

## **LICENSING COMMITTEE**

**19 MARCH 2012**

Present: Councillor J Brown (Chair)  
Councillor K Hastrick (Vice-Chair)  
Councillors K Brodhurst, J Connal, K Crout, G Derbyshire,  
J Dhindsa (for minute numbers 22 and 23.), P Jeffree (for minute  
numbers 22 and 23.), C Leslie, M Mills, A Mortimer, D Scudder,  
L Scudder and D Walford

Also present: Councillor Ian Brown, Councillor Asif Khan, Councillor  
Malcolm Meerabux and Councillor Steve Rackett  
Joe Maclaren, CTS

Officers: Head of Environmental Services  
Environmental Health and Licensing Section Head  
Legal and Democratic Section Head  
Licensing Manager  
Committee and Scrutiny Support Officer (JK)

### **19 APOLOGIES FOR ABSENCE/ COMMITTEE MEMBERSHIP**

Apologies for absence were received from Councillor Qureshi.

### **20 DISCLOSURE OF INTERESTS (IF ANY)**

There were no disclosures of interest.

### **21 MINUTES**

The minutes of the meeting held on 9 January 2012 were submitted and signed.

### **22 HACKNEY CARRIAGE VEHICLE POLICY REVIEW**

The Committee received a report of the Head of Environmental Services asking the Committee to endorse the report written by CTS into taxi demand services. The report considered whether there was significant unmet demand for taxi services in the Borough.

The Licensing Manager introduced the report and gave a presentation to the Committee including the background to the policy review. Joe Maclaren, Project Director at CTS, also made a presentation to the Committee. Mr Maclaren outlined the results of the survey and consultation responses.

The Licensing Manager advised that officers had received a letter of response from the Watford Hackney Carriage Drivers Association (WHCDA). Copies were circulated to the Committee and the Licensing Manager read out the letter. He noted that there was support for the option of a limit and an action plan from the WHCDA.

The Licensing Manager reported that if the Committee decided to introduce a limit that day it would be 304 Hackney Carriages as there were 301 licences and three applications pending. He advised that during the consultation a fixed limit was consulted on but not a limit which reduced when licences were surrendered or revoked. Only a very small number of licences were revoked or surrendered each year. It was proposed that a notification list be set up so that when a licence became available the first person on the list would be notified and invited to submit an application.

The Chair reminded the Committee that the action plan would be dealt with under the next item and invited questions.

A Councillor expressed his appreciation for the thorough report that CTS had provided. He said that it showed that supply and demand for Hackney Carriages were out of balance. He noted that the statistics showed that there were 299 Hackney Carriages and the Licensing Manager had reported that there were 301 licences and three pending. The Licensing Manager responded that applications were received daily and the database had been unavailable when the report was printed.

In response to a question from the Councillor about the purpose of the notification list, the Licensing Manager said that this prevented people asking the Council regularly whether a vacancy had arisen and relieved the Council of the need to respond regularly.

The Councillor suggested an amendment to recommendation 2.3 to add clarity; he proposed that "in accordance with sections 3.29 and 3.30 of the officer's report" be added to the end of the sentence.

The Councillor said that a fixed limit rather than a reducing limit undermined the purpose of the report. The Licensing Manager said that the consultation did not address the question of a reducing limit and without further consultation a limit which reduced as licences were revoked or surrendered could not be implemented.

A Member agreed and said that without a reducing limit the Council would be setting in stone an unsatisfactory situation. There was a third more Hackney Carriages than was necessary. He believed there should be a process which reduced the number of plates available. He asked whether work had been done to establish the ideal number of plates.

A further Member agreed and said that he had been aware of the excess numbers of taxis for some time. He asked how much the consultants from CTS

had cost. He agreed that retaining a limit at 304 would not have an effect on the oversupply. He asked what the figures were before and after delimitation and how many plates had been surrendered. He underlined some of the difficulties faced by drivers in recent years.

The Licensing Manager responded that the report did not address what the ideal number of plates in Watford would be but the ratio to the population was an indicator. He said that an online survey and press release could be used for a further consultation on a reducing limit. This might be possible before the next Licensing Committee in June 2012. He added that he did not have the figures for the number of licences surrendered and noted that they were handed back for a variety of reasons. He advised that there had been 76 Hackney Carriages before delimitation. The cost of the survey had been £12,500. The Licensing Manager said that the situation would not get worse but further consultation was needed to have a reducing limit. It was unlikely that a significant number of licences would be handed back in three years.

A Councillor asked Mr Maclaren how other councils had dealt with this problem. Mr Maclaren responded that CTS had not seen a situation as severe as in Watford. Other councils had reintroduced a limit after delimitation but few licences were surrendered and the action plan was designed to encourage drivers to move on.

A Member responded that he did not want to reduce numbers by making the rules stricter. The Chair noted that the report showed that the standard of service had reduced and the trade were also keen to improve standards.

The Legal and Democratic Section Head informed the Committee that the Council could not take away licences without criteria. Without further consultation on a reducing limit the Council could be open to challenge.

A Member felt that delimitation had been a success overall; before delimitation there had been significant unmet demand although this had been over-corrected. He referred to the problems where plates had been sold for a significant sum of money. He estimated that under the current rate it would take 20 years for the number of plates to reduce to about 225. Another Member disagreed that it had been a success; the number of Hackney Carriages had increased from 76 to 304 without the infrastructure to support it.

In response to questions about selling licences, the Licensing Manager informed the Committee that the Council could not interfere with a transfer of a licence and must register it.

A non-Committee Member noted that there seemed to be a consensus that a reducing limit should be implemented. He asked why the charge for future unmet demand surveys could not be absorbed by the current fees.

The Licensing Manager said that the costs of the survey had not been funded from the Licensing budget and the resources would not be available to cover future surveys. The current annual vehicle licence fee was £284.

The Chair moved that the amendment suggested earlier in the meeting.

It was moved that the following be added to the end of recommendation 2.3:

“in accordance with sections 3.29 and 3.30 of the officers’ report.”

On being put to the Committee this was AGREED.

The Chair moved the following recommendation:

“that officers consult on the implementation of a reducing limit of Hackney Carriage Vehicle Licences and report back to the Licensing Committee.”

On being put to the Committee this was AGREED.

RESOLVED –

1. That the CTS report into taxi demand services be endorsed.
2. (i) that a limit on the number of hackney carriage vehicle licences the Council will issue be immediately re-applied equivalent to the number of licences in force on 19 March 2012 (304)  
(ii) that an Action Plan to improve the quality of the taxi trade service provision be implemented  
(iii) that the policy be re-assessed starting spring 2015 unless legislative changes make that unnecessary, and  
(iv) that the Committee recommends to Cabinet that it imposes an additional fee of not less than £16.67 per hackney carriage vehicle licence per financial year for the next three years, such income to be paid as contribution towards the costs of future unmet demand surveys
3. That the Head of Environmental Services in consultation with the Chair of the Licensing Committee considers any applications for a new hackney carriage vehicle licence that appears to officers on its merits to be an exception to the policy of not granting any new licences in accordance with sections 3.29 and 3.30 of the officers’ report.
4. That officers consult on the implementation of a reducing limit of Hackney Carriage Vehicle Licences and report back to the Licensing Committee.

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## **DRIVER AND VEHICLE ACTION PLAN**

The Committee received a report of the Head of Environmental Services outlining the proposed measures in the action plan.

The Licensing Manager introduced the report and described the consultation that had taken place. He introduced each of the twelve actions which were then discussed by the Committee for agreement. The officer reported that there was a

typographical error in the report in recommendation 2.4, the word “less” should read “more”.

## 2. Upper age limits for Hackney Carriages

The Licensing Manager informed the Committee that the proposal was to introduce an upper age limit of 13 years for cars and 15 years for purpose-built London-style cabs. The drivers would prefer to see an upper age of 20 years but only 13 percent of vehicles were 10 years old or more. In London, the upper age limit was 15 years unless there were exceptional circumstances.

A Member noted that London Hackney Carriages did a lot more mileage than those in Watford and manufacturers’ standards had improved over the years.

A further Member said that as well as being mechanically sound, the quality of the interior for the passenger was also important.

The Chair expressed her view that 13 years was an appropriate upper age limit for cars but that London-style cabs were designed to take a lot of passengers and so 20 years would be an acceptable upper limit for these vehicles.

Another Member suggested that 15 years should be the upper limit for cars and 20 years should be the upper limit for London-style cabs.

A Member said he felt that notice should be taken of the upper limits in London where there was considerable expertise in setting limits. And the officers’ recommendation should stand.

The Chair noted that Watford Hackney Carriages were less used and were very expensive to purchase. Saloon cars deteriorated more quickly.

The Chair invited the Committee to vote on the following three options:  
Option 1. An upper age limit of 13 years for saloon cars and 20 years for London-style cabs be introduced.

Option 2. An upper age limit of 13 years for saloon cars and 15 years for London-style cabs be introduced.

Option 3. An upper limit of 15 years for saloon cars and 20 years for London-style cabs be introduced.

On being put to the Committee Option 1, that an upper age limit of 13 years for saloon cars and 20 years for London-style cabs be introduced, was AGREED.

## 3. Review taxi fares

The Licensing Manager said that the proposal was to review fares at the end of 2012 and during 2014. The trade had suggested a minimum fare of £5. A debate over this would take place when the fares were reviewed.

A Councillor asked that when fares were reviewed that the question of minimum fares at night be included.

#### 5. Review taxi rank provision

The Licensing Manager reported that a review had just been finished and if there was an opportunity to have a taxi rank in the new Charter Place development this should be pursued. New ranks were now in place outside Barclays Bank at night, the High Street Station and in the Harebreaks carpark. The proposal was to review taxi rank provision in 2015.

One Member commented that he had never seen any taxis at the new rank in the Harebreaks. The Licensing Manager responded that this was a new location that had been requested by the trade and there was still some further signage waiting to be installed.

#### 6. Introduce refresher training

The Licensing Manager reported that the refresher courses would be compulsory to attend every two licence renewals (every six years). The courses would include customer service, disability awareness and information about new roads in the Borough.

In response to a question from a Member, the Licensing Manager said that Licensing used a specialist disability trainer for their courses and they had had an offer of help from Disability Watford.

#### 7. DVLA penalty points

The Licensing Manager reported that currently if a driver received nine or more points on their DVLA licence they were required to retake the Driving Standards Agency (DSA) test. The proposal was to reduce this to six or more points. He referred to the practices of other councils outlined in the Licensing statistics document.

One Member stated that for most drivers the limit was 12 points and taxi drivers drove for a much larger part of their day than most people. If their licence was revoked this would remove their livelihood. He asked what the reason was for the change.

The Licensing Manager responded that there were an increasing number of drivers who had nine or more points. He added that points were generally not just for speeding but also for using a mobile phone whilst driving, insurance offences and problems with the condition of vehicles. He outlined the difference between the DVLA licence and the Watford Hackney Carriage licence which could gain points for parking and other offences. He explained that many offences attracted three points and allowing drivers six points gave them a second chance. It also gave them an earlier warning before they reached 12 points than nine points would.

A Member proposed that Watford adopt the approach taken by another council in the licensing statistics where the test had to be retaken if a driver gained six points in one year and nine in three years.

The Legal and Democratic Section Head commented that, in his view, the change proposed was not so significant as to require further consultation.

A Member underlined the importance of public safety and proposed that the officers' recommendations be put to the Committee.

The Chair invited the Committee to vote on the following two options:

Option 1. The DSA test be retaken after a driver has six or more points

Option 2. The DSA be retaken after a driver has accrued six points in a year or nine points in three years.

On being put to the Committee Option 1, that the DSA test be retaken after a driver has six or more points, was AGREED.

#### 9. Introduce promotion and/or accreditation

The Licensing Manager said that the finer details of any scheme were still to be finalised. He suggested that drivers could be rewarded by less extensive examinations. Any scheme would be met from existing budgets.

The Vice Chair noted that if there was a 'stars on the cars' scheme, passengers did not have a choice of taxi at the rank. They could therefore not make use of the scheme.

The Chair suggested that 'driver of the year' could be incorporated in to the Audentior Awards.

This recommendation was AGREED and the Committee asked for a more detailed proposal.

#### 10. Economic development

The Licensing Manager said it was proposed that the Council's Economic Development Officer work with drivers to develop new business opportunities. In response to Members' questions he explained that this was about helping them to develop skills and to maximise their potential, for example establishing a limited company rather than being a sole trader. This would not be compulsory for drivers.

#### 12. Written receipts

The Licensing Manager said that this was a requirement for drivers to offer a written receipt at the end of a journey. This would amend the conditions of the licences. If this was not effective, a meter which printed receipts could be introduced however these were expensive.

A Member commented that this was very useful and he was aware of occasions where passengers felt too intimidated to ask for a receipt. The receipts would allow the drivers to be identified.

This recommendation was AGREED.

RESOLVED –

1. That officers implement the proposals in the Action Plan as summarised at paragraph 3.21 of this report and as amended by the Licensing Committee.
2. That hackney carriage vehicle and private hire vehicle licences be amended to include the following condition:

“The holder of this licence shall ensure that the driver of the vehicle offers to each passenger (or, if there are more than one passengers, at least one of those passengers) at the termination of their journey a receipt which shall contain at the least the following information:

- (1) the date
- (2) the fare for that journey
- (3) the number of the badge issued by Watford Borough Council to that driver
- (4) other information that may be specified in writing to the licence-holder by Council officers.”

3. That officers, in consultation with the Chair of the Licensing Committee, may make minor amendments to the wording of the above condition as may prove necessary.

4. That the existing policy for hackney carriage vehicles being licensed for the first time be amended so that the DVLA vehicle age identifier (eg “58” or “08” on a licence plate) is not more than four years old when first licensed by the Council in the case of London-style and purpose-built hackney carriages; and no more than three years old in all other cases.

Chair

The Meeting started at 7.30 pm  
and finished at 9.55 pm