

REPORT ON THE COUNCIL'S LIMITATION POLICY IN RESPECT TO AYLESBURY TOWN

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1 Purpose

- 1.1 For Members to consider deferring an unmet demand survey in respect to the Council's hackney carriage limitation policy for Aylesbury town.

2 Recommendations/for decision

- 2.1 For Members to agree to defer carrying out an unmet demand survey in respect to the Council's hackney carriage quantity control policy for Aylesbury town for the reasons set out in this report.

3 Supporting information

- 3.1 The number of hackney carriages (taxis) serving Aylesbury town is limited to 50. They are identifiable as black, purpose built taxis displaying a white plate on the rear. Outside the town in the rural district the Council do not limit the number of taxis and at the time of writing this report there are 15 licensed white purpose built taxis displaying a red plate on the rear.
- 3.2 Section 16 of the Transport Act 1985 permits the Council to limit the number of taxis in respect of which licences are granted, if but only if the Council is satisfied that there is no significant demand which is unmet.
- 3.3 According to the Department for Transport Taxi and Private Hire Licensing: Best Practice Guidance dated March 2010, licensing authorities are encouraged to review quantity restriction policies every three years. The Department regards no quantity restrictions as best practice but acknowledges that ultimately what matters is what is in the interests of the taxi travelling public. This involves balancing the benefits and disadvantages of continuing to limit against those for removing it. So whilst the legal requirement to maintain a quantity restriction is unequivocally based on unmet demand, once established Members can also consider what is in the interests of the taxi travelling public.
- 3.4 The last full and detailed survey was carried out in 2014 and agreed in 2015. The survey concluded that there was no significant unmet demand. If the current Department for Transport Best Practice is to be strictly applied, demand should have been surveyed in 2017.
- 3.5 In March 2017, Members resolved that the Licensing Service prepare and agree with the Chairman a new specification for hackney carriages. In September 2017 the Licensing Committee agreed to defer carrying out an unmet demand survey to give hackney carriage vehicle proprietors the opportunity to upgrade their vehicles in accordance with the pending revised vehicle specifications. Members felt it was important that the availability of a fleet of new vehicles should be taken into account when considering demand for taxis. Establishing appropriate new vehicle standards has proved complex, however it is intended that the proposed new specification will be ready for presentation at the next Licensing Committee meeting in July 2018.
- 3.6 Access to ranks continues to be a contentious issue in Aylesbury town centre. Bucks County Council have implemented a number of changes to parking and traffic arrangements in Aylesbury Town Centre, which includes the installation of parking meters and removal or relocation of some ranks. Representatives from the taxi trade continue to report that these changes are

causing them financial hardship and adversely affect their ability to serve travelling members of the public. The Principal Licensing Officer has met with, and is in regular contact with, the new BCC Parking Manager. Bucks County Council have acknowledged that the situation is complex and a review of parking arrangements and taxi rank provision in Aylesbury is necessary. It is their intention to commence work on a review of parking and traffic arrangement in the town this summer.

- 3.7 Until the long term provision of parking, ranks and traffic arrangements is established it will be difficult to conduct a meaningful unmet demand survey.
- 3.8 In September 2017 the DfT established a 'Task and Finishing Group' with the remit of considering the adequacy and efficiency of legislation and guidance covering the licensing of taxis and private hire vehicles. One of the group's specific objectives is to consider whether the Government should accept the recommendations in the Law Commission's May 2014 report, which in turn includes a recommendation that licensing authorities retain the right to limit the number of taxis working in their area. Their report is expected to be presented to the Minister within the next two months. The DfT also have plans to release updated versions of its Statutory Guidance and Best Practice Guidance for consultation, which is likely to happen once the Minister's report has been presented. It may be advisable to await until at least the publication of the task and finishing group's report to see whether Section 16 limits are likely to be supported in the future before committing to a further survey.
- 3.9 Finally it should be noted that representatives of operators of the rural taxis, who operate outside of Aylesbury Town Centre, are keen for the current limit of 50, which has been in place for a number of years, to be reviewed at the earliest opportunity. They believe there is justification for increasing or removing the limit: there has been considerable redevelopment in and around the town centre and ongoing expansion of the local population, which they believe has likely led to an increase in demand for taxis in the town centre. They have also stated that the survey should take into account the whole District and not focus solely on Aylesbury Town Centre.

4 Options considered

- 4.1 None.

5 Reasons for Recommendation

- 5.1 In order to maintain a quantity restriction in respect to hackney carriages for the town of Aylesbury the Council are required to carry out an unmet demand survey. Current best practice guidance recommends that the imposition of a limit be reviewed every three years. However there are several factors that potentially affect the outcome of a demand survey, specifically the introduction of new, higher specification vehicles, unresolved rank and parking provision and pending Department for Transport recommendations to Government and new guidance and best practice for Licensing Authorities.

6 Resource implications

- 6.1 The cost of the survey will be covered by income from taxi licensing fees.

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Background Documents

Names of Background documents

