



**MINUTES OF THE MEETING OF THE  
LICENSING SUB-COMMITTEE OF THE CABINET**

**THURSDAY 10 JANUARY 2019  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

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**Committee Members Present:**

Councillor C McGinn (Convener)  
Councillor J Findlay  
Councillor J Henderson  
Councillor J McMillan

**Council Officials Present:**

Mr I Forrest, Senior Solicitor  
Mr R Fruzynski, Licensing Standards Officer  
Ms M Winter, Licensing Officer  
Mr A Kelley, Transport Compliance Officer

**Others Present:**

PC H Bowsher, Police Scotland

**Clerk:**

Mrs F Stewart

**Taxi Operators Present (Item 1)**

Mr P Bell - Tranent  
Mr C Fordyce -Musselburgh  
Mr I Torrance –Torrance Taxis  
Ms Y Moore - Tranent  
Mr R Campbell – AC Taxis Tranent  
Mr B Chism – Jim’s Taxis  
Mr B Hood - Dalkeith  
Mr T Trainer - Musselburgh  
Ms J Hutchison, Taxi and Hutch – Prestonpans  
Mr T Hutchison, Taxi and Hutch - Prestonpans

**Apologies:**

Councillor J Williamson  
Councillor T Trotter

**Declarations of Interest:**

None

## 1. TAXI FARE REVIEW

The Depute Chief Executive, Resources and People Services, had submitted a report to allow the Licensing Sub-Committee to consider the revised scale of fares and other charges proposed by East Lothian Taxi Operators. The proposals were attached to the report, together with their existing tariff and the current scale of fares in neighbouring local authorities.

Ian Forrest, Legal Adviser, presented the report. He advised that it was a statutory requirement of the Council to review taxi fares at least once every 18 months. As the last review took place in October 2017, the next review had to be in place no later than April 2019. Mr Forrest stated that Members were being asked to agree or amend the proposals, as appropriate, and a public consultation process would follow.

The Chair welcomed ten taxi drivers/operators representing the taxi trade to the meeting and invited them to share their views on the new proposals.

Mr Campbell of AC Taxis, Tranent, who had submitted the proposals, stated that the proposed increase in fares was necessary to cover the increase in Council licence fees, insurance and other costs. Mr Torrance agreed, stating that taxi operators needed to increase fares to survive in the face of increased costs and fewer customers.

Mr Trainer (Musselburgh) advised that, as his business was on the border of the Edinburgh City boundary, he had to compete with major city firms like Uber, Capital and City Cabs. There were also a number of private hires available on the streets. If the rate was raised to £4 at the drop of the flag from 18.00 to 06.00 (Tariff 2), he feared that he would lose customers to city competitors after 6pm. Mr Torrance sympathised, but stated that the new tariff had to reflect the needs of operators across East Lothian.

Mr Fordyce believed that operators were due an increase and doubted if customers would see a significant difference in fares.

Mr Torrance advised that many taxi companies based in villages in East Lothian do not use meters, preferring to operate with set prices. These companies would be at liberty to adjust tariffs according to their own business needs.

Councillor McMillan was pleased to see so many members of the taxi trade in the Chamber and stated that it was important for the Sub-Committee to hear the issues raised. As Economic Spokesperson for the Council, he encouraged them to contact the Economic Development team with any concerns. He also encouraged them to reform the East Lothian Taxi Association to help build a stronger relationship between the Council and the taxi trade.

Councillor Findlay asked if there was any support among the taxi operators for a new taxi association and Ms Moore replied that previous attempts to establish an association had received a poor response, as operators were in competition with one another.

To help assess the impact of the new proposals on individual wards of the county, Councillor Henderson asked what proportion of fares was metered as opposed to set. Mr Torrance advised that he would estimate that approximately 80% of fares were metered.

Councillor McMillan stated that he wanted to promote East Lothian businesses and he would like all visitors to East Lothian to receive the same standard of service irrespective of which taxi company they used.

Mr Hutchison stated that he agreed in principle with the proposed increase in fares due to rising costs but understood that it might negatively affect some businesses due to local issues.

Mr Campbell pointed out that the revised tariffs would be the maximum amount operators could charge; they could choose to charge less.

The Chair stated that the taxi tariffs needed to work for businesses across East Lothian and there were clearly issues needing to be resolved. However, if the proposals were agreed, they would then go out for public consultation. The Chair thanked all of the taxi operators for attending the meeting today and urged them to form an association to put communications between the Council and the taxi trade on a more formal footing. He also agreed that it was important for all of the independent businesses to work towards providing a consistent level of service across the county.

### **Decision**

The Sub-Committee:

- i. considered and unanimously approved the revised scale of fares and other charges proposed by East Lothian Taxi Operators, as outlined in Appendix 1 of the report; and
- ii. authorised officers to advertise and explain the effect of the proposals and invite representations from the public.

## **2. LICENSING OF CARAVAN PARKS FOR PERMANENT RESIDENTS**

The Depute Chief Executive, Resources and People Services, had submitted a report to advise the Sub-Committee of the new scheme for the licensing of Residential Mobile Homes Sites and the recommended licence fee for such a licence.

Ian Forrest, Legal Adviser, presented the report. He stated that the Housing (Scotland) Act 2014 had introduced a new licensing regime for residential mobile homes sites. The new regime had taken effect on 1 May 2017 but current licences issued under the previous legislation were valid until 1 May 2019 as there was a two year transition period. The new scheme related to permanent residential sites and not to holiday/touring caravan sites.

Mr Forrest advised that licences issued under the new legislation would be valid for 5 years. He also informed Members that the Scottish Government had issued updated Model Standards for Residential Mobile Home Site Licences in December 2018 and these standards would be incorporated in the new licensing scheme. As the transition period was coming to an end, the Council was now had to ensure that it had systems in place to implement the new licensing regime and set an appropriate fee for the administration of it. The proposed fee was £600.

Councillor Henderson enquired if licences for all the sites in East Lothian needed to be renewed together in May 2019 and Mr Forrest replied that he was uncertain, as previous licences had been issued by the Environment Health Business Unit.

Members raised further questions, seeking to know what constituted a permanent site and requesting further information on enforcement, associated environmental issues and site inspections. They also sought an assurance that the proposed licensing fee would cover the costs of regulating the scheme.

**Decision**

The Sub-Committee agreed to:

- i. adopt the Model Standards for such licences as produced by Scottish Government and to agree that such standards should form the standard conditions for such a licence.
- ii. defer making a decision on the new licensing scheme and licence fee until a further report is brought before the Sub-Committee providing further information requested by Members.

**SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION**

The Licensing Sub-Committee unanimously agreed to exclude the public from the following business containing exempt information by virtue of Paragraph 6 (information concerning the financial or business affairs of any particular person other than the Authority) of Schedule 7A to the Local Government (Scotland) Act 1973.

**3. MINUTES OF THE MEETING ON 6 DECEMBER 2018 FOR APPROVAL**

The minutes of the meeting of 6 December 2018 were approved as a true record.

**Signed**

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Councillor C McGinn  
Convener of the Licensing Sub-Committee