

Environment Scrutiny Committee 14 January 2008 – Minute Extract

64. VEHICLE LICENSING SCRUTINY REVIEW

The Head of Legal and Democratic Services submitted a report (previously circulated, now appended), on the experiences of other local authorities that have derestricted hackney carriage licence numbers.

Resolved to endorse the recommendation from the vehicle licensing scrutiny review to consult stakeholders and members of the public on the issue of hackney carriage licence number restrictions and to inform the General Purposes Licensing Committee accordingly.

General Purposes Licensing Committee 16 January 2008 – Minute Extract

26. RICKSHAW AND TAXI LICENSING SCRUTINY REVIEW

The Head of Legal and Democratic Services submitted a report (previously circulated and now appended) on behalf of the Rickshaw and Taxi Licensing Group. He also submitted a minute extract (previously circulated and now appended) of the Environment Scrutiny Committee of 12th November 2007 that had considered the report, and a supplementary report (previously circulated and now appended) of the Head of Legal and Democratic Services that had been asked for by the Environment Scrutiny Committee.

Resolved:-

(1) On rickshaw licensing:-

- (a) to note that there was not an appropriate licensing system for rickshaws even if the Council decided to abandon quantity control of hackney carriage vehicle licences;
- (b) that the Committee place on record its support for the provision of rickshaw services in Oxford;
- (c) that the Council should lobby the Government and the Council's two MPs to introduce a national scheme (by way of new legislation or otherwise) for licensing rickshaws, and to ask the Head of Legal and Democratic Services to make representations in this regard;
- (d) that the Council should introduce a voluntary Code of Practice for rickshaw drivers and operators, and:-

- (i) to ask the Transport and Parking Business Manager, in consultation with the Head of Legal and Democratic Services, to draw up Codes of Conduct for rickshaw drivers and rickshaw operators based upon the London codes set out in Appendices 4 and 5 of the Review Group's report;
 - (ii) that rickshaws should have a bell or some other suitable means fitted whereby an audible warning of approach could be given to other road users;
 - (iii) that rickshaw drivers should be expected to pass the level 3 cycle proficiency test before driving a rickshaw in Oxford;
 - (iv) that officers should consider how further to assist rickshaw drivers and operators that undertook to abide by the Codes of Practice (perhaps along the lines set out in paragraph 5.9 of the Review Group's report) and what the Council might do if rickshaw drivers and operators did not comply with or sign up to the Codes of Practice;
- (2) On hackney carriage licensing:-
- (a) to note that the Council's Policy Framework included the maintenance of quantity control on numbers of hackney carriage vehicle licences and that only Council could vary the Policy Framework;
 - (b) to note that on 4th January 2007 the Committee had:-
 - (i) considered a report of independent consultants upon demand for the services of hackney carriages in Oxford;
 - (ii) noted that the consultants had sought the views of, among others, members of the public;
 - (iii) noted that the consultants survey had concluded that demand for the services of hackney carriages in Oxford would be met if one further hackney carriage vehicle licence was issued;
 - (iv) decided to issue one additional hackney carriage vehicle licence in order to meet the then current unmet demand;
 - (v) decided that in line with Government guidance a further survey into unmet demand would be carried out during 2009;

- (c) that the Council should not consult stakeholders and members of the public on hackney carriage vehicle licence number restrictions;
 - (d) not to reach a decision at this stage on Recommendations 4. and 5. of the Review Group;
- (3) To note that the Environment Scrutiny Committee intended to present the Review Group's report to Council.

Council 30 June 2008 – Minute Extract

31. VEHICLE LICENSING SCRUTINY REVIEW

Council had before it the following:-

- (a) Scrutiny review report;
- (b) Decisions and recommendations of the former Environment Scrutiny Committee of 12th November 2007;
- (c) Report to and decisions of the former Environment Scrutiny Committee of 14th January 2008;
- (d) Minute of the General Purposes Licensing Committee of 16th January 2008;
- (e) Note on consultation further to the Scrutiny review report.

Councillor Simmons proposed an amendment to recommendation 3 of the Environment Scrutiny Committee so that it read as follows:-

“Recommendation 3 – expand the remit of next year’s planned demand survey to include consideration of the broader issues underpinning the shortage of cabs at certain times (for example driver safety, taxi marshals, fee structure). Ensure that this survey is seen to be independent by funding it out of hackney cab licensing fees – which will be increased accordingly at next year’s budget. It would be commissioned as now by the City Council.”

Councillor Rundle indicated that he wished to propose amendments by way of alteration to Councillor Simmons’ amendment, as follows:-

- after “driver safety” add “working of taxi ranks”
- after “fee structure)” add “In addition, consideration should be given to how the system can best ensure all taxis over time meet accessibility and fuel efficiency standards”
- after “ensure that this survey” add “involves open consultation with taxi drivers and users and that it is”

Councillor Simmons indicated that he would accept Councillor Rundle’s alterations and thereupon Councillor Rundle seconded the altered amendment of Councillor Simmons.

Following a debate the amendment to recommendation 3 was voted upon and this was carried, 19 members voting in favour and 18 members voting against. Council then voted upon the substantive recommendation. More than 10 members called for a named vote as provided for in Council Procedure Rule 11.16(d) and the substantive recommendation 3, as follows, was carried, 19 members voting in favour and 18 members voting against:-

“Recommendation 3 – expand the remit of next year’s planned demand survey to include consideration of the broader issues underpinning the shortage of cabs at certain times. (For example driver safety, working of taxi ranks, taxi marshals, fee structure). In addition, consideration should be given to how the system can best ensure all taxis over time meet accessibility and fuel efficiency standards. Ensure that this survey involves open consultation with taxi drivers and users and that it is seen to be independent by funding it out of hackney cab licensing fees – which would be increased accordingly at next year’s budget. It would be commissioned as now by the City Council.”

Voting

For: The Deputy Lord Mayor (Councillor Benjamin), Councillors Brown, Brundin, Craft, Dhall, Fooks, Gotch, McCready, Mills, Morton, Murray, Pyle, Royce, Rundle, Sareva, Simmons, Wilkinson, Williams and Young.

Against: The Lord Mayor (Councillor Pressel) Councillors Bance, Baxter, Christian, Clarkson, Cook, Humberstone, Keen, Lygo, McManners, Price, Sanders, Sinclair, Smith, Tanner, Timbs, Turner and Van Nooijen.

Councillor Simmons proposed an amendment to recommendation 4 of the Environment Scrutiny Committee so that it read as follows:-

“Recommendation 4 – between now and the next demand survey, ask officers to clarify the legal situation on the transfer of licences. “

Council indicated its general agreement to this amendment.

Councillor Simmons then proposed that Council should agree recommendation 5 in principle and Council indicated its general agreement to this.

Council also indicated its general agreement to recommendations 1, 2 and 6.

Council’s decisions upon the Environment Scrutiny Committee recommendations on vehicle licensing were therefore as follows:-

Recommendation 1 – that the Council lobby government and local MPs to introduce a national scheme for licensing rickshaws.

Recommendation 2 – agreed upon a vote, more members voting in favour than voting against, that the Council place on record support for rickshaws in Oxford.

Amended recommendation 3 – expand the remit of next year’s planned demand survey to include consideration of the broader issues underpinning the shortage of cabs at certain times (for example driver safety, working of taxi ranks, taxi marshals, fee structure). In addition, consideration should be given to how the system can best ensure all taxis over time meet accessibility and fuel efficiency standards. Ensure that this survey involves open consultation with taxi drivers and users and that it is seen to be independent by funding it out of hackney cab licensing fees – which would be increased accordingly at next year’s budget. It would be commissioned as now by the City Council.

Amended recommendation 4 – between now and the next demand survey, ask officers to clarify the legal situation on the transfer of licences.

Recommendation 5 – agree in principle that if someone has previously owned and sold or transferred a hackney carriage plate they should not be eligible to receive another hackney carriage plate from the Council.

Recommendation 6 – that the Council introduce a voluntary code of practice for rickshaw operators and drivers and that rickshaw operators and drivers should successfully complete the cycling proficiency test to level 3 of the national standard for cycle training.