

LICENSING COMMITTEE

8 July 2013

PRESENT: Councillor Mrs Brandis (Chairman); Councillors Mrs Bloom, Hawkett, Huxley, Lambert, Mills, Mrs Phipps, Rand, Mrs Renshell, Mrs Roberts, and Vick.

APOLOGIES: Councillors Mrs Blake, Cooper, Douglas-Bate, Khan and Sir Beville-Stanier

1. PERMANENT CHANGE TO MEMBERSHIP

The Committee was informed that there had been a permanent change to the Liberal Democrat membership of the Committee, with Councillor Khan replacing Councillor Jarvis.

2. MINUTES

RESOLVED –

That the Minutes of 18 March and 15 May 2013 be approved as correct records.

3. IMPLEMENTATION OF AN ENFORCEMENT POINTS SYSTEM FOR LOW LEVEL NON-COMPLIANCE OF THE TAXI POLICY

It was reported that hackney carriage and private hire operators, drivers and vehicles were principally governed by the Local Government (Miscellaneous Provisions) Act 1976, Town Police Clauses Act 1847, Council byelaws and conditions implemented by the licensing authority

When drivers, owners or operators of vehicles committed an offence or breached these rules, persons involved were either asked to attend the council offices for an interview or were contacted by a council officer in the first instance. Once investigations were complete, letters were sent out detailing the outcome with a record being kept on file. The outcome of investigations may result in no further action being taken, a formal warning, prosecution or a regulatory sanction to include refusal to renew, revocation or suspension of a licence.

To assist the council in improving standards, it was proposed to introduce a penalty points scheme for low level non compliance of the councils current taxi and private hire policy. The accumulation of points to a pre-determined level could lead to further actions such as suspension, revocation or the refusal to renew a licence. A table showing the most common reasons for non-compliance had been attached to the report as an appendix. The intention was that points would remain on a driver's file for a set period of time, possibly 18 months, before removal. Details of a framework for the operation of the

scheme and the method for appeal were also set out in an appendix to the report. It was suggested that the scheme could run for a trial period of 6 months, before reviewing. It was intended that Thames Valley Police and Bucks County Council would assist in the operation of the scheme.

Whilst the majority of licence holders had abided by the rules, there were a small number of drivers that consistently had not. The primary objective of implementing a penalty points scheme was to improve the levels of compliance within the trade which would subsequently help improve the standards, safety and protection for the travelling public. This would also help free up officer time spent writing letters and interviewing drivers. It was noted that this scheme would run alongside the Council's Policy on Hackney Carriage and Private Hire Vehicles.

Members made a number of suggestions relating to the draft scheme and sought clarification on a number of points.

Representatives of the Red Plate Driver Association also attended the meeting and addressed the committee.

RESOLVED

- (1) That the Committee noted the report and subject to the comments and suggestions discussed, authorised the Licensing Services Manager to consult with the trade and other local, relevant organisations on the detailed content of an enforcement points system in respect to taxi and private hire with a report back to the Licensing Committee on the outcomes in due course.

4. THE FUTURE OF HACKNEY CARRIAGES IN AYLESBURY VALE

In May 2012 the Licensing Committee had recommended that the Cabinet Member for Environment and Health be asked to defer a full unmet demand survey until the end of 2014 and to maintain the limit of 50 hackney carriages in Aylesbury town until the outcomes of the unmet demand survey in 2014 were decided upon. The cabinet Member subsequently endorsed this recommendation.

Following this decision the Law Commission had published a consultation on the reform of taxi and private hire services. One of their recommendations was the removal of quantity restrictions. The Licensing Committee discussed the various recommendations and a formal response had been prepared and submitted to the Law Commission.

Earlier this year the Law Commission provided an interim statement arising from the consultation exercise which had been attached as an appendix to the report. The final decision on the law commission's findings would be made by Government following publication of a draft Bill at the end of 2013.

Part of the Law Commission's interim statement referred to quantity controls and the Commission's change of view in that they no longer recommended abolishing them, having previously done so in their original consultation paper.

It was suggested that rather than wait until the end of 2014 before undertaking a full quantity restriction survey (unmet demand survey), officers should, in the interim period, undertake a data gathering exercise, liaising with the trade, members of the public, Thames Valley Police, Bucks County Council and other transport providers.

Representatives of the Hackney Carriage Trade attended the meeting to make representations and answer Member's questions.

RESOLVED

- (1) That the Committee noted the report and agreed that preparatory work should be undertaken prior to the review of the quantity restriction policy in 2014.