

## REGULATION COMMITTEE

2<sup>nd</sup> April 2009 at 6.00 p.m.

PRESENT: Councillor Ayub (Chair); Councillors Rutstein, Singh and Worliding.

IN ATTENDANCE: Councillor Saleem.

### 6. APOLOGY FOR ABSENCE (REF: 2)

An apology for absence from the meeting was received on behalf of Councillor Bailey.

### 7. MINUTES (REF: 3.1)

**Resolved:** That, the Minutes of the meeting of the Committee held on 25<sup>th</sup> February 2009 be taken as read, approved as a correct record and signed by the Chair.

### 8. HACKNEY CARRIAGE VEHICLES –UNMET DEMAND SURVEY (REF: 10)

The Head of Environmental and Consumer Services reported on the Hackney Carriage Unmet Demand Survey.

James Jennings, of Colin Buchanan and Partners Limited gave a presentation on the outcomes of the Un-met Demand Study in Luton, which had been commissioned by the Hackney Carriage Trade and the Council. The Key elements of the study included public and driver consultations, rank observations and regeneration, which were completed between April 2008 and September 2008.

During public consultation, 251 taxi users who had used a taxi in the last six months and 148 non-taxi users had been interviewed, and it was found that:

- Of the non users, just over 60% of respondents said that they had no need for taxis in Luton,
- 20% said that taxis were too expensive, most of whom would use taxis if prices were dropped.
- Some latent demand.
- Most know there are some differences between Hackney Carriage and Private Hire Vehicles such as pre-booking and hailing taxis.
- Customers were generally satisfied with the service provided, for example, waiting time, helpfulness of the driver and level of local knowledge.

- The level of service for Hackney Carriage taxis ranged from 6 to 8 out of 10.
- There had been a slight perceived increase in waiting time from 2006 of 1 to 2 minutes wait to 3 to 5 minutes.

During the Driver's consultation, 441 questionnaires had been sent out with a 40% response rate, of which the following findings were surmised:

- 65% of respondents felt that most customers had to wait less than five minutes for a taxi during the busiest times.
- Almost 80% said that at the quietest times, they had to wait over 20 minutes for a fare at each rank.
- Comments in regards to Private Hire Vehicles were found in the responses, particularly regarding illegal plying for hire.
- Driver's responses on their opinion as to why people could not find a taxi when they wanted one ranged from the lack of willingness for drivers to work at night, too few Hackney Carriages to too many late night premises in the town.
- In regards to the location of an additional rank, 94% of drivers suggested Chapel Street.
- 56% of drivers thought that the disciplinary procedures were fair and appropriate, and 37% thought they were not.
- Driver's were asked how the Council could improve conditions, of which the responses were:
  - The conditions were fair.
  - That appearance and politeness to customers should be monitored and enforced.
  - That a written and spoken English test should be included in conditions.
  - More should be done to prevent Private Hire Vehicles taking the Hackney Carriage trade.
  - That facilities near to the ranks would be useful, for example toilets.
  - Ranks should be bigger.
  - More MoT Centres were needed.

He went on to say that most ranks had taxi's waiting for fares for most of the day, but during certain periods of time such as early Friday afternoon, the amount of taxis reduced dramatically. He added that overall, around half of the observed taxis were Private Hire Vehicles, which masked the true demand for Hackneys at ranks. Also, the ratio of Private Hire Vehicles to Hackneys increased during nighttime periods, which highlighted a period where there was some significant un-met demand.

James Jennings added that in summary, there were some small queues of passengers waiting in the early morning and late in the night, and Friday lunchtime. However, the majority of the time there were queues of taxis seen at ranks. Also, there were large numbers of Private Hire Vehicles illegally using the ranks and that there was significant unmet demand at certain times. He concluded that over the next few years it would be advisable to consider the economic situation and developments in Luton as the town was an international gateway for the 2012 Olympics and of the concerns of Hackney Carriage Driver's comments regarding enforcement of illegal Private Hire Use.

A Member referred to Paragraph 6.2.26 of the Report that stated that driver's felt that there were too many taxis in operation in Luton, which had a detrimental effect on their income, and commented that this contradicted the recommendation of the Report. He added that the completion date for major projects listed in the Report was inaccurate by several years and therefore irrelevant to the perceived demand.

The Solicitor representing the Council replied that the criteria for unmet demand were based on the current demand.

A Member of the Committee commented that unmet demand was not as significant as stated in the Report. He added that it would be illogical to increase the number of Plates when current demand was low.

The Committee were advised by the Solicitor that the Council could only refuse to increase the number of plates issued if it were satisfied that that there was no unmet demand.

The Solicitor representing the Hackney Carriage Trade, commented that the survey was not challenged by the Trade, but its outcomes were, as it had taken into account irrelevant factors. He added that the correct test for establishing whether or not the number of plates issued was increased were that of current demand. He went on to say that the nominal period during the daytime where there was a small amount of unmet demand was not significant, and that the reason for unmet demand on a Friday afternoon was due to the fact that the majority of driver's were Muslim, and therefore at Jumma Prayer at those times. He went on to say that there was also unmet demand in the early hours, as drivers did not wish to work at those times. He concluded that the Hackney Carriage trade felt that there was no unmet demand at the current time, and that there should not be an increase in the number of plates issued over the next three years.

James Jennings commented that the survey highlighted that there was evidence of unmet demand at certain times, and therefore it would be possible for the Council to make an informed decision on the matter.

A Member of the Committee commented that a compromise needed to be made between the Council and the Hackney Carriage Trade and suggested that a total of six plates be issued over the next three years, which equated to two plates issued per year. The recommendation was put to the vote and carried.

Members of the Committee also agreed that the criteria listed in the Report on how additional Licences be awarded be adopted, and that the Head of Engineering and Transportation be requested to identify any possible locations for additional rank space in the town centre and report back to a future meeting of the Committee.

**Resolved:** (i) That the Committee note the content and recommendations of the report submitted by Colin Buchannan and Partners, the Council's Consultant.

(ii) That the Committee gave its approval for six additional Hackney Carriage Licences to be issued over the next three years (two per year) by the Council.

(iii) That the following criteria be adopted to decide in a fair and transparent way how additional licences would be awarded:

*“The applicant must*

- a Satisfy the Council's Conviction Policy for the grant of a new licence in relation to criminal and motoring offences*
- b Be able to finance the provision of a Hackney Carriage that satisfies the Council's current policy in terms of access, manufacture and design and the vehicle must be less than 12 months old when first licensed.*
- c Give a written undertaking that they will not sell the Hackney Carriage Licence within two years of the licence being granted.*
- d Not be an existing Hackney Carriage Proprietor and not be the holder of a current Hackney Carriage Vehicle Licence issued by Luton Borough Council. That any person who has previously held a Hackney which was bought commercially and transferred to another family member or friend within the last two years be barred from being granted a Hackney Carriage Vehicle Licence.*
- e Give a written undertaking that the Hackney Carriage will ply for hire, in the Borough, at night and weekends.*
- f Tender an administration fee of which  $\frac{2}{3}$ <sup>rd</sup>s will be non refundable*

*That duplicate applications, when identified will result in all applications by that individual being disqualified from consideration.*

*That all applications for a new Hackney Carriage Licence be*

*processed by the Council's Licensing Service and applications which meet the agreed criteria be forwarded to the Electoral Reform Society, or some other independent organisation unconnected with Luton Borough Council, for final selection. That, if appropriate, the decision of the Committee, the process and the procedure be advertised in the Public Notices section of the local newspaper inviting applications from interested individuals."*

(iv) That the Head of Engineering & Transportation consider and report back to the Committee on the possibility of identifying the allocation of any additional rank space in the Town Centre.

**(Note: The meeting ended at 6.50 p.m.)**