

LICENSING COMMITTEE – 22 MARCH 2011

HACKNEY CARRIAGE FLEET SIZE

Report of the: Community and Planning Services Director

Status: For Decision

Executive Summary:

On the 13 October 2010 the Licensing Committee heard a representation from the Hackney Carriage Association to request that if a feasibility study could be undertaken to evaluate if there is any unmet (too few Hackney Carriage vehicles) or overmet demand (too many Hackney Carriage vehicles) within Sevenoaks District Council.

It was resolved at the Licensing Committee meeting on 26 January 2011 that a consultation be held with all Hackney Carriage drivers and proprietors in the District to evaluate whether they want an Unmet Demand Survey to be held. 75% of those surveyed must request the Survey for it to be carried out.

This report supports the Key Aim of safe communities and effective management of Council Resources.

Portfolio Holder Cllr. Mrs Bracken

Head of Service Head of Environmental and Operational Services – Mr Richard Wilson

Recommendation:

That Members views and direction are sought

Background

1. At the Licensing Committee meeting on 26 January 2011 a representative of the Sevenoaks Town Taxi Drivers Association expressed concern at the increase in hackney carriage vehicle (HCV) licences since the Council delimited them in January 2008. He believed the increase had led to an unsustainable fall in earnings despite longer hours and also to unsafe congestion around Sevenoaks station. He asked the Committee to sanction an unmet demand survey.
2. The key objectives for an Unmet Demand Survey may encompass the following:

Item No. 6

- a. any level of latent or patent demand (A distinction is often drawn between what is called “patent” (i.e. that which can be seen) and “latent” (i.e. hidden) demand);
 - b. establish a basis on which Sevenoaks District Council could determine the numerical level for restricting Hackney Carriage licences;
 - c. assess the number and location of taxi ranks within the District.
3. The cost of undertaking a survey is in the range of £10,000 to £15,000 which would need to be funded from the Taxi accounts. This would be recovered through the Hackney Carriage licence fees over a three year period.
 4. The timing for a survey to be effective should be in the Autumn or Spring.
 5. The Unmet Demand Survey is normally undertaken by:
 - a. observations of passenger movement at rank and surrounding activity including wait times at different times of day, and on different days to produce waterfall analysis;
 - b. interviews with members of the public;
 - c. survey sent to all licensed drivers;
 - d. interviews with Hackney Carriage Proprietors;
 - e. interviews with interested parties;
 - f. gathering of secondary information, including population changes to the area that may affect the Hackney Carriage service e.g. new nightclubs, planning, estimated increases in population and tourism developments.
 6. It was resolved that a consultation be held with all Hackney Carriage drivers and proprietors in the District to evaluate whether they want an Unmet Demand Survey to be held. 75% of those surveyed must request the Survey for it to be carried out.

Results of the consultation

7. A total of 553 letters were sent to all Hackney Carriage/Private Hire drivers, vehicle proprietors and Private Hire Operators. Whilst every attempt was made to remove duplicate letters it is accepted that some licensees received duplicate letters due to the fact that their details held are entered in different ways.
8. 109 responses were received but these also included some Private Hire licensees. There are currently 211 Hackney Carriage vehicles and 272 Hackney Carriage drivers licensed with the authority. Many of the licensees will hold a Hackney Carriage driver and vehicle licence.

Item No. 6

Voted yes for an unmet demand survey	39 (36%)
Voted no for an unmet demand survey	53 (49%)
Did not pass comment on an unmet demand survey	17

Comments made on the consultation for the unmet demand survey

9. 75% response is unfair. Question; How many committee members were elected with a 75% response? 50% Would be more reasonable.

Please note: Should proposal be agreed I decline to pay fee/costs.

Key ImplicationsFinancial

10. The cost of an Unmet Demand Survey would need to be funded through future Hackney Carriage licence fees taking into account the need to maintain a 'self financing' position for the service.

Legal, Human Rights etc.

11. The present legal provision on quantity restrictions for taxis outside London is set out in section 16 of the Transport Act 1985. This provides that the grant of a taxi licence may be refused, for the purpose of limiting the number of licensed taxis 'if, but only if, the [local licensing authority] is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet'.
12. Local licensing authorities will be aware that, in the event of a challenge to a decision to refuse a licence, the local authority concerned would have to establish that it had, reasonably, been satisfied that there was no significant unmet demand.
13. Most local licensing authorities do not impose quantity restrictions; the Department regards that as best practice.

Equality

14. Hackney Carriages and Private Hire vehicles available to all groups within the community.

RISK ASSESSMENT STATEMENT

15. The cost of an Unmet Demand Survey would have to be spread over a three year period with full costs being recovered through Hackney Carriage licence fees.

Licensing Committee minutes 26.1.2011

Sources of Information:

Local Government (Miscellaneous) Provisions Act 1976.

Taxi Licensing Policy

<http://www.dft.gov.uk/pgr/regional/taxis/bestpractice/pdf/guide.pdf>

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**COMMUNITY AND PLANNING SERVICES DIRECTOR
KRISTEN PATERSON**