

Licensing Committee

21 MAY 2018

PRESENT: Councillor J Brandis (Chairman); Councillors T Mills (Vice-Chairman), M Hawkett, A Huxley, S Lambert, L Monger, G Powell, S Renshell and B Russel

APOLOGIES: Councillors S Morgan and Sir Beville Stanier Bt

At the start of the meeting, the Committee joined the Chairman in welcoming the new Principal Licensing Officer, Simon Gallacher, to his first Licensing Committee meeting at Aylesbury Vale DC.

1. MINUTES

RESOLVED –

That the minutes of the meeting held on 15 January 2018 be approved as a correct record.

2. TAXI AND PRIVATE HIRE LICENSING: FEES AND CHARGES

At the last Committee meeting in January 2018, it had been agreed that Members would consider objections that were raised on changes to Fees and Charges during the consultation period. If no objections were received then the proposed date for implementation was 1 April 2018 whilst if objections were received and not withdrawn then any changes would come into effect from 1 June 2018.

The Committee received a report which included the objections that had been made. Included in the report was AVDC's response to the objectors but these had not led to the withdrawal of the objections. The Committee were asked to consider the objections submitted during the consultation period, as well as AVDC's responses, and whether to implement the proposed fees and charges or make changes to the proposal.

Members discussed the merit of promoting air quality in the taxi service through promoting of hybrid vehicles by reducing the annual charge for a hybrid's annual license. Air Quality Management fell within the remit of AVDC's authority and such a scheme had been investigated nearly a year ago by officers. However, advice had suggested that such an incentive would not be legally sound due to the service having to charge for the cost of administrating the service. It was possible for other positive environmental schemes to be investigated such as no idling campaigns in taxi ranks and public areas. In this case, signage would be deployed and the trade would need to be made aware of the benefits of not idling, such as reduced vehicle running costs. If it could be successfully implemented then the trade would be setting a positive example for other road users. This may have a positive environmental impact in areas with issues of idling outside schools.

A taxi working group had been set-up with officers and taxi trade representatives to improve communication. Meeting quarterly, the group were open and honest in their discussions of the trade and the trade's insight had proven valuable in the recent implementation of a quicker license renewal collection service which saved officer resource and satisfied drivers. Officers acknowledged that the proposals in the report could be more accessible in making 'Current vs. Proposed' fees and charges clearer side-by-side, and would take this suggestion forward in future work.

Members considered the impact of the back office computer system that had been introduced to the service. Officers advised that although the online application process made it easier for applicants, administration was still time consuming pending further implementation. Once this system was fully implemented and working effectively, AVDC would review the fees again to consider changes and consult with the trade. Accordingly, the Committee were satisfied with the proposed fees and charges and deemed it unnecessary to change the proposals in the officer report.

RESOLVED –

1. That the Committee approve the proposed fees and charges without modification.
2. That the Committee recommend that the Cabinet Member approve changes to fees and charges in relation to vehicle and operator fees as per the report.
3. That the Group Manager for Regulatory Services be authorised to implement the introduction of the proposed taxi and private hire licensing fees from 1 June 2018.

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

The Department for Transport Taxi and Private Hire Licensing: Best Practice Guidance (March 2010) encouraged authorities to review their hackney carriage quantity control policies every three years. At present, 50 hackney carriages served Aylesbury town. The last detailed review was carried out in 2014 and concluded there was no significant unmet demand with the next review scheduled in 2017. In September 2017, the Committee had considered the unmet demand survey for Aylesbury Town Centre and agreed to defer it to allow the trade to replace vehicles as a consequence of a pending change to hackney vehicle specification agreed in principle by the Licensing Committee in March 2017. Members felt that this would allow the survey to be more accurate and take the changes into account.

It was reported to the Committee that establishing appropriate new vehicle standards had proved complex. In addition, the taxi trade had reported that access to taxi ranks had continued to be contentious in Aylesbury Town Centre in part due to BCC implementing changes to parking and traffic arrangements in the town centre. These changes included the installation of parking meters and the removal or relocation of some ranks, negatively affecting the trade's finance and ability to serve travelling members of the public. The Principal Licensing Officer had liaised with the new BCC Parking Manager who had acknowledged that the situation was complex and that a review of parking arrangements and taxi rank provision in Aylesbury was necessary. It was BCC's intention to undertake a review of parking and traffic arrangements in summer 2018 so until a long term solution was established then an unmet demand survey would not be meaningful. Moreover, the Department for Transport were expected to receive a stakeholder's report from the 'Task and Finishing Group' who were tasked with making focussed recommendations in the next couple of months. Following their report it was anticipated that the DfT would commence consultation on revised versions of its 'Statutory Guidance' and 'Best Practice Guidance'. The anticipated reports and publications may have an impact on AVDC's future decision to limit hackney carriage licenses.

Representatives of operators of rural taxis outside Aylesbury Town Centre, which were identifiable as white, purpose built taxis displaying a red plate on the rear, were keen for the current limit to be reviewed and increased as soon as possible. Their rationale was that the development in and around Aylesbury and the increased population had meant that demand for taxis had increased in the town centre.

Members discussed the merits of removing the limit, citing that it would allow the market to decide what was needed and that it would give customers more choice and better

pricing. This course also meant that an unmet need survey would not need to be done. However, it was noted that other authorities that had previously removed a hackney carriage limit had since re-introduced it. Members were therefore minded to retain the limit rather than remove it altogether. The Committee also suggested it would be beneficial for officers to investigate why other authorities had removed limits then reintroduced them.

Upon asking additional questions, Members were advised

- i. Indication from the new Parking Manager at BCC was that their review would commence in July 2018 and were aware of the volatility the situation had created. Members saw merit in inviting the Parking Manager to the next Licensing Meeting and Members raising this through internal channels at BCC.
- ii. Officers would liaise with colleagues in planning to establish whether future rank provision had been incorporated into the Courthouse redevelopment.

On balance, the Committee felt that there was clear rationale in deferring the unmet demand survey until the BCC situation was resolved as there was the distinct possibility of the findings of the survey not being meaningful after publication. Moreover, Members felt that undertaking the survey now was not prudent given the current situation of the trade and the potential outcome of increasing the number of hackney carriages operating in the town centre.

RESOLVED –

That the decision to carry out the unmet demand survey in respect to AVDC's hackney carriage quantity control policy for Aylesbury Town be deferred until September 2018.

4. STREET TRADING REVIEW

A consolidated review of street trading arrangements in Aylesbury Vale had not taken place for many years so the Committee received a report which proposed the undertaking of a comprehensive review of street trading arrangements over the next 12 months. This would involve:-

- a. consult and obtain views from key stakeholders
- b. establish an accurate picture of street trading matters in Aylesbury Vale and assess against current authorised pitches
- c. ensure street trading in Aylesbury Town Centre is in keeping with AVDC's town centre vision
- d. promote safe guarding
- e. considering arrangements in additional urban areas in the District, notably Buckingham, Wendover and Winslow
- f. ensure geographic boundaries of markets and consent areas are clearly defined
- g. investigate how greater partnership working can be promoted
- h. review enforcement arrangements
- i. investigate the extent of unauthorised trading in Aylesbury Vale and review the necessity of additional controls
- j. analyse current consent streets
- k. evaluate current fee levels and compare current terms and conditions with a view to achieving consistency and flexibility
- l. establish clear revocation, variation and refusal procedures and consider whether an appeal process should be introduced
- m. improve web based content
- n. review arrangements in comparable District authorities.

The Committee sought clarification and were advised that Consent Traders normally paid monthly as annual payments would be a considerable outlay. Those in arrears were taken into account.

RESOLVED –

That the Licensing Committee support the undertaking of a review of street trading in the District over the next 12 months.