

To: General Purposes Licensing Committee

Date: 19 October 2011

Item No:

Report of: Head of Environmental Development

Title of Report: Hackney Carriage Unmet Demand Survey

Summary and Recommendations

Purpose of report: To inform the Committee of the requirement for a new “unmet demand survey” of Hackney Carriage vehicles, if the regulated number of Hackney Carriage vehicles is to be maintained.

Report Approved by:

Finance: Paul Swaffield

Legal: Daniel Smith

Policy Framework: A vibrant and sustainable economy

Recommendation(s):

The Committee is recommended to:

- (i) determine whether it is minded to recommend Council maintain a regulated number of Hackney Carriage vehicle licenses as set out in the Council’s Policy Framework; and**
- (ii) if minded to recommend Council to maintain a regulated number of Hackney Carriage vehicles, to authorise the Head of Environmental Development to tender for a new unmet demand survey to be carried out in 2012 following the guidelines set by the Department of.**

Introduction

1. There is no statutory requirement to limit the number of Hackney Carriage vehicle licences issued within the City, but historically the Council has opted to, as set out in the Council’s Policy Framework. There are currently 107 licensed Hackney Carriage vehicles operating within the city. Under Section 16 of the Transport Act 1985 an Authority can only limit the number of Hackney Carriage vehicle licences granted if it is satisfied that “there is no significant demand for the services of Hackney Carriage vehicles (within Oxford City), which is unmet”. The effect of this is that a refusal to grant a Hackney Carriage proprietor’s licence, on the grounds of

the numbers of Hackney Carriages within the area, could only be justified if the Council could demonstrate that there is no significant demand which remains unmet for Hackney Carriage vehicle services.

2. If an Authority has a regulated number of licenses an “unmet demand survey” is required to be carried out regularly to demonstrate that there is not an unmet demand for Hackney Carriage vehicles. An interval of 3 years has been regarded as the maximum reasonable period between such surveys.
3. The last unmet demand survey was carried out towards the latter part of 2009 and showed that there was no unmet demand. The survey conclusions were presented to the General Purposes Licensing Committee in June 2010. The Committee recommended that Council retain the limit on the number of Hackney Carriage vehicle licenses and agreed that a further demand survey be commissioned in 2012. In July 2010 Council resolved to follow the recommendation and maintain the policy of quantity control of licensed Hackney Carriage vehicles.
4. If Council were to decide not to maintain a regulated number of Hackney Carriage vehicles, or an unmet demand survey shows the need of a significant increase in licenses, consideration of the current available taxi-rank space must to be taken into account. Oxfordshire County Council would need to be consulted in order to agree and approve any new taxi-rank that may be required.
5. Correspondence from the City of Oxford Taxicab Trade Association (COLTA) regarding the regulation of the number of Hackney Carriage vehicle licenses issued by this Authority is attached at **Appendix One**.

Legislation

6. Under Section 16 of the Transport Act 1985 a Licensing Authority may set a regulated number of Hackney Carriage vehicle licenses if, but only if, there is no significant demand which is unmet. As already stated in Paragraphs 1 and 2 of this report, if an Authority has regulated the number of Hackney Carriage vehicles, an unmet demand survey must be carried out on a regular basis.
7. The Department for Transport has set out in a report titled ‘Taxi and Private Hire Vehicle Licensing Best Practice Guidance’ guidance on what an Authority should do if it decides to have in place a regulated number of Hackney Carriage vehicle licenses. The relevant section of the Department of Transport guidance is attached at **Appendix Two**.
8. The Department of Transport guidance states that ‘the department also expects the justification for any policy on quantity restrictions to be included in the Local Transport Plan.

Financial Implications

10. Previous unmet demand surveys have been funded by the City of Oxford Licensing Taxi Association (COLTA) members. COLTA collected the payment from its members and passed the payment to the Council who then paid for the survey on completion.
11. At full Council in 2008 it was decided that any future surveys carried out should come from the fee of a Hackney Carriage vehicle licence. The Hackney Carriage vehicle licence fee was increased accordingly on 1st April 2011; therefore there are no financial implications to the Council as there are sufficient funds in the Taxi Licensing budget to pay for a new survey if the Council decides to commission a new unmet demand survey.

Recommendations

12. The Committee is recommended to:
 - (i) **determine whether it is minded to recommend Council maintain a regulated number of Hackney Carriage vehicle licenses as set out in the Council's Policy Framework;**
 - (ii) if minded to recommend Council to maintain a regulated number of Hackney Carriage vehicles, to authorise the Head of Environmental Development to tender for a new unmet demand survey to be carried out in 2012, following the guidance set by the Department of Transport.

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Background papers:

Appendix One: Correspondence from COLTA
Appendix Two: Department of Transport "Best Practice" Guidance

Version: 1.0

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