

**LICENSING AND SAFETY COMMITTEE
01 OCTOBER 2009
7.30 - 9.18 PM**



Present:

Councillors Brunel-Walker (Chairman), Mrs Ryder (Vice-Chairman), Mrs Angell, Baily, Mrs Barnard, Brossard, Burrows, Finch, Leake, Osborne, Thompson and Virgo

Apologies for absence were received from:

Councillor Ms Wilson

12. Declarations of Interest

There were no Declarations of Interest.

13. Minutes

RESOLVED that the minutes of the meetings of the Committee held on 2 July 2009 be approved and signed by the Chairman.

14. Urgent Items of Business

There were no urgent items of business.

15. Review of Statement of Gambling Principles

The Chief Officer: Environment and Protection reported on the results of a consultation on gambling principles and made recommendations on a revised Statement of Gambling Principles, which had been circulated with the Agenda papers. He told the Committee that about 300 individuals and organisations had been consulted, but only eight responses had been received. Seven responses had given no comments. The eighth had been from GamCare, and their comments had been noted and taken into account when revising the Statement of Gambling Principles.

The Chairman invited questions, but there was none. The Chairman thanked the Chief Officer and his team for their hard work and moved to the recommendation.

It was unanimously **RESOLVED** that:

the Committee note the result of the consultation and recommend to the Executive that the Council adopt the revised Statement of Gambling Principles with effect from 30 January 2010.

16. Bracknell Forest Taxi Unmet Demand Survey

The Chairman explained to the meeting that the Chief Officer: Environment and Safety would introduce this item, then Paul Beecham from TPI would give a presentation on the survey. After this, Mr John Yexley representing GMB and

Bracknell Licensed Taxi Forum would speak. Questions of clarification would be allowed after each speaker.

The Chief Officer introduced the report, which had been circulated. He indicated that this report had been difficult to write as it was a finely balanced matter. In writing the report, and making the recommendations, he had had regard to Government guidelines and the fact that the result of the survey had been that there appeared to be no unmet hackney carriage demand in Bracknell Forest. The trade position was set out in the papers and drivers had made representations for a limiting policy. Their argument was around protecting the quality of the existing fleet by ensuring that the drivers had a living wage without having to work excessive hours. They believed it would be in the public interest to restrict trade. The Chief Officer's recommendation was not to limit the number of hackney carriage licences.

Councillor Virgo asked whether the current economic recession had been taken into consideration, and agreed that any decision must be in the best interest of the public. The Chief Officer confirmed that the recession had been taken into account.

Paul Beecham from Transport Planning (International) Ltd (TPI) gave a presentation about the key areas of the Unmet Demand survey for Bracknell Forest which his consultancy had undertaken for the Council. The report had full details of the survey, and this had been circulated with Agenda papers. He told the meeting that TPI had undertaken over 100 surveys of this kind in recent years, and always took into account Government guidance. The methodology for the study was taken from Government advice, first taking a background review of Bracknell Forest transport and then surveying stakeholders, conducting on-street interviews, and a total of 307 hours observations of taxi ranks in the Borough. Results from these activities had been taken and analysed, and compared with studies which had been conducted elsewhere. In cases where unmet demand was confirmed, a modelling exercise would be undertaken to make recommendations to meet demand, but this was unnecessary in Bracknell Forest's case.

Mr Beecham highlighted some of the findings of the survey:

- There were three very busy taxi ranks in Bracknell Forest – the train station, the bus station, and the British Legion. Passenger delays at these ranks were insignificant, and cab drivers waiting for fares at ranks was on average about 20 minutes.
- There was one hackney carriage for every 1300 people within Bracknell Forest; the average was one per 1600 people in other boroughs.
- The public attitude to hackney carriages was generally happy, and issues were not raised. Those surveyed were considered a representative sample of the Bracknell Forest population.
- Main deterrent to using taxis was cost, with many preferring to use their own cars or to use buses.
- Suggested improvements included lower fares (the most common response) followed by customer care.

The survey had struggled to find enough respondents in wider consultation. Fifty different organisations had been approached, but fewer than 10 responded. Amongst these had been transport operators, hotels, pubs, disability groups, police, students, and ethnic minority groups in the hope of getting a good mix of views. Follow-up phonecalls, visiting and forum attendance had been unproductive. This lack of response was not typical in his experience nationally. A questionnaire was also sent to over 300 taxi drivers, but only 25 responses were received. The view of most

responding stakeholders was that they were happy with current provision. Hackney drivers felt that there was a reduction in demand. The group engaging most were the disability community, particularly wheelchair users, whose main concerns were around lack of customer care.

From the survey analysis, TPi concluded that the weight of evidence suggested there was no unmet demand for hackney carriages in the borough.

Mr Beecham explained that the aim of TPi is to produce an objective independent report for the client and that based on Government guidance that no limit need be made to the number of licences. Limitation is considered a blunt instrument and does not allow flexibility, but does give the Council control. An alternative way would be to limit through quality standards, which some councils had done very effectively.

The Chairman thanked Mr Beecham for the comprehensive, thorough and detailed report and invited clarification questions.

Councillor Leake commended Mr Beecham for the very good report which was easy to read and understand, and asked for clarification about the observations at the taxi rank. In response, Mr Beecham told the meeting that at the inception meeting his consultancy had taken advice from the licensing officers about the number of hours of observation to be given to each of the tax ranks, and that this was a tried and tested method for surveys.

Councillor Leake then asked for clarification about the groups consulted, and about people who did not want to respond. Mr Beecham informed the meeting that the “no response” category had been made up of those who did not wish to take part in the survey and those who saw no need because they were content with the status quo.

Councillor Thompson observed that there had been a lot of activity around the three main ranks, and wondered what the conclusion of the study might have been without these three. Mr Beecham indicated that his understanding was that drivers at the three main ranks, when not busy, would trawl round all the ranks in town to check that no passengers were waiting there. In all over the period of observation there were 3781 passengers and 4578 taxis departing from the ranks.

Councillor Brossard was surprised by the low taxi driver response, and asked whether the same follow-up process was used. Mr Beecham explained that they had spoken to 25 taxi drivers and six operators to represent the trade view.

Councillor Ryder asked about the phrase on p.133 “collective promotion of services” and Mr Beecham said TPi suggested encouraging joint working between licensing officers and the trade, to promote availability and the role of taxis; this can increase demand for the trade. He gave an example of the Quality Taxi Partnership in Basildon, Essex, and reported that this was a best-practice scheme which included giving customer service training to taxi drivers to improve the service, and it had resulted in increased trade there.

Councillor Finch asked for clarification on latent demand, and was told that this group consisted of those who would in theory choose to use taxis against current alternatives, but were currently choosing to do something else – eg using own car or buses.

The Chairman then introduced Mr John Yexley, representing 66 GMB members and the Bracknell Licensed Taxi Forum. He was the first public speaker to take the floor at a Bracknell Forest Licensing and Safety Committee meeting.

Mr Yexley asked the meeting, on behalf of those he represented, to impose a limit on hackney carriage licences, not from greed or exclusion, but to give a good service to the public and for the taxi drivers to make a living wage. He told the meeting that the Government's decision to impose on hackney carriages the accessibility rules for wheelchairs which private hire vehicles are not subject to had increased significantly the cost of buying and servicing hackney carriages. Added to this increased cost, some other customers had now chosen to use PHV rather than hackneys because the height of vehicle necessary for wheelchair adaptation meant that it was now too high for some elderly and infirm customers to access with ease. There had also been an upsurge in online shopping which meant a further reduction in trade. He had read the TPI report, and drew members' attention to the fact that there was no discernible unmet demand, that the number of hackney carriage licences currently held was adequate, and if a limit were imposed, it would safeguard drivers' livelihoods, and would help operators and customers alike. Currently Bracknell Forest drivers needed to work 12 hours per day and six days per week in order to raise an income of £250 after allowing for buying, running, and servicing costs for their vehicles. A limit for the next three years would secure viability and an excellent service. In response to questions, Mr Yexley indicated that

- Hackney carriages were compulsorily required to be accessible to wheelchairs
- The additional height made it difficult for others to get in and out of the carriages
- Saloon cars used by PVH were much cheaper because they did not need to be purpose-built for wheelchair accessibility, and thus these drivers were able to take more business; hackney carriages which were accessible had to be bought new, generally, whereas previously it was possible to buy a good car with low mileage on the second-hand market
- An estimated 80% of the trade operates out of the three most popular ranks at present

The Chairman ascertained that there were no further questions for Mr Yexley, and thanked him for his speech. He invited officers to add anything necessary before discussing the recommendations in detail.

The Senior Assistant Solicitor told the meeting that there was a discretion open to the Committee and Council to adopt the recommendations contained in the report, and suggested that the purpose of the item on the Agenda was to look at the two distinct recommendations offered by the Chief Officer.

Councillor Virgo asked whether it would be possible to impose a limit now, but at a later date when the economic situation improved, to rescind it to get increased numbers of licence-holders.

The Senior Assistant Solicitor agreed that this was possible and that the trade would need to be consulted about this as opposed to conducting another survey to determine unmet need.

Councillor Virgo felt strongly that we needed a vibrant town and vibrant people, and it is important for the Committee and Council to back the trade when they need help. The members should be mindful of public need and choice, and this included viable taxi trade.

Councillor Brossard felt there was a need to discuss what the limit should be, and Councillor Thompson raised the question of taxi provision to and from Broadmoor

Hospital. Mr Yexley assured the meeting that concerns about taxis to and from Broadmoor Hospital would be addressed as part of the recommendation in the report..

In response to a question from Councillor Leake, discussion followed about the possibility of imposing a limit now which, if the economic situation improved, could be rescinded. This would be possible within the next three years, but after that, a further study of unmet demand would need to be made.

The Chairman summed up the discussion, saying that there was a finely balanced decision to be made, with some unresolved factors, and the possibility of latent demand. If the number of hackney carriage licences were to be capped, for how long should it be done and at what number? He suggested amending recommendation 2.1, to allow time for investigation into other aspects such as quality partnership, and in order to protect the licensed trade balancing this with the needs of community. An amended recommendation would impose an interim limit to allow officers to go away and work with the trade, and report to the next meeting with a set of specific recommendations. The Chairman's proposal would stop the issue of any further licences until at least 4 February 2010 to enable the committee to benefit from more information and time to make a considered decision, and also give the trade some protection.

The Chairman proposed that the committee "introduce an immediate freeze on any new hackney carriage licences to allow the trade and officers to work further together around the issues raised in relation to the trade; and that a further report be brought to the next meeting of this committee. This proposal is considered to be in the best interests of the trade and the public."

The Chairman proposed the motion, seconded by Councillor Leake and was carried unanimously.

It was **RESOLVED** to introduce an immediate interim freeze on any new hackney carriage licences to allow the trade and officers to work further together around the issues raised in relation to the trade; and that a further report be brought to the next meeting of this committee. This proposal was considered to be in the best interests of the trade and the public.

17. **Date of next meeting**

Thursday 4 February 2010 at 7.30 pm.

CHAIRMAN