

Gloucester City Council

COMMITTEE	: LICENSING AND ENFORCEMENT COMMITTEE
DATE	: 16th NOVEMBER 2010
SUBJECT	: TAXI AND PRIVATE HIRE SCRUTINY STUDY
DECISION TYPE	: POLICY AND FRAMEWORK
WARD	: ALL WARDS
REPORT BY	: GILL RAGON, GROUP MANAGER OF ENVIRONMENTAL HEALTH AND REGULATORY SERVICES
NO. OF APPENDICES	: 1. TAXI/PRIVATE HIRE SURVEY REPORT BY MOUCHEL. 2. TAXI/PRIVATE HIRE SCRUTINY STUDY ACTION PLAN (SIGNED BY CHAIR OF HCA). 3. DEPUTATION FROM CHAS RODGERS ON BEHALF OF HACKNEY CARRIAGE ASSOCIATION. 4. E-MAIL FURTHER COMMENTS FROM CHAIR OF HCA. 5. TENDER E-MAIL CONFIRMATION FROM CHAIR OF HCA. 6. TENDER E-MAIL CONFIRMATION FROM PRIVATE HIRE REPRESENTATIVE. 7. MOUCHEL RESPONSE TO HCA DEPUTATION 8. DRIVER CONSULTATION INVITATION (HC) 9. DRIVER CONSULTATION INVITATION (PH)
REFERENCE NO.	: ES21011

1.0 PURPOSE OF REPORT

- 1.1 To present to Members the Taxi/Private Hire survey report prepared by Mouchel Ltd on the current level of demand for hackney carriage and private hire services and Gloucester City Council's (GCC) current policy.

2.0 RECOMMENDATIONS

- 2.1 Having considered the report and subsequent Taxi Scrutiny Study Action Plan which incorporates the report's recommendations Members have the following options:

- (a) Accept the report and resulting recommendations contained within the Taxi Scrutiny Study Action Plan in full or in part, or
- (b) Reject the report's recommendations contained within the Taxi Scrutiny Study Action Plan in full.

3.0 BACKGROUND

- 3.1 Gloucester City Council as the statutory licensing authority for hackney carriage (taxi) and private hire services is able to set safety and design standards for vehicles used, determine fares (for taxis) and limit the number of hackney carriage vehicle licences issued (in accordance with paragraphs 3.4 – 3.6 below).
- 3.2 A previous study was conducted in 2002 by MCL Transport Consultants which resulted in calls from the trade for greater consultation in any future study. In January 2002 Mr Charles Rodgers spoke out at Cabinet against the methodology and various findings of the MCL Transport Consultant Study into the availability of taxis in Gloucester. As a result of this, the trade have been involved at all stages of this survey. This is detailed below in paragraphs 4.1- 4.6.
- 3.3 The present survey is intended to provide Gloucester City Council accurate, useful and robust information on all relevant aspects of taxi operations with reference to:
- (a) Understand the quality of service members of the public are experiencing.
 - (b) Apply the Department for Transport best practice guidance.
 - (c) Provide robust evidence of the current demand for Hackney Carriage service in Gloucester City.
 - (d) Present an evidence base on which future improvements can be built using an action plan.
 - (e) Involve stakeholders to the level that will encourage the ownership of any solutions brought forward.
- 3.4 The ability to place a restriction on the number of hackney carriage vehicle licences granted is contained within section 16 of the Transport Act 1985. This provides that the grant of a taxi licence may be refused for the purposes of limiting the number of licensed taxis 'if, but only if, the local licensing authority is satisfied that there is no significant demand for the services of hackney carriages which is unmet'.
- 3.5 The Department for Transport Best Practice Guidance 2010 recommends that licensing authorities do not impose restrictions on the number of licences issued.
- 3.6 Section 161 of the Equalities Act 2010 which will come into force some time after April 2011 will restrict the ability of licensing authorities to control the number of Hackney Carriage Vehicles where the authority has relatively few numbers of wheelchair accessible vehicles.
- 3.7 The Transport Minister has also announced that all local authorities will need to ensure a percentage of their fleet are wheelchair accessible, to be implemented on or after 1st April 2011. Consultation will be carried out on the percentage figure in due course, but it has been indicated the percentage figure may be around 35%.

4.0 PROGRESS

- 4.1 During the tendering process in 2009, three quotes were obtained. On November 26th 2009, The Food and Licensing Service Manager (John Guild) and a Licensing and Enforcement Officer (Tony Moseley) met with the Chair of the Hackney Carriage Association (Zeya Ahmed) and a Private Hire Representative (Phil Bartholomew) to discuss the quotes obtained.
- 4.2 The quote provided by Mouchel demonstrated the most comprehensive and professional of approaches at the best value. Each representative from the Hackney Carriage and Private Hire trade also confirmed this. A copy of their e-mails can be found in Appendices 5 and 6.
- 4.3 Mouchel Ltd were officially accepted to carry out the survey on 5 March 2010. An inception meeting was held on 18th March 2010 followed by meetings with representatives of the hackney carriage and private hire trade. The survey itself was carried out in April 2010. The full report by Mouchel is attached in Appendix 1 of this report.
- 4.4 During the study, Mouchel consulted with the Hackney Carriage and Private Hire trades separately. Findings of which can be found in the study report in Appendix 1. Copies of the invitations can be found in Appendices 8 and 9.
- 4.5 A representative from Mouchel Ltd will be present at the committee to present their findings and answer any queries that Members may have.
- 4.6 The Action Plan in Appendix 2 was prepared in liaison with the Hackney Carriage and Private Hire trade. The Action Plan was agreed and signed by the Chair of the Hackney Carriage Association.
- 4.7 Further comments have been submitted by Mr Charles Rodgers in a deputation representing the Hackney Carriage Association. Details can be found in Appendix 3 of this report. Further comments expanding on this deputation were also sent by the Chair of the HCA and can be found in Appendix 4 of this report.
- 4.8 Mouchel have been given a opportunity to consider the deputation submitted by Mr Rodgers and a copy of their response is attached in Appendix 7.
- 4.9 In addition, I would also add further points of clarification in response to the deputation:
- a) Mr Rodgers made reference to some offences identified during the study regarding in-house booking systems. Members are advised that further work has already been conducted to address these matters and ongoing work is identified in the associated Action Plan in Appendix 2 of this report.
 - b) The matters raised about parking in Eastgate Street were identified in the Study Report by Mouchel and further recommendations were made regarding the design of Eastgate Street noted in point 3 of the Action Plan in Appendix 2. Further enforcement action has already been carried out on illegal parking from consultations with the Parking Team, resulting in the recent improvements Mr Rodgers refers to.

- c) It was intended to study the taxi and private hire service as a whole in addition to considering those aspects as outlined in paragraph 3.3 of this report. The demand study relates only to the Hackney Carriage vehicles.
- d) The taxi rank at the Railway Station was considered in the study because it acts as a main rank within the City providing a service to members of the public and certainly those who may be visiting Gloucester City for the first time. It is a private rank run by First Great Western not the City Council. The recommendations made in the report was intended to meet paragraph 3.3 (e) of this report 'involving stakeholders'. The solutions identified in the Study Action Plan are suggestions for First Great Western to consider, helping improve the service as a whole. Whilst a slight unmet demand was identified at this rank, Mouchel has not contributed this element to the Hackney Carriage demand part of the study, but identified that the Station may want to consider increasing the number of permits they issue. The phone link was suggested by members of the trade during one of our regular liaison meetings as a method to contact permit holders for the railway rank.

5.0 FUTURE WORK

- 5.1 The recommendations from Mouchel's report are contained within the Taxi Study Action Plan attached at Appendix 2 of this report.
- 5.2 The Licensing Department has regular meetings with the trade and will discuss the implementation of the Action Plan's proposals.
- 5.3 It is proposed that if required, surveys are carried out on a three yearly basis to ensure the positive development of the trade for the benefit of Gloucester.
- 5.4 Members are advised that the impact of the Equalities Act 2010 will be taken into account when determining any future action by Gloucester City Council.

6.0 CONCLUSIONS

- 6.1 Members are advised to consider the information contained in Mouchel's report and proposals contained in the Taxi Scrutiny Study Action Plan and make a decision in accordance with paragraph 2.1 of this report.

7.0 FINANCIAL IMPLICATIONS

- 7.1 Any work required to take the Action Plan forward will incur costs to Gloucester City Council and partner agencies through staff time and related costs. The majority of these costs should be met through fees levied for the grant of licences to the trade.

8.0 LEGAL IMPLICATIONS

- 8.1 Gloucester City Council has adopted the provisions of the Local Government Miscellaneous Provisions Act 1976, which enables it to regulate the Private Hire

and Hackney Carriage trades. This includes the imposition of reasonable licence conditions and a provision for providing Taxi Ranks in Section 63.

- 8.2 Taxi Ranks on private land, such as at the railway station is not normally regulated by the Local Government (Miscellaneous Provisions) Act 1976, but are matters of agreement between Great Western and the licence holders. They can be designated as a taxi rank under the Local Government (Miscellaneous Provisions) Act 1976 in association with (in the case of railway stations) section 76 Public Health Act 1925.

9.0 RISK MANAGEMENT IMPLICATIONS

- 9.1 None

10.0 PREDICTIVE IMPACT ASSESSMENTS (EQUALITIES) AND COMMUNITY COHESION

- 10.1 The provision of an accessible fleet for all members of the public is recognised as important for all sections of the community and will be at the forefront of any decisions made by the licensing authority. The Equalities Act 2010 will enable the Secretary of State to make Regulations as to the design and type of licensed hackney carriage vehicles in order to ensure the availability of wheelchair accessible vehicles.
- 10.2 Section 164 of the Equalities Act enables the licensing authority to apply for an exemption from any taxi accessibility regulations made. It is known that some less mobile members of the community who do not use wheelchairs can have difficulty in using wheelchair accessible vehicles due to their design. The option of an exemption will be considered if appropriate at any future date to ensure all members of the community have equal access to licensed vehicles.

11.0 OTHER CORPORATE IMPLICATIONS

1. Community Safety (Author to complete)

An effective Hackney Carriage and Private Hire service contributes towards residents feeling safe in the Community.

2. Environmental (Author to complete)

Hackney Carriage and Private Hire licensed drivers provide an important addition to the public transport provision in the City and so contribute to environmental sustainability.

3. Staffing (Human Resources to complete)

None

4. Trade Union (TU to complete)

None

- Background Papers** : Mouchel Ltd. Taxi/Private Hire Survey Final Report
- Published Papers** : Local Government (Miscellaneous Provisions) Act 1976 DfT – Taxi and Private Hire Licensing: Best Practice Guidance (2009)
Gloucester City Council Cabinet Report ES20206 (13th March 2002) – Study into the availability of Taxi's in Gloucester – Policies for review
Gloucester City Council Cabinet minutes 13th March 2002 – (minute 116.7)
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