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## Licensing and Regulatory Committee

1<sup>st</sup> May 2009

Report of the Director of Neighbourhood Services

### **REVIEW OF THE ISSUE OF NEW HACKNEY CARRIAGE VEHICLE LICENCES.**

#### **Summary**

1. This report provides Members with additional information on which to base a decision with respect to the issue of new Hackney Carriage Vehicle Licences. It contains information regarding a survey of un-met demand and the results of consultation with those waiting to be issued with a licence. This is in a response to a request from the York Taxi Association to curtail the issue of any new Hackney Carriage Vehicle Licences due to the current economic climate.

#### **Background**

2. At the meeting of this Committee on the 21<sup>st</sup> May 2008 Members approved a policy of issuing 15 new Hackney Carriage Vehicle Licences from 1<sup>st</sup> July 2008, then after a period of 12 months, releasing a further 2 vehicle licences every 6 months subject to review after 3 years.
3. Fifteen new Hackney Vehicle Licences were issued from 1<sup>st</sup> July 2008. On the 9<sup>th</sup> January 2009 this committee considered a request from the York Taxi Association to curtail the issue of any more new Hackney Carriage Vehicle Licences as previously approved. Before making any decision Members requested that officers commission an interim survey of unmet demand and enter into consultation with those on the waiting list.
4. A snapshot survey has been commissioned from Halcrow and observations took place between 24<sup>th</sup> February and 15<sup>th</sup> March 2009 to coincide with the dates used in the 2008 survey.
5. All persons on the waiting list for a licence were written to on 17<sup>th</sup> February 2009 seeking their views on the options available to Members. A copy of that letter and the questionnaire is attached as Annex 1.

#### Unmet Demand Survey

6. The report produced by Halcrow on unmet demand is attached at Annex 2. It concludes that since the previous demand survey which was undertaken in 2008 passenger demand has decreased significantly. This potentially being

a reflection of the current economic climate. The analysis for unmet demand shows that, although there is an unmet demand, it is exclusively demonstrated at the railway station. Average waiting times for passengers has reduced from 3.61 minutes to 0.83 minutes whilst cab delay has increased from 5.82 minutes to 6.95 minutes.

## **Consultation**

7. An analysis of the results of the consultation with those on the waiting list is attached at Annex 3.
8. In summary, of the 186 questionnaires sent out 63 replies were received equating to a 34% return.
9. 25 said the current policy should continue, 12 said it should be deferred for 12 months and 21 said it should be deferred indefinitely. The waiting list contains a mix of those who already hold Hackney Vehicle Licences, those who rent a licence and those in the private hire trade.
10. In addition two email replies were received which are included at Annex 4

## **Options**

11. Option 1 – Suspend the current policy for 12 months (or some other time period as determined).
12. Option 2 – Suspend the current policy indefinitely.
13. Option 3 – Continue with the current policy and issue 2 new vehicle licences on 1<sup>st</sup> July 2009 and thereafter at 6 monthly intervals until, and including, 1<sup>st</sup> January 2011 after which a further unmet demand survey be undertaken

## **Analysis**

14. The Transport Act 1985 requires that, unless the local authority is satisfied that there is no unmet demand, they must issue Hackney Carriage Vehicle Licences where the qualifying conditions are met. Where the authority is satisfied that there is no unmet demand then it has the discretion to issue or not. Surveys are evidence for refusing to grant additional licences but do not prevent the council issuing more
15. In respect of the current situation in the City, the unmet demand identified in the survey exists at the railway station only. Trading at the railway station is limited by permit issued by the train operating company ie National Express or their agents. Irrespective of how many more licences are issued by the council the situation at the station will only alter if more permits are issued. The local authority has no control over the number of permits allocated.
16. In this respect it is the view of officers that there is no unmet demand in the city so there is no legal obligation to issue licences but there is a discretion to do so if members so determine.

17. In respect of the questionnaires sent out, the views are mixed and are clearly influenced by individuals personal situations. Many of the comments received were related to peripheral issues such as the renting out of plates (licences), the selling on of newly issued plates and ranking space. There is a mixed view on the amount of work currently available.

### **Corporate Priorities**

17. An efficient, high quality, accessible taxi service will reduce the dependence on the private car for short journeys in and around the city contributing to making York a sustainable city.
18. Taxis also remain the key transport out of the city late at night. The safe transportation out of the city of those enjoying the late night economy contributes significantly to the reduction of crime, disorder and anti social behaviour making York a safer city.

### **Implications**

19. **Financial - None**
20. **Human Resources (HR) - None**
21. **Equalities - None**
22. **Legal** - Section 37 of the Town Police Causes Act 1847 (as amended by Section 16 of the Transport Act 1985) gives Local Authorities the power to limit the number of hackney carriage vehicle licences in its area, but only if they are satisfied that there is no significant demand for the services of hackney carriages which is unmet
23. **Crime and Disorder - None**
24. **Information Technology (IT) - None**
25. **Property - None**
26. **Other - None**

### **Risk Management**

27. In coming to any decision on this matter the council can minimise risk by ensuring it takes all factors into consideration in coming to its decision. The decision should be reasonable in the light of the information available

### **Recommendations**

28. Members are asked to consider the options set out in paragraphs 11, 12 and 13 and determine the future application of the policy for the issue of new hackney carriage vehicle licences.

29. Reason – to enable officers to manage the issue of licences and the trade to plan future business development.

### Contact Details

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**Report Approved**  **Date** 14/4/09

**Specialist Implications Officer**  
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**Wards Affected:** *List wards or tick box to indicate all*

**All**

**For further information please contact the author of the report**

### Background Papers:

Report to Licensing and Regulatory Committee 21st May 2008  
Report to Licensing and Regulatory Committee 9<sup>th</sup> January 2009

### Annexes

Annex 1 – Letter and questionnaire sent to those on waiting list 17/2/09  
Annex 2 – Halcrow report on unmet demand  
Annex 3 – Analysis of results of consultation  
Annex 4 – Additional responses to consultation