Hackney Carriage and Private Hire Licensing Policy Amendment Report

To: Licensing Committee

Date: 5 March 2014

Main Portfolio Area: Sustainability

Author of report: Sharon Degiorgio, Senior Licensing Officer

Classification: Non-Exempt

Ward: All Wards

SUMMARY

To consider the responses to the recent consultation with regard to amending the Tunbridge Wells Borough Council’s Hackney Carriage and Private Hire Licensing Policy in response to the recent recommendations highlighted in the Independent Hackney Carriage Services report.

LINK TO STRATEGIC COMPASS

Passionate about CUSTOMERS – Customers will effectively know what to expect from the licensing process and a fair hearing is provided to all parties involved.

Passionate about VALUE – By being open and transparent in our approach to administrating the licensing regime the public can see the efficiency of the service.

Passionate about PEOPLE – Consistency of our approach in delivering the service. All parties involved are communicated and engaged with.

Passionate about COMMUNITY – By holding a hearing, the public can be confident that the Council is ensuring the promotion of the licensing objectives.

Report status: For decision.

Route to Implementation/Timetable: the Committee determine whether the changes consulted on are implemented with immediate effect after consideration of the responses received from interested parties.
1. At the Licensing Committee meeting 4 December 2013 Members considered the Traffic and Transportation Independent Hackney Carriage Services Report and their preferred option.

2. The consultant’s report identified that there is no evidence of any significant unmet demand for the services of hackney carriages in the Tunbridge Wells Borough Council area, the report identifies four options that are open to the Council:

- Option 1 – retain the limit on the number of hackney carriage vehicles and take no further actions until the law is amended or when the next survey is required in no more than three years time (i.e. late Spring 2016).

- Option 2 – retain the limit but take actions to resolve other issues, particularly the wheelchair accessible vehicle availability issue, the identified safety concerns and the need for town centre rank service.

- Option 3 – remove the limit on the number of hackney carriage vehicles but retaining the need for new vehicles to be wheelchair accessible.

- 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.

3. Any changes to the Hackney Carriage and Private Hire Licensing Policy need to be subject to consultation to enable the Committee to be aware of the views of interested parties before making a final decision.

4. Members instructed officers to undertake a consultation on the agreed preferred option. In this instance Members and representatives of the trade stated that ‘option 2’ was the preferred option.

5. One of the potential incentives was to reverse a previous committee decision and allow rear loading WAV. A list of the pros and cons of rear access WAV’s are attached at Appendix F. With regard to the decision to not allow rear access WAV’s previously, the intention was not a blanket ban, but a matter that could be put to a Licensing Sub-Committee to consider as a departure from policy. Further, the Council has received no further evidence in the intervening period that rear access WAV’s are less safe then any other vehicle.

6. Consultation was undertaken and the questionnaire sought responses on specific areas to address the issues raised in option 2 which focussed on wheelchair accessible vehicles.

7. We received 8 responses. These have been summarised in table format – see Appendix B. In respect of the response from the Access Group, it has been necessary to set this out in a separate appendix. The format of the submission is detailed and therefore it has been difficult to set out the response in the same format. To assist Members I have attempted to reference the responses to specific paragraphs in the Access Group submission. See Appendices C, D & E.
8. Members requested that the officers look at the viability of creating a dedicated rank for the sole use of WAV’s. Officers have undertaken some preliminary work on this proposal; however there are limited options available to locate a dedicated WAV rank. One potential site from a traffic management perspective could be located at Mount Pleasant Avenue, however further work is still required to be undertaken by the Senior Traffic Engineer before finalising any proposal.

9. It should be acknowledged that in the current hackney carriage and private hire licensing policy 2012, the Council extended the age of a WAV for a maximum period of 15 years from the date of first registration. Whereas saloon vehicles are limited to 10 years from the date of first registration.

WHAT IS THE ISSUE THAT REQUIRES A DECISION AND WHAT DOES THIS MEAN FOR THE PEOPLE OF TUNBRIDGE WELLS?

10. After considering the consultation responses, Members are required to determine whether the policy should be amended to reflect the recommendations set out in Option 2 of the Traffic and Transportation Independent Hackney Carriage Services report. If the policy is amended to include rear loading vehicles it is hoped that more WAV’s will form part of the ‘Taxi’ fleet.

WHO HAVE WE CONSULTED AND HOW? (OR WHO WILL WE CONSULT FOLLOWING THE DECISION?)

11. The views of stakeholders have been obtained via email, libraries and the Council’s consultation portal.

HOW WILL THE DECISION BE COMMUNICATED?

12. At the meeting of the Licensing Committee where they will formally adopt any amendments to the policy. This will be published in the minutes on the Council’s website.

WHAT ALTERNATIVE ACTION COULD WE TAKE?

13. To retain the current status and not amend the policy to allow rear loading licensed vehicles, however this could discourage the number of new WAV’s being brought onto the current taxi fleet due to the cost differential between a rear loading and side loading vehicle.

CONCLUSIONS

Based on the Members’ and consultees’ responses, it would appear the majority are in favour of amending the current hackney carriage and private hire licensing policy to allow the use of rear loading WAV’s to encourage a greater number of WAV’s.

RECOMMENDATIONS

That the Council introduce rear loading WAV’s as a method to encourage proprietors to purchase a WAV as an alternative to a saloon vehicle, in order to increase the number of WAV’s in the fleet in accordance with the proposals suggested by the CTS report.
REASONS FOR RECOMMENDATIONS

Within the constraints of the incentives available to the Council this measure is considered to be the best way to encourage the increase in the number of WAV’s within the taxi fleet.

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Name of Director
Jonathan Macdonald – Director of Development and Environment

Head of Service
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Background Papers
CTS – Traffic and Transportation – Demand report
Independent Hackney Carriage Services Report – LC13/13
Hackney Carriage and Private Hire Licensing Policy

APPENDICES TO REPORT
APPENDIX A - Cross Cutting Issues
APPENDIX B – Summary consultee’s responses
APPENDIX C – Access Group submission
APPENDIX D – Response to Access Group submission
APPENDIX E – Law Commission Interim Statement – Taxi and Private Hire
APPENDIX F – Pros & Cons for rear access WAV’s