



Extract from the draft minutes of the meeting of the REGULATORY COMMITTEE held on WEDNESDAY 11 DECEMBER 2013

Present: Councillor Burke (Chair)
Councillors Bald, Brunning, Exon, Legg (Substitute for Councillor Miles), McKenzie, Morris and P Williams

Officers: I Ali (Principal Solicitor), K Ford (Head of Regulatory Unit), S Teesdale (Regulatory Advice and Licensing Team Leader), C Londy (Regulatory Investigations Manager), E Fisher (Senior Practitioner), and D Imbimbo (Committee Manager).

Also Present: Councillor Kennedy

Apologies: Councillor Miles

Public Present: 75

RC23 REVIEW OF HACKNEY CARRIAGE ARRANGEMENTS IN MILTON KEYNES

The Committee considered a report written in response to a deputation received in June 2013. The Committee was reminded that it had received a deputation from the Milton Keynes Hackney Carriage Association 2011 requesting that the Council cease issuing Hackney Carriage vehicle licences and to regulate the trade.

Members heard that The Council had previously limited the number of Hackney Carriage vehicles but delimited in 2002. There was no legal provision for limiting the number of private hire vehicles in the borough but a power to limit the number of Hackney Carriage vehicles does exist.

Members heard that in order to impose a limit on numbers the Committee must be satisfied that there was no significant demand for the services of hackney carriages which was unmet. In 2011 the Council commissioned a limited 'unmet' demand survey and considered its results in December of that year, at that time it was resolved not to regulate Hackney Carriage numbers.

The Committee received legal advice that should Members consider imposing a limitation on numbers of licenses, Members must satisfy themselves that the 2011 unmet demand survey was still relevant, the alternative and more prudent option would be to commission a new survey, the cost of which would be approximately £10k.

Members commented that the 2011 survey suggested that the appropriate number of licenses to meet the demand at that time was

150 and Milton Keynes presently had 209 licensed Hackney Carriages.

The Committee received representations from Mr P Kirkham (Chair of Milton Keynes Hackney Carriage Association 2011[MKHCA2011]) and Mr K Weldon (member of MKHCA 2011) explaining the difficulties that the trade was experiencing due to limited fares being available and the impact this was having on the income of drivers which was creating a risk culture in terms of vehicle maintenance as licensees were unable to pay for repairs. The representatives of the MKHCA 2011 asked that the Committee take immediate action to regulate the number of licenses. Members heard that in the event that the Committee should resolve to delay a decision based on a new unmet demand survey, it had been the experience elsewhere that during the interim period significant numbers of applications for new licenses would be made, this would compound the problem.

Members heard from the Senior Practitioner that there had been only a small increase in the numbers of Hackney Carriages licensed since the 2011 Survey,

Members recognised that Government guidance on the subject suggested that where a limitation had been agreed there was a need to conduct a fresh survey at least every three years, and therefore it could be deemed that the 2011 survey was still relevant and could form the basis of making a determination to limit numbers at their existing rate at this time, it was also recognised that there would be a need to commission a new survey to allow an informed decision on a maximum number of licenses that should be permitted, as clearly the data that was available suggested that the present number exceeded demand significantly. Members stated that in the event that a new survey was commissioned and recommended a number lower or higher than the present figure a mechanism for attaining the recommended level would have to be agreed. It was also recognised that there could be applications being processed that a decision to limit numbers to the present level would jeopardise, therefore any proposal to introduce a limit should allow the inclusion of any applications that had been received at 5.00pm on the date of this meeting (11/12/2013).

The Senior Practitioner asked that if Members were minded to introduce a limit they determine what action should be taken in the event that a license either lapses or is surrendered.

Councillor Burke proposed, and Councillor Exon Seconded:

- “1. That the Committee being satisfied that there was no significant unmet demand for the services of Hackney Carriages, resolved that a limit on the number of permitted licenses to the present number of 209 and to include any applications that had been submitted by 5pm (17:00hrs) on 11 December 2013, if successful, and to include those

vehicles that had been booked in for a test be introduced with immediate effect, and:

2. That a further unmet demand survey be conducted with a view to establish the appropriate future figure for the number of permitted Hackney Carriage Licenses, and;
3. That in the event that the unmet demand survey suggested a number other than the present levels as described above Officers bring a recommendation for a process by which to manage the number to that level.”

On being put to the vote the motion was carried unanimously.

RESOLVED –

1. That a limit on the number of permitted licenses to the present number of 209 and to include any applications that had been submitted by 5pm (17:00hrs) on 11 December 2013, if successful, and to include those vehicles that had been booked in for a test be introduced with immediate effect, and:
2. That a further unmet demand survey be conducted with a view to establish the appropriate future figure for the number of permitted Hackney Carriage Licenses, and;
3. That in the event that the unmet demand survey suggested a number other than the present levels, as described in 1. Above, Officers bring a recommendation for a process by which to manage the number to that level.