

NORWICH CITY COUNCIL

Report for Resolution

Report To Licensing committee
8 March 2012

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Report of Head of citywide services

Subject Request to restrict hackney carriage vehicle licences

Purpose

To update members regarding the current position following a request from the hackney carriage trade to restrict the number of hackney carriage vehicle licences issued by the council.

Recommendation

That members note the current position.

Financial Consequences

The financial consequences of this report are nil.

Corporate Objective/Service Plan Priority

The report helps to achieve the service plan priority of protecting the interests of the public through the administration of the licensing function.

Contact Officers

Ian Streeter

Phone No 212439

Background Documents

Reports to Licensing committee 31 March 2011 & 15 September 2011

Background

1. At the meeting of the Licensing committee on 31 March 2011 members considered a report following a request from the hackney carriage trade that the council review the current policy in relation to the granting of hackney carriage vehicle licences. A copy of the relevant minute is attached at Appendix A.
2. Members will note from resolution 2 of Appendix A that the senior licensing officer was asked to carry out consultation with the hackney carriage trade and general members of the public on a range of issues. Regrettably, due to unavoidable resource issues and other priorities work on the consultation was delayed and it was planned to complete this work by March 2012.
3. This consultation work is going ahead and the planned timetable is as follows:

Date	Action
1 March 2012 – 30 April 2012	Consultation period
May 2012	Consultation responses collated and committee report drafted
June 2012	Council's Licensing committee consider consultation response/ report

Unfortunately the consultation will not be completed by the end of March as planned, but this is as a result of ensuring that the details of the consultation are available to as many people within Norwich as possible. Details of the consultation will be included within the council's Norwich Citizen magazine which is delivered free to homes and businesses within Norwich. The magazine is published quarterly and the spring edition will be distributed at the beginning of March. It was not possible to meet the editorial deadline for the previous winter edition as there is a considerable lead in time before publication. A two month consultation period has been proposed to ensure that there is adequate time for responses to be made.

4. Members will note from the planned timetable above that it is intended for members to consider the responses at their meeting in June 2012.
5. The Secretary of the Norwich Hackney Trade Association has been notified of the planned timetable for carrying out the consultation exercise.

APPENDIX A

Licensing Committee: 31 March 2011

REQUEST TO RESTRICT HACKNEY CARRIAGE VEHICLE LICENCES

The senior licensing officer presented the report and circulated two further representations at the meeting. He said that if members were minded to amend the hackney carriage vehicle specification, any suggestions would need to be consulted on with the trade and the general public.

Members considered restricting the number of hackney carriage vehicle licences issued. The senior licensing officer informed members that other councils that restricted numbers, often did so due to historical reasons and due to restrictions placed on the number of vehicles allowed within city centres.

A member of the public expressed concern that the report contained population figures for various areas including the Norwich built up area and the greater Norwich area. The senior licensing officer explained that the figures were included because hackney carriage licence holders could drop off over the boundary and that Licensing Committee: 31 March 2011 therefore, this should be taken into account. He said that under primary legislation, hackney carriage licence holders could also act as a private hire and collect customers from outside of the Norwich City Council boundary. Current legislation meant that an additional licence was not required and therefore conditions could be applied to restrict this practice.

Members considered the amendment of conditions three and four of the hackney carriage vehicle licence conditions relating to the age of vehicles. A member of the public said that, due to the slow rate of return, taxi drivers would be penalised if they had to purchase a newer vehicle. If an age limit was imposed, it was suggested that a phased approach should be used so that those with older vehicles would not be penalised. It was suggested that if a policy on exhaust emission levels was to be incorporated, conversion kits should be made available.

(Councillor Dylan left the meeting at this point).

Members of the public suggested that those already in the trade should be given the opportunity to trade up their vehicle, whilst a new proprietor would be required to purchase a newer vehicle. This would illustrate commitment to the trade and prevent a potential increase in the value of plates. They also commented that existing conditions and subsequent amendments should be monitored and enforced to ensure that they were adhered to.

The vice chair said that consideration should be given to the current enforcement of the existing rules; whether any changes to the standards or ages of vehicles should be brought in over time or just to new drivers; to encourage vehicles with lower emissions but to be fair to drivers; and that any amendments proposed by the committee should be consulted upon so that any future decisions are based upon clear evidence.

(Councillor Ramsay left the meeting at this point).

A member of the public said that the age of a vehicle should not be a consideration, as long as it was fit for purpose and passed the mechanical vehicle test. Older drivers may be penalised if they were unable to afford a new vehicle. A member suggested that the subjective term 'exceptionally good condition' should be reviewed.

In response to suggestions from members of the public, the senior licensing officer said that the hackney carriage driver's test could be made more stringent. He also said that the council's mechanical vehicle test covered specific specifications, above and beyond a normal MOT. This was due to the greater level of mileage travelled and to ensure public safety.

Members suggested that a further consultation with the trade and general public should be held on the potential capping on the number of licences issued; a cap on the number of plates available; a cap on the age of vehicles; a cap on emissions; and a harder test on the car and driver.

(Councillor George left the meeting at this point).

The senior licensing officer informed members that the department for transport considered it best practice to not restrict numbers; few other councils restricted numbers; and there was no current provision in the licensing budget to cover the predicted cost of a periodic survey which would be required to ensure that demand was being met. A member of the public said that depending on the cost of the survey, the taxi drivers may in principle, be prepared to cover the cost through increased licence fees.

A member of the public said that a flooded market meant that taxi drivers received less income and that a temporary cap could be used until demand increased.

RESOLVED:-

- (1) with four members voting in favour (Councillors Altman, Blower, Jeraj and Stephenson) and two members voting against (Councillors Gihawi and Hooke) not to pursue a policy of restricting the issue of hackney carriage vehicle licences by determining a maximum number of licences that should be granted;
- (2) with five members voting in favour (Councillors Altman, Blower, Hooke, Jeraj and Stephenson) and one abstention (Councillor Gihawi) to ask the senior committee officer to consult with the trade and general members of the public on restricting the number of licence plates available; restricting the age of vehicles; restricting emissions; amending the criteria for drivers; and to clarify the testing criteria of vehicles. To then report findings and recommendations back to members for consideration at a meeting in September 2011; and
- (3) unanimously to refer any enforcement issues to the council's enforcement team to review.