connection and a mutual response in relation to the current Taxi Fare Review (August 2017).

As of Friday 25th August 2017, I am currently representing a total of 25 Operators who between them hold 65 Taxi & Private Hire Operators Licences.

The collective total of revenue to Scottish Borders Council in relation to Operators Licences from this cooperative is£13,118.00 per annum.

The collective total revenue to Scottish Borders Council in relation to the operating of these vehicles (Taxi/Private Hire Drivers Licences) is approx., £6,428 per annum.

..... Total revenue received by Scottish Borders Council in relation to Operators and Drivers Licences is £19,501 per annum.

Taxi Operators and drivers currently occupied or employed within the Scottish Borders Region managed or controlled in the provision of services, including backroom management by this cooperative of Operators are in excess of 84 persons.

These persons are based, or operate, from all Licenced Zones across the region.

The Taxi Operators involved in this cooperative currently hold four Taxi Office Licences.

.....
The last Taxi Fare increase was on the 10th April 2015.

The Trade did not ask for an increase in 2016 and the 2015 rate was continued from 10th October 2016.

The Operator's I represent request that the fare rate is increased from the April 2015 rate by approx., 5% across the board with minor adjustments to lose the 5p requirement.

Social Hours:

The request is for a £2.40 initial hire rate for 1-4 passengers and a £3.60 for 5-8 passengers.

A reduction in distance from 100.5 yards to 95.70 yards or part thereof @£0.10

Our understanding is that over the first mile this would increase the 1-4 passenger fare from currently approx. £4.00 to £4.20.

Unsocial Hours:

The request is for a £3.60 initial hire rate for 5-8 passengers.

A reduction in distance from 100.5yds to 95.70yds or part thereof @15p

Our understanding is that over the first mile this would increase the 5-8 passenger rate from currently approx. £5.95 to £6.30

.....

We have based this application on various cost surges to the trade over the last 18 months and additionally our understanding of probable increase in costs over the next fare review period which would not be due to be implemented until 2019. Additionally, legal cases currently in the appeal court, which may have a dramatic increase in trade costs, and retrospective costs to the trade.

It is our belief that since the last increase in fares on 10th April 2015:

Fuel price report by AA in January 2016 showed National Fuel Costs as:

Diesel: 103.10p per litre.....Currently within the region 115.40p per litre (**Increase of 11.5%**)

Unleaded: 102.60p per litre.....Currently within the region 114.70p per litre (**Increase of 11.75%**)

As of the above date local fuel prices within the region are ..

Diesel: 117.90p per litre (Dalglish, Galashiels)

Unleaded: £116.90p per litre (Purves, Galashiels)

The listed 'National Price' is.....Diesel : £115.40p per litre

Unleaded: £114.70p per litre

(AA Fuel Price Report July 2017)

This calculates that businesses and populace living within the region are paying 2% over the National Cost for Diesel and 1.80% over the National Cost for Unleaded Fuel.

Autumn Budget

It is understood that in the Autumn Budget the Chancellor is predicated to increase Fuel Duty (currently frozen since 2009) by 2.05p per litre. (Petrol prices.com – Jan 2017)

Insurance costs have increased by 18% which includes a variation applicable to Insurance Premium Tax and injury claims.

Scottish Borders Council Operators Licences increased from £196.00 to £202.00 ...3% increase

Scottish Borders Council Taxi Drivers Licence has increased from £84.00 to £87.00...3.6% increase

Minimum Hourly Rate

Maintenance costs have increased dramatically over this period as the Minimum Hourly Rate has increased twice **from £6.50 to £7.50 an increase of ...15.45%**. Garages have increased their hourly rate charge to the trade on a 'pro rata' rate based on these increases.

Staff wages increased to cover the 15.45% increase in the minimum hourly rate.

The government's target for the minimum hourly rate is for it to reach £9.00 per hour by 2020. The current model used by the government would dictate that an increase from £7.50 will fall between now and 2018/19. (Daily Mirror – 9th June 2017)

We believe that Scottish Borders Council has one of the strictest criteria in Scotland in relation to the vehicle test. In particular as to the requirement for the vehicles to remain as 'showroom' standard. We have accepted these criteria; however, this does have a significant cost factor as these vehicles are used on a commercial basis, and as such, have a high level of use and subsequent wear & tear, internally and externally.

Uber

Uber is a worldwide provider of Private Hire passenger transport. Their transport service providers are classed by Uber as self-employed. This has been recently challenged in the High Court by a few of their drivers. They are claiming that their provision of services should not be classed as self-employed but, in fact, should be classed as employed, by Uber. They won their case against Uber. Uber have appealed against the decision.

The outcome of this case, if the original decision is upheld will have serious and wide-ranging consequences, not only within the Taxi/Private Hire trade but across multiple areas of traditionally envisaged areas of service provision, previously regarded as self-employed. As employers, we welcome any change in legislation that gives service providers additional security in their role and support their entitlement to existing rights that employment carries. However, any additional costs to the trade must be recouped from the only income source available to us, which is our clients.

Although we are always hesitant in increasing costs to our clients we realise if we do not follow this direction the long-term provision of the existing services may be at risk.

I have spoken to many existing service providers currently self-employed and not one of them has shown a desire to be employed. The reasons are varied, but the overriding comments relate to removing their freedom to control their own service provision, and they realise that, if employed, employers would be forced to look at split-time Etc., to follow an employment structure that would track demand as it fluctuates through the day and evening.

The employment appeals tribunal has set a two-day hearing starting on the 27th September 2017.

It is our understanding that the review papers will be submitted to the Executive on 17th October 2017. We request that it is acceptable to update this submission, prior to the 17th October, if there is

a ruling from the appeals tribunal that may have a significant effect on the future of Taxi/Private Hire provision.

Maximum Fare

We are aware that this review of fares relates to the **maximum fare** chargeable and we are also aware that within this region various Taxi Companies have discount fares:

Loyalty Discounts

Shoppers Taxi Discounts

£1 off all fares

Long distance discounts Etc

We also understand that in common with other commercial business's the marketplace will ultimately dictate a common and justifiable customer acceptance of the options open to them.

Impact Assessment

We understand that the Taxi Trade is an essential part of the Scottish Borders Transport Framework and should be accessible by all. We believe it is imperative that our services stay available to all able bodies and disabled in the community and continue to provide a door to door service for those disabled members of the community who are not able to use other forms of public transport.

We are aware that an increase of fares may impact negatively on certain groups. These groups may include, low income families, people experiencing fuel poverty, disabled and those living in isolated rural communities.

We, as a cooperative, would be willing to discuss with any working groups, community transport organisations and the Local Authority to facilitate a common approach to alleviate any increases that may affect those who experience a negative effect.

For example: East Lothian Council – Taxicard. City of Edinburgh Council - Taxicard.

West Lothian Council – Taxicard.

Effect on Current Taxi Fares of a 5% Increase as requested by some elements of the Trade

1-4 PASSENGERS				5-8 PASSENGERS			
<u>Miles</u>	<u>2015/6 Charge</u>	<u>2016/7 Charge</u>	<u>2017/8 Charge</u>	<u>Miles</u>	<u>2015/6 Charge</u>	<u>2016/7 Charge</u>	<u>2017/8 Charge</u>
1	3.83	3.98	4.18	1	5.77	6.00	6.30
2	5.49	5.71	6.00	2	8.27	8.60	9.03
3	7.17	7.46	7.83	3	10.78	11.21	11.77
4	8.83	9.18	9.64	4	13.3	13.83	14.52
5	10.49	10.91	11.46	5	15.79	16.42	17.24
6	12.17	12.66	13.29	6	18.29	19.02	19.97
7	13.84	14.39	15.11	7	20.79	21.62	22.70
8	15.51	16.13	16.94	8	23.29	24.22	25.43
9	17.17	17.86	18.75	9	25.79	26.82	28.16
10	18.84	19.59	20.57	10	28.29	29.42	30.89
1-4 PASSENGERS				5-8 PASSENGERS			
<u>Miles</u>	<u>2015/6 Unsocial hours charge (+25%)</u>	<u>2016/7 Unsocial hours charge (+25%)</u>	<u>2017/8 Unsocial hours charge (+25%)</u>	<u>Miles</u>	<u>2015/6 Unsocial hours charge (+25%)</u>	<u>2016/7 Unsocial hours charge (+25%)</u>	<u>2017/8 Unsocial hours charge (+25%)</u>
1	4.79	4.98	5.23	1	7.21	7.50	7.87
2	6.86	7.13	7.49	2	10.34	10.75	11.29
3	8.97	9.33	9.80	3	13.48	14.02	14.72
4	11.04	11.48	12.06	4	16.62	17.28	18.15
5	13.12	13.64	14.33	5	19.73	20.52	21.55
6	15.21	15.82	16.61	6	22.86	23.77	24.96
7	17.3	17.99	18.89	7	25.99	27.03	28.38
8	19.39	20.17	21.17	8	29.11	30.27	31.79
9	21.46	22.32	23.43	9	32.24	33.53	35.21
10	23.55	24.49	25.72	10	35.37	36.78	38.62

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