

FOR PUBLICATION

REVIEW OF THE LIMIT SET ON THE NUMBER OF HACKNEY CARRIAGES (A000)

MEETING: APPEALS AND REGULATORY COMMITTEE

DATE: 12 FEBRUARY 2014

REPORT BY: LICENSING MANAGER

WARD: ALL

COMMUNITY FORUM: ALL

1.0 PURPOSE OF REPORT

- 1.1 To advise the Committee of the results of the Hackney Carriage Unmet Demand Survey carried out in 2013 so a decision can be made on future policy.

2.0 BACKGROUND

- 2.1 On 15 December 2010 members decided to limit the number of Hackney Carriages licensed by CBC to 110. At that time there were 183 such vehicles, a figure that has reduced to 158 in the last three years.
- 2.2 Since December 2010 the licensing section has maintained a waiting list of individuals who wish to be considered for a Hackney Carriage licence, although the numbers entering the list have tailed off significantly in the last two years.
- 2.3 A further survey was authorised to review the policy, paid for by the holders of Hackney Carriage licences, after a period of three years. That survey took place in November 2013, conducted by CTS Traffic and Transportation, and has been circulated to members.
- 2.4 The author of the report, Mr Ian Millership, is the same consultant who produced the 2010 report albeit he now works for a different company. Mr Millership has been invited to attend the meeting and give a presentation on his findings.

2.5 The ability to limit the number of Hackney Carriages is provided by the Town Police Clauses Act 1847 and the Transport Act 1985, and is conditional. The regulatory authority must be satisfied that there is no significant demand for the services of hackney carriages which is unmet.

2.6 The Department of Transport's Best Practice Guidance issued in 2010 contains the following advice:

“Most local licensing authorities do not impose quantity restrictions; the Department regards that as best practice. Where restrictions are imposed, the Department would urge that the matter should be regularly reconsidered. The Department further urges that the issue to be addressed first in each reconsideration is whether the restrictions should continue at all. It is suggested that the matter should be approached in terms of the interests of the travelling public - that is to say, the people who use taxi services. What benefits or disadvantages arise for them as a result of the continuation of controls; and what benefits or disadvantages would result for the public if the controls were removed? Is there evidence that removal of the controls would result in a deterioration in the amount or quality of taxi service provision? In most cases where quantity restrictions are imposed, vehicle licence plates command a premium, often of tens of thousands of pounds. This indicates that there are people who want to enter the taxi market and provide a service to the public, but who are being prevented from doing so by the quantity restrictions. This seems very hard to justify”.

2.7 The current liaison between the licensing section, trade and other relevant parties (including highways) is excellent practice and must be continued and encouraged, particularly with ensuring Council staff have sufficient time and resource to take these meetings forward regularly.

2.8 The Enterprise and Wellbeing Scrutiny Committee have produced a report on the capping review process which has been circulated. Among the recommendations is a suggestion to remove the option of transferring a hackney plate. Members should be advised that the law does not allow for such a restriction at the moment, although the Law Commission did consider it as part of their review of taxi laws and regulations for which a draft Bill is due in April of this year. It is not known whether this measure will be included or not.

3.0 SUMMARY

- 3.1 The 2013 report concludes there is no evidence of significant unmet demand for the services of Hackney Carriages in the Chesterfield Borough Council area (page ix and 57).
- 3.2 In the author's opinion, if the council decided to retain the current limit that decision would be defensible if challenged (page ix).
- 3.3 The report found a general level of satisfaction with the service provided, although improvements could be achieved with better signage of ranks, particularly the parking area for taxis at the coach station (page 57).
- 3.4 The importance of the private railway station rank is highlighted several times within the report, with 52% of passenger demand for all hackneys. In 2010 it was 46%.

4.0 RECOMMENDATIONS

- 4.1 The committee has a number of options available.
- 4.2 Option 1 - retain the limit on the number of hackney carriage vehicles.
- 4.3 Option 2 - retain the limit and also take actions to resolve other issues, particularly the need to better advertise current lesser used ranks and liaise with other key stakeholders, specifically East Midland trains to identify any policies that might further enhance hackney carriage service to the public.
- 4.4 Option 3 – remove the limit on the number of hackney carriage vehicles.
- 4.5 Option 4 – remove the limit but take further actions to minimise the impact in terms of the likely number of new vehicles that may wish to provide hackney carriage service.
- 4.6 If a decision is taken to retain the limit on Hackney Carriage licences approval is sought for a further unmet demand survey in 2016 to review the policy. The further survey should be funded by the holders of Hackney Carriage licences, at present the estimate for this would be £20 per year for three years.

Further information on this report can be obtained from Trevor Durham,
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